

INTERNATIONAL OLYMPIC COMMITTEE
EXECUTIVE BOARD DECISION

REGARDING MS NAN AYE KHINE
BORN ON 19 SEPTEMBER 1976, ATHLETE, MYANMAR, WEIGHTLIFTING

(Rule 25.2.2.1 of the Olympic Charter)

1. Ms Nan Aye Khine was requested on Thursday 12 August 2004, in Athens, in the afternoon, to provide a urine sample for a doping control.
2. Pursuant to Article 7.2.1 of the IOC Anti-Doping Rules applicable to the Games of the XXVIII Olympiad in Athens in 2004 (the "Rules"), Dr Patrick Schamasch, as representative of the Chairman of the IOC Medical Commission, was informed at about 08:00 hours on Sunday 15 August 2004, by the Head of the WADA Accredited Laboratory in Athens of an adverse finding on an "A" sample collected on Thursday 12 August 2004 in Athens.
3. Pursuant to Article 7.2.2 of the Rules, Dr Schamasch, in his capacity as representative of the Chairman of the IOC Medical Commission and IOC Medical Director, determined that the above-noted A sample belonged to Ms Nan Aye Khine, and verified that it did in fact give rise to an adverse analytical finding. He also determined that there was no apparent departure from the International Standards for Testing or the International Standards for Laboratories that undermined the validity of the adverse analytical finding.
4. Pursuant to Article 7.2.3 of the Rules, Dr Schamasch, representing the Chairman of the IOC Medical Commission, immediately informed the IOC President, Dr Jacques Rogge, of the existence of the analytical finding and the essential details available to him concerning the case.
5. Pursuant to Article 7.2.4 of the Rules, the IOC President, by letter dated 15 August 2004, immediately set up a Disciplinary Commission, consisting of:
 - Dr Thomas Bach (Chairman)
 - Mr Denis Oswald
 - Mr Sergey Bubka
6. Pursuant to Article 7.2.5 of the Rules, the IOC President by letter dated 15 August 2004, informed Ms Nan Aye Khine, the Chef de Mission of the Myanmar NOC, Mr U Than Zaw, and a representative of Legal Commission of the IWF, Mr Boris Kaiser, of, among other things, the adverse analytical finding and the time, date and place of the hearing of the Disciplinary Commission regarding this case.
7. The Disciplinary Commission held a hearing on 15 August 2004 at 18:40 hours, at the Hilton Hotel in Athens, in the presence of a delegation (hereinafter the "Delegation") comprised of:
 - Ms Aye Khine Nan, Athlete
 - Mr U Than Zaw, Chef de Mission of the Myanmar NOC

- Mr Myat Thuya Soe, Doctor
- Mr U Hla Win, Weightlifting Coach

8. The International Weightlifting Federation (IWF) was represented at the hearing by Mr Boris Kaiser, a member of its Legal Commission.

9. Also attending the hearing was Dr Patrick Schamasch, IOC Medical Director; Mr Howard Stupp, IOC Director of Legal Affairs; Mr François Carrard, IOC Legal Advisor; and Prof. Ulrich Haas, WADA Independent Observer.

10. The Delegation had been informed of the results of the laboratory analysis of the "A" sample which, according to the analysis report prepared by the Head of the WADA Accredited Laboratory, indicated the presence of a prohibited substance (- anabolic steroid).

11. The Delegation confirmed, at the beginning of the hearing of the Disciplinary Commission, that the rules regarding the management of the apparent anti-doping rule violation had been respected.

12. Ms Nan Aye Khine admitted that she had taken a herbal remedy on a regular basis, the content of which had not been examined by a doctor.

13. After hearing the Delegation and the arguments it put forward, the Disciplinary Commission retired in order to deliberate.

14. The Disciplinary Commission unanimously concluded that Ms Nan had committed a doping offence pursuant to Article 2.1 of the Rules in that there was the presence of a prohibited substance (anabolic steroid) in her body.

15. The Disciplinary Commission was unanimously of the view that the following recommendations be made to the IOC Executive Board:

15.1 that Ms Nan Aye Khine be disqualified from the women's 48 kg weightlifting event, where she had placed fourth;

15.2 that Ms Nan Aye Khine be excluded from the Games of the XXVIII Olympiad in Athens in 2004;

15.3 that Ms Nan Aye Khine's Olympic identity and accreditation card be immediately withdrawn; and

15.4 that the International Weightlifting Federation be requested to modify the results of the above-mentioned event accordingly and to consider any further action within its own competence.

15.5 that the National Olympic Committee of Myanmar be ordered to return to the IOC, as soon as possible, the diploma awarded to the Athlete in relation to the above-noted event.

16. On Monday, 16 August 2004, the Disciplinary Commission presented its report and recommendations to the IOC Executive Board, including the minutes of the hearing referred to in Paragraph 7 above and the recommendations referred to in Paragraph 15 above.

17. The IOC Executive Board discussed the case in further detail. It decided to uphold the facts as stated and reported by the Disciplinary Commission.

18. The IOC Executive Board also took note of the recommendations of the Disciplinary Commission.

CONSIDERING the above, pursuant to the Olympic Charter and, in particular, Rule 25.2.2.1 thereof, and pursuant to Articles 2.1 and 8 of the IOC Anti-Doping Rules applicable to the Games of the XXVIII Olympiad in Athens in 2004

**THE EXECUTIVE BOARD OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES**

I. The athlete Ms Nan Aye Khine (Myanmar), weightlifting:

- (i) is disqualified from the women's 48 kg weightlifting event, where she had placed fourth;
- (ii) is excluded from the Games of the XXVIII Olympiad in Athens in 2004; and
- (iii) shall have her Olympic identity and accreditation card be immediately withdrawn.

II The International Weightlifting Federation is requested to modify the results of the above-mentioned event accordingly and to consider any further action within its own competence.

III The National Olympic Committee of Myanmar is ordered to return to the IOC, as soon as possible, the diploma awarded to the Athlete in relation to the above-noted event.

IV. This decision shall enter into force immediately.

Athens, 16 August 2004

On behalf of the IOC Executive Board

Dr Jacques ROGGE

IOC President

Urs LACOTTE

Director General