



GUVERNUL ROMÂNIEI
AGENȚIA NAȚIONALĂ ANTI-DOPING

**THE HEARING COMMISSION FOR THE ATHLETES AND THEIR
SUPPORT PERSONNEL WHO VIOLATED THE ANTI-DOPING RULES**

To
BARBU AUGUSTIN
Steaua Bucharest Army Sport Club
Romanian Athletics Federation
Ministry of Youth and Sport
International Association of Athletics Federations
Romanian Olympic and Sport Committee
World Anti-Doping Agency

Bucharest, 15.10.2013

Regarding the case of **National Anti-Doping Agency** *versus* **Barbu Augustin**, affiliated to Steaua Bucharest Army Sport Club,
sport discipline athletics

DECISION

No. 18/15.10.2013

Issued by

**THE HEARING COMMISSION FOR THE ATHLETES AND THEIR
SUPPORT PERSONNEL WHO VIOLATED THE ANTI-DOPING RULES**

With the following structure:

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Secretary of the Hearing Commission: **Gabriela ANDREIASU**

Summoned on 15.10.2013, 11:00 H, for the hearing of the coach, Mr. Barbu Augustin, affiliated to Steaua Bucharest Army Sport Club, support personnel of the athletes Maxim Simona Raula and Birca Roxana, residing in Bucharest, District 1, 23 Magura Odobesti Street.

The Hearing Commission, pursuant to the provisions of article 33, paragraph (1) of Law 227/2006 regarding prevention and fight against doping in sport, republished, organized a hearing of Barbu Augustin, as support personnel of the athletes Maxim Simona Raula and Birca Roxana, as he has violated the provisions of art.2, paragraph (2), letter h) of the mentioned law.

At the hearing procedure the Commission took into account:

- statements of Barbu Augustin given in the two cases, already managed by the Hearing Commission, regarding the athletes Maxim Simona Raula and Birca Roxana,
- presence of recombinant Erythropoietin, in the athlete Maxim Simona Raula's sample, substance included in class S2 – Peptide Hormones, which can only be administered by systemic route (injection),
- presence of the prohibited substances **18-nor-17b-hydroxymethyl-2a,17a-dimethyl-5a-androst-13-en-3-one** in the athlete Birca Roxana's sample,
- alleged presence of recombinant Erythropoietin, in the athlete Birca Roxana's sample, substance included in class S2 – Peptide Hormones, which can only be administered by systemic route (injection),
- his inconclusively statements regarding the leaving of Snagov centralized training camp by the athlete Maxim Simona Raula,
- easily acceptance offered to the athlete, regarding her leaving from the training camp, as he was aware about an imminent doping control,

- contradictory statements given by the coach, regarding the telephone conversations with the athlete and with the sport bodies in the period 30.07-05.08.2013.

Case background

Upon the request of the Romanian Athletics Federation, by the letter no. 1899/31.07.2013, and registered by the National Anti-Doping Agency (ANAD) with no. 6757/01.08.2013, ANAD Doping Control Officers team went on 01.08.2013 to Snagov, Baza Noua, to test the athlete Maxim Simona Raula. She was not found at that location, indicated by Romanian Athletics Federation. As of the statements of the athlete given during the hearing meeting on 08.08.2013, respectively on 28.08.2013, is arising the fact that the athlete was excused by the coach, Mr. Barbu Augustin and she received his consent to leave the location on 31.07.2013 to go to her father's home in Zalau, Salaj County, saying that he had health problems. At the Hearing meetings on 08.08.2013 and 28.08.2013, the coach stated that following the conversation had with the athlete, he analyzed the situation in an emotional mode, without taking into account the legal aspects, that it would involve the immediate notification of the Romanian Athletics Federation. He also stated that he did not see with who she got away or how she left the sportive camp.

The Hearing Commission taking into account the documents within the file, the contradictory statements of the athlete, the statements of the responsible factors within Romanian Athletics Federation and within Steaua Army Sport Club, as well as the fact that the athlete could not demonstrate that she left the training camp on 31.07.2013 evening, decided her ineligibility from sport activity, for a period of four (4) years, as the athlete violated the provisions of article 2, paragraph (2), letter c) of Law 227/2006 regarding prevention and fight against doping in sport, republished with subsequent amendments.

The commission took into account the fact that another athlete of the coach, Mr. Barbu Augustin's training program, Birca Roxana Elisabeta, was

tested positive on 11.07.2013, with the prohibited substance **18-nor-17b-hydroxymethyl-2a,17a-dimethyl-5a-androst-13-en-3-one**, a long-term metabolite of methasterone, with the occasion of the University Championships in Kazan, Russian Federation. As of the statements given by the athlete Birca Roxana Elisabeta, at her hearing, on 15.10.2013, it shows the fact that she could not explain the presence of the prohibited substance in her body.

Taking into account the nature of the prohibited substance, the strict liability principle, the Hearing Commission decided by Decision no. 17/15.10.2013 the ineligibility of the athlete Birca Roxana Elisabeta from sport activity, for a period of two (2) years, pursuant to the provisions of article 38 of Law 227/2006 regarding prevention and fight against doping in sport, republished with subsequent amendments, as the athlete had violated the provisions of article 2, paragraph (2), letter a) of the mentioned law, as the prohibited substance **18-nor-17b-hydroxymethyl-2a,17a-dimethyl-5a-androst-13-en-3-one**, a long-term metabolite of **methasterone**, a substance included in class S1.1.A of the Prohibited List – Exogenous Anabolic Androgenic Steroids was found in her sample.

The Hearing Commission for athletes and their support personnel who violated the anti-doping rules, after reviewing the documents within the file, the statements given during the hearing meeting sessions, the fact that the coach did not have until this year any athlete who violated the anti-doping rules, unilateral admitting by the athletes of the facts for which they were sanctioned, as well as the national and international legal provisions:

DECIDES

No ineligibility of the coach Barbu Augustin, affiliated to Steaua Bucharest Army Sport Club from sport activity, because there is no acceptable evidences to establish the violation of the provisions of the article 2, paragraph (2), letter h) *assisting, abetting or any other type of complicity*

involving a violation of the anti-doping rules pursuant to letter a)-g) of Law 227/2006 regarding prevention and fight against doping in sport, republished.

The Hearing Commission requests Steaua Bucharest Army Sport Club to apply administrative measures regarding case of the coach, Mr. Barbu Augustin, taking into account the fact that in a short period he trained two athletes who violated the current anti-doping rules.

The Hearing Commission also requests to be informed regarding the administrative measures applied in this case.

The decision shall be communicated to the coach Barbu Augustin, Steaua Bucharest Army Sport Club where he is affiliated, Romanian Athletics Federation, the Ministry of Youth and Sport, Romanian Olympic and Sport Committee, the International Association of Athletics Federations and the World Anti-Doping Agency.

The decision may be appealed to the Appeal Commission besides National Anti-Doping Agency, in 21 days since its notification.

Pursuant to the provisions of art. 36, paragraph (4) of the Law 227/2006 regarding prevention and fight against doping in sport, republished with subsequent amendments, the above-mentioned institutions are required to maintain confidentiality of the information communicated, until the public disclosure of the case.

CHAIRMAN OF HEARING COMMISSION

Ioan DOBRESU