



International Paralympic Committee  
Anti-Doping Committee

In the matter of:

INTERNATIONAL PARALYMPIC COMMITTEE  
(the *Applicant*)

Versus

MR MUSTAFA RADHI  
(the *Respondent*)

International Paralympic Committee  
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## Parties

1. The International Paralympic Committee (IPC), the Applicant, is the global governing body of the Paralympic Movement and, in particular, of the Paralympic Games. In addition, the IPC is the International Federation of several sports, including IPC Powerlifting. The IPC holds registered offices in Bonn, Germany.
2. Mr. Radhi, the Respondent, is an Iraqi athlete in the sport of IPC Powerlifting, participating in the 2010 Asian Para Games.

## Communication

3. In accordance with the IPC Anti-Doping Code, Article 14.1, the Respondent (and other persons) shall be notified by the IPC through the relevant NPC.

## Background

4. On 13 December 2010, the Athlete competed at the 2010 Asian Para Games in Guangzhou, China.
5. The Asian Paralympic Committee (APC) is the event organizer. In accordance with the provisions set forth in the 2010 Asian Para Games Doping Control Guide, the IPC is responsible for the 2010 Asian Para Games Anti-Doping Programme (art 1).
6. After completion of his competition, the Athlete was notified to provide a sample for doping control for an in-competition test.
7. The Athlete provided a sample (sample number 1936850) (the *Sample*) which was sent for analysis to the WADA accredited Laboratory 'National Anti-Doping Laboratory' (the *Laboratory*) in Beijing, China.
8. On 16 December 2010, the Laboratory reported an adverse analytical finding for the substance 19-norandrostenedione and its metabolite 19-norandrosterone at a concentration > 25ng/mL which is above its threshold. 19-norandrostenedione is classified as S1 (1) (a) exogenous anabolic androgenic steroid in the World Anti-Doping Agency (WADA) 2010 Prohibited List (the *Prohibited List*).
9. The initial review by the IPC determined that there was no applicable TUE for this substance, and that there was no departure from the



International Standard for Laboratories or International Standard for Testing that caused the adverse analytical finding.

10. Accordingly, on 17 December 2010, the IPC notified the Athlete via the National Paralympic Committee (NPC) of Iraq of the adverse analytical finding in accordance with Article 7.2 of the IPC Anti-Doping Code 2009 (the *Code*). The Athlete was advised that he was provisionally suspended from the date of notification; on the automatic disqualification of the competing results in connection with an in-competition test, including forfeiture of any medals, points and prizes obtained on the date of sample collection (13 December 2010); on the disqualification of all competing results including forfeiture of all competing results including forfeiture of any medals, points and prizes obtained subsequent to the sample collection date; that the normal consequences of such an anti-doping rule violation would be a two year period of ineligibility; and of his rights, including to request B sample analysis by no later than 18:05 on 17 December 2010, to request the laboratory documentation pack, and was advised of the proposed sanction.
11. The notification letter enclosed a letter “Letter of Decision” for the Athlete to complete and return to IPC no later than 18:05 on 17 December 2010.
12. At 12:40 on 17 December 2010, the Athlete returned the Letter of Decision to the IPC. In the letter, the Athlete signed that he accepted that he did not have a TUE granted for the prohibited substance; that he accepted a provisional suspension starting on the date of the notification of an adverse analytical finding (17 December 2010); that he accepted the results of the A sample analysis; that he expressly waived the right of B sample analysis; that he accepted to have committed an anti-doping rule violation in accordance with Article 2.1. of the Code; and that he accepted the consequences of the anti-doping rule violation as proposed.

### **Legal Analysis**

13. As a member of the NPC Iraq and a registered competitor in the 2010 Asian Para Games the IPC Anti-Doping Code applies to the Athlete.
14. The principle of strict liability applies to anti-doping matters. Athletes are responsible for what is found in their system. The detection of a prohibited substance by a WADA accredited laboratory in an athlete’s sample will ordinarily constitute grounds for the finding of an anti-



doping rule violation, unless the athlete can establish good reason why the detection of the substance does not constitute such a violation.

15. By returning the “Letter of Decision”, duly completed and signed, the Athlete accepts an anti-doping rule violation under Article 2.1. of the Code, and accepts the proposed sanction.
16. The IPC Anti-Doping Committee, represented on site at the 2010 Asia Para Games by Ms. Nicki Vance, Mr. George Tsamis and Dr. Matthias Strupler, has reviewed the “Letter of Decision” on 17 December 2010.

### **Decision**

17. The IPC Anti-Doping Committee rules as follows:
  - a. Pursuant to Article 9 of the IPC Anti-Doping Code 2009, the Athlete is automatically disqualified of his individual results obtained in the 2010 Asian Para Games from the date of 13 December onwards, including forfeiture of any medals, points and prizes won;
  - b. Pursuant to Article 10.2 of the IPC Anti-Doping Code 2009, a two year period of ineligibility, commencing as from the date of the provisional suspension, is imposed on the Athlete. As such, the Athlete is declared ineligible from 17 December 2010 until 17 December 2012;
  - c. Pursuant to Article 10.1 of the IPC Anti-Doping Code 2009, the disqualification of all competition results including forfeiture of any medals, points and prizes obtained subsequent to the sample collection on 13 December 2010, if any exist
18. The IPC Anti-Doping Committee further emphasizes the athlete’s adherence to the status during ineligibility, as set forth in Article 10.10 of the IPC Anti-Doping Code.

### **Appeal**

19. The Athlete is reminded the Appeal procedures in Article 13 of the IPC Anti-Doping Code.

Submitted to the IPC Governing Board as recommendation from the IPC Anti-Doping Committee in accordance with Article 8.5.2 of the IPC Anti-Doping Code 2009.



On 22 December 2010 the IPC Governing Board reviewed the above document and ratified the decision of the IPC Anti-Doping Committee.

A handwritten signature in black ink, appearing to be "Xavier Gonzalez", is positioned above the printed name.

Xavier Gonzalez  
Chief Executive Officer  
International Paralympic Committee

cc. Kerwin Clarke, WADA Result Management  
Toni Pascual, Chairperson IPC Anti-Doping Committee  
Jon Amos, Chairperson STC IPC Powerlifting