

INTERNATIONAL OLYMPIC COMMITTEE

**IOC DISCIPLINARY COMMISSION
DECISION**

**REGARDING JOHNNY PILAY
BORN ON 17 MAY 1993, ATHLETE, ECUADOR, WRESTLING**

(Rule 23.2.1 of the Olympic Charter)

1. On 17 August 2010, Mr Johnny Pilay (hereinafter the "**Athlete**") competed in the Men's Freestyle 63 kg event, upon the occasion of the 1st Youth Olympic Games in Singapore, 2010, where he ranked 5th.
2. The Athlete was requested on 17 August 2010, in Singapore, at approximately 17:45, following the completion of his participation in the Men's Freestyle 63 kg event, to provide a urine sample for a doping control.
3. Pursuant to Article 6.2.1 of the *IOC Anti-Doping Rules Applicable to the 1st Youth Olympic Games in Singapore in 2010* (the "**Rules**"), Dr Patrick Schamasch (the "**IOC Medical Director**"), as representative of the Chairman of the IOC Medical Commission, was informed on 8 September 2010, by the Head of the WADA Accredited Laboratory in New Delhi, of an adverse analytical finding on the A sample of the above-noted urine.
4. Pursuant to Article 6.2.2 of the *Rules*, the IOC Medical Director determined that the above-noted A sample belonged to the Athlete, 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.
5. Pursuant to Article 6.2.3 of the *Rules*, the IOC Medical Director immediately informed the IOC President, Dr Jacques Rogge, of the existence of the adverse analytical finding and the essential details available to him concerning the case.
6. Pursuant to Article 6.2.4 of the *Rules*, the IOC President, by letter dated 13 September 2010, set up a Disciplinary Commission, consisting of:
 - Thomas Bach (Chairman)
 - Denis Oswald
 - Frank Fredericks

The IOC President also informed the Disciplinary Commission that, pursuant to Rule 23.2.4 of the Olympic Charter and Article 6.1.6. of the *Rules*, the decision of the Disciplinary Commission in this case would constitute the decision of the IOC.

7. Pursuant to Article 6.2.5 of the *Rules*, by letter dated 13 September 2010 notified to the Athlete, to the Secretary General of the NOC of Ecuador and to the International Federation of Associated Wrestling Styles, the IOC President advised them of the above-mentioned adverse analytical finding.

The analytical report of the laboratory analysis of the A sample, issued by the WADA Accredited Laboratory in New Delhi and attached to the above-mentioned letter dated 13 September 2010, indicated the presence of the prohibited substance **Furosemide**.

8. The athlete did not request the analysis of the B sample and waived his right to a defense in writing and his right to attend a hearing of the Disciplinary Commission, by a communication made through his NOC dated 17 September 2010.

9. On 17 September 2010, the Anti-Doping Commission of the NOC of Ecuador held a hearing in the presence of the Athlete and concluded that the athlete be sanctioned with a two year suspension.
10. After reviewing the file and the information at hand, the Disciplinary Commission unanimously concluded that the Athlete had committed an anti-doping rule violation pursuant to Article 2.1 of the World Anti-Doping Code (the “**Code**”) and Articles 2 and 13 of the *Rules* in that there was the presence of the prohibited substance **Furosemide** in his body.
11. The Disciplinary Commission notes that additional information in relation to the circumstances that lead to such anti-doping rule violation should be gathered by the International Federation of Associated Wrestling Styles and the National Olympic Committee of Ecuador within their own competence, not only with respect to the Athlete, but, in particular, with respect to the Athlete’s entourage.

The International Federation of Associated Wrestling Styles may take into account the possible cooperation of the Athlete in establishing the circumstances of the anti-doping rule violation when assessing the duration of suspension of the Athlete.

12. As for the National Olympic Committee of Ecuador, the Disciplinary Commission notes that it has taken swift action at the occasion of its hearing of 17 September 2010.

However, while at this point of time there is no evidence that would justify sanctions or measures against such National Olympic Committee or other individual persons, the Disciplinary Commission takes this opportunity to remind it of its responsibilities in relation to the fight against doping and asks the National Olympic Committee of Ecuador to ensure that all means are taken to identify all circumstances surrounding this specific case and, more generally, to prevent further cases.

The IOC reserves its right to reconsider its position in relation to the National Olympic Committee of Ecuador or other individual persons, should there be additional information available to it in the future.

CONSIDERING the above, pursuant to the Olympic Charter and, in particular, Rule 23.2.1 thereof, and pursuant to the *IOC Anti-Doping Rules Applicable to the 1st Youth Olympic Games in Singapore in 2010* and in particular, Articles 1.2, 2 and 8.1 thereof and pursuant to the World Anti-Doping Code and, in particular, Articles 2.1 and 10.1 thereof:

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES

- I. The Athlete, Johnny Pilay, Ecuador, Wrestling:
 - (i) is disqualified from the Men’s Freestyle 63 kg event at the 2010 Youth Olympic Games, where he placed 5th;
 - (ii) shall have his participation certificate in the 1st Youth Olympic Games withdrawn.
- II. The International Federation of Associated Wrestling Styles is requested to modify the results of the above-mentioned event accordingly and to consider any further action within its own competence, not only with respect to the Athlete, but, also, with respect to the Athlete’s entourage.

- III. The NOC of Ecuador is ordered to return to the IOC, as soon as possible, the participation certificate awarded to the Athlete in relation to the 1st Youth Olympic Games;
- IV. This decision shall enter into force immediately.

Lausanne, October 2010

The IOC Disciplinary Commission

Thomas BACH
Chairman

Denis Oswald

Frank Fredericks