

Estonian Anti-Doping Disciplinary Panel – Summary of the Resolution

The resolution has been compiled following the structure of the Results Management Guidelines Template I – Reasoned Decision. First three parts are summarised.

The Estonian Anti-Doping Disciplinary Panel consisting of Margus Mugu (chairman), Marek Kaleta, Siim Schneider and Jarek Mäestu met on December, 16, 2015 in Tallinn to review the case of violation of anti-doping rules in relation to the adverse analytical finding (cannabinoids) returned in the in-competition doping sample given by [the Athlete] on [...] 2015. The meeting was attended by [the Athlete] (hereinafter also referred to as the Athlete), the Executive Director of the Estonian Anti-Doping Agency Elina Kivinukk and the representatives of the Estonian Football Association, Mihkel Uiboleht and Tõnu Sirel.

4. Procedural issues and plea

4.1 The Athlete did not request B-Sample Testing.

4.2 The Athlete explained in writing (on Dec, 4th) that he had visited Netherlands and used cannabis, which is not prohibited there. He assured that the context of the cannabis use was unrelated to sport performance.

5. Evidence

5.1 Estonian Anti-Doping Agency presented:

5.1.1 Doping Control form, indicating that testing took place on [...] 2015.

5.1.2 The A-Sample report from November 12th, indicating S8. Cannabinoids/Carboxy-THC greater than the Decision Limit of 180 ng/ml. The mean concentration measured was 239 ng/ml.

5.2 The Athlete confirmed that he had used cannabis on [...] in the Netherlands and the context of the cannabis use was unrelated to sport performance.

6. Assessment of evidence

Presence of the prohibited substance has been sufficiently proved according to the World Anti-Doping Code Article 2.1.2, where the Athlete's A-sample indicated the following substance: S8. Cannabinoids/Carboxy-THC.

7. Resolution

7.1 For the reasons outlined above, the Athlete has violated the Code rule 2.1.

7.2 The Athlete admitted the use of the doping substance, but not relating to the sports performance.

7.3 Therefore the Panel has determined that the Athlete is guilty of the offences outlined above, however there is no significant fault.

7.4 Based on the Code Article 10.5.1.1. ineligibility may be reduced for six months.

7.5 No other aggravating or mitigating circumstances were found in the case.

10. Based on the above, the Estonian Anti-Doping Disciplinary Panel decides:

10.1 To impose an ineligibility period of eighteen (18) months, starting from December 16th, 2015 and lasting until June 15th, 2017 on [the Athlete] (ID [...]) on the basis of Article 10.2.2 of the Code.