



**DECISION OF THE COMMONWEALTH GAMES FEDERATION
PURSUANT TO ARTICLE 7.6.3 OF THE CGF ANTI-DOPING RULES**

1 Introduction

- 1.1 The Commonwealth Games Federation (the “CGF”) is the ruling body and supreme authority in all matters concerning the XXII Commonwealth Games staged in Birmingham in 2022 (the “**2022 Commonwealth Games**”). It is also a Signatory to the World Anti-Doping Code and has the roles and responsibilities given to Major Event Organizations in Code Article 20.6. In the discharge of those responsibilities, and as its contribution to the fight against doping in sport, the CGF adopted the 2022 CGF Anti-Doping Rules (the “**CGF ADRs**”) which set out the Code-compliant anti-doping rules applicable to the 2022 Commonwealth Games.
- 1.2 Ali Asad (the “**Athlete**”) is a 22-year-old wrestler who is a national of Pakistan. He provided a urine sample In-Competition, on 6 August 2022, at the 57kg Freestyle Wrestling competition. The Athlete was subject to and bound by the CGF ADRs as an athlete preparing for, accredited for and/or participating in the 2022 Commonwealth Games. By way of his Entry and Eligibility Form for the 2022 Commonwealth Games the Athlete also expressly agreed, among other things, to comply with the “*World Anti Doping Code as well as the CGF Anti-Doping Rules for the Games*”.
- 1.3 The CGF notified the athlete of an Adverse Analytical Finding (“**AAF**”) under the CGF ADRs by way of letter dated 8 September 2022 (re-sent via email on 12 September 2022; the “**AAF Notification**”), and subsequently charged the Athlete with the commission of Anti-Doping Rule Violations by way of letter dated 29 September 2022 (the “**Charge Letter**”).
- 1.4 The Athlete did not provide a formal response to the Charge Letter by the deadline specified within it, and therefore pursuant to Article 7.6.2 of the CGF ADRs, he was deemed to have admitted the Anti-Doping Rule Violations charged and to have acceded to the Consequences specified in the Charge Letter:
- “5.3.1 If before 5pm BST on 12 October 2022 you neither challenge the assertion of the ADRV charges nor request a hearing, you will be deemed to have waived your right to a hearing and admitted the ADRV charges, as provided for at Article 7.6.2 of the CGF ADRs.”*
- 1.5 The CGF therefore issues this decision further to the CGF ADR’s Article 7.6.3, which provides:
- “7.6.3 In cases where Article 7.6.1 or Article 7.6.2 applies, a hearing before an Independent Tribunal will not be required. Instead the CGF will promptly issue a written decision that conforms with Article 9 of the International Standard for Results Management and Article 7.7 of these CGF ADR. It will send copies of that decision to the affected Athlete or other Person, and to other Anti-Doping Organizations with a right to appeal under Article 12.2.2 and will promptly report that decision into ADAMS and Publicly Disclose it in accordance with Article 13.3.2.”*

2 Athlete's commission of Anti-Doping Rule Violations

- 2.1 On 6 August 2022 the Athlete provided a urine Sample In-Competition collected by a Doping Control Officer acting on behalf of the CGF. The sample was split and sealed in two separate tamper-evident bottles, which were given reference numbers A1185629 (the "**A Sample**") and B1185629 (the "**B Sample**", and together with the A Sample, the "**Samples**").
- 2.2 The Samples were transported to the World Anti-Doping Agency ("**WADA**") accredited laboratory, the Drug Control Centre, King's College London (the "**Laboratory**"). The Laboratory analysed the A Sample in accordance with the procedures set out in the International Standard for Laboratories ("**ISL**") and reported an AAF, namely that the A Sample contained the following Methandienone metabolites:
- 6β-hydroxymetandienone (6b-OH methandienone);
 - 17α-methyl-5β-androstane-3α,17β-diol (5b-MAD);
 - 17β-methyl-5β-androst-1-ene-3α,17α-diol (Epimethendiol); and
 - 17β-hydroxymethyl,17α-methyl-18-nor-androst-1,4,13-trien-3-one (Methandienone LTM or long-term metabolite).
- 2.3 Methandienone is a Prohibited Substance under the Code, in the class S1 of WADA's 2022 Prohibited List (Anabolic Agents). Methandienone is listed as a non-specified Substance.
- 2.4 The CGF wrote to the Athlete on 8 September 2022 (re-sent via email on 12 September 2022), notifying the Athlete of the AAF, requesting that he provide a full written explanation for the asserted AAF, and provisionally suspending the Athlete in accordance with Article 7.5.2.1 of the CGF ADRs.
- 2.5 The Athlete responded to the AAF notification on 12 September 2022, asking if the result was positive or negative, but failing to provide an explanation for the AAF prior to the deadline specified in the AAF notification.
- 2.6 The Athlete did not request the analysis of his B Sample to determine if it also contained Methandienone, and therefore he was deemed to have waived analysis of the B Sample.
- 2.7 Pursuant to Article 7.2.1 of the CGF ADRs, the CGF conducted a review of the case and determined that (i) the Athlete did not have an applicable Therapeutic Use Exemption, (ii) there was no apparent departure from the International Standard for Testing and Investigations or the ISL that caused the AAF, and (iii) the AAF was not caused by an ingestion of the Methandienone by a permitted route (ingestion of Methandienone not being permitted by any route). Consequently, on the basis that a Prohibited Substance (Methandienone) was found to be present in the Athlete's A Sample as provided on 6 August 2022 In-Competition at the 2022 Commonwealth Games the CGF formally charged the Athlete with a breach of CGF ADRs Article 2.1 and/or 2.2 by way of the Charge Letter.
- 2.8 Articles 2.1 and 2.2 of the CGF ADRs are Anti-Doping Rule Violations that are established simply by proof that a Prohibited Substance was present in the Sample or that the Athlete used or attempted to use the Prohibited Substance, i.e., the CGF does not have to prove how the substance got into the Athlete's system or that the Athlete took the substance intentionally (or even knowingly). The Charge Letter stated (among other things):
- "5.3.1 If before 5pm BST on 12 October 2022 you neither challenge the assertion of the ADRV charges nor request a hearing, you will be deemed to have waived your right*

to a hearing and admitted the ADRV charges, as provided for at Article 7.6.2 of the CGF ADRs.”

- 2.9 The Athlete did not provide a response to the Charge Letter by the specified deadline. Pursuant to Article 7.6.2 of the CGF ADRs the Athlete was therefore deemed to have admitted the Anti-Doping Rule Violations charged and to have acceded to the Consequences specified in the Charge Letter.

3 Consequences

- 3.1 The Athlete competed in the 57kg Freestyle Wrestling competition on 6 August 2022 at the 2022 Commonwealth Games, earning a bronze medal. He did not participate in any other competition.
- 3.2 In accordance with Article 9 of the CGF ADRs, the Athlete’s result in the 57kg Freestyle Wrestling competition is Disqualified, with all resulting Consequences, including forfeiture of his bronze medal and any points and prizes earned.
- 3.3 Pursuant to Articles 7.1 and 10.2.3 of the CGF ADRs, any further Consequences to be imposed on the Athlete pursuant to the UWW Rules (including, but not limited to, any period of Ineligibility) shall be determined by the UWW or its hearing panel, in accordance with the relevant provisions of the UWW Rules.

4 Publication

In accordance with Article 13.3.2 of the CGF ADRs, this decision will be publicly reported by being posted on the CGF’s website.

5 Rights of Appeal

- 5.1 This decision constitutes the final decision of the CGF, resolving this matter pursuant to Article 7.7.2 of the CGF ADRs
- 5.2 Further to Article 12.2 of the CGF ADRs, each of the Athlete, the UWW, the Athlete’s National Anti-Doping Organisation, and WADA has a right to appeal against this decision to the CAS in Lausanne, Switzerland, in accordance with the procedure set out at Article 12.5 of the CGF ADRs. The Athlete’s time to file an appeal to CAS will be twenty-one (21) days from the date of his receipt of the decision.

12 October 2022 10pm BST