
Decision of the Athletics Integrity Unit in the Case of Mr Rodgers Ondaji Gesabwa

Introduction

1. World Athletics has established the Athletics Integrity Unit ("**AIU**") whose role is to protect the integrity of the sport of Athletics, including fulfilling World Athletics' obligations as a Signatory to the World Anti-Doping Code (the "**Code**"). World Athletics has delegated implementation of the World Athletics Anti-Doping Rules ("**ADR**") to the AIU, including but not limited to the following activities in relation to International-Level Athletes: Testing, Investigations, Results Management, Hearings, Sanctions and Appeals.
2. Ms Rodgers Ondaji Gesabwa ("the **Athlete**") is a 36-year-old Kenyan road runner affiliated to the Federación Mexicana de Asociaciones de Atletismo ("**FMAA**")¹.
3. This decision is issued by the AIU pursuant to Rule 8.5.6 ADR, which provides as follows:

"8.5.6 In the event that the Athlete or other Person either (i) admits the violation and accepts the proposed Consequences or (ii) is deemed to have admitted the violation and accepted the Consequences as per Rule 8.5.2(f), the Integrity Unit will promptly:

- (a) issue a decision confirming the commission of the violation(s) and the imposition of the specified Consequences (including, if applicable, a justification for why the maximum potential sanction was not imposed);*
- (b) Publicly Report that decision in accordance with Rule 14;*
- (c) send a copy of the decision to the Athlete or other Person and to any other party that has a right, further to Rule 13, to appeal the decision (and any such party may, within 15 days of receipt, request a copy of the full case file pertaining to the decision)."*

The Athlete's Commission of Anti-Doping Rule Violations

4. Rule 2 ADR sets out that the following shall constitute an anti-doping rule violation:

"2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample [...]"

¹ <https://worldathletics.org/athletes/kenya/rodgers-gesabwa-14368380>

5. On, the Athlete provided a urine Sample In-Competition at the Lima Marathon in Lima, Peru, which was given code 1128730 (the "**Sample**").
6. On 12 June 2024, the World Anti-Doping Agency ("**WADA**") accredited laboratory in Rio de Janeiro, Brazil (the "**Laboratory**") reported an Adverse Analytical Finding in the Sample based on the presence of a Cocaine² metabolite, Benzoyllecgonine³ (the "**Adverse Analytical Finding**").
7. Cocaine⁴ is a Prohibited Substance under the WADA 2024 Prohibited List under the category "*S6: Stimulants*". It is a Non-Specified Substance prohibited In-Competition. Cocaine is also specified as being a Substance of Abuse⁵.
8. The AIU reviewed the Adverse Analytical Finding in accordance with Article 5 of the International Standard for Results Management ("**ISRM**") and determined that:
 - 8.1. the Athlete did not have a Therapeutic Use Exemption ("**TUE**") that had been granted (or that would be granted) for the Cocaine (or its metabolites) found in the Sample; and
 - 8.2. there was no apparent departure from the International Standard for Testing and Investigations ("**ISTI**") or from the International Standard for Laboratories ("**ISL**") that could reasonably have caused the Adverse Analytical Finding.
9. Therefore, on 10 July 2024, the AIU notified the Athlete of the Adverse Analytical Finding in accordance with Article 5.1.2.1 of the ISRM, including that the Adverse Analytical Finding may result in Anti-Doping Rule Violations pursuant to Rule 2.1 ADR and/or Rule 2.2 ADR, and of the imposition of an immediate Provisional Suspension.
10. In the same letter on 10 July 2024, the Athlete was informed that, under Rule 10.2.4 ADR, if he was able to establish that the ingestion or Use of Cocaine (a Substance of Abuse) occurred Out-of-Competition and was unrelated to sport performance, then the period of Ineligibility for the Anti-Doping Rule Violations would be three (3) months' Ineligibility, which may be further reduced to one (1) month, if he were to satisfactorily complete a Substance of Abuse treatment program approved by the AIU.
11. Between 13 July and 3 September 2024, the Athlete provided an explanation for the Adverse Analytical Finding, which is summarized, in relevant part, below:

² Cocaine was detected in the Sample at a concentration < 1 ng/mL.

³ The estimated concentration of Benzoyllecgonine in the Sample was 232.7 ng/mL.

⁴ In accordance with the WADA Technical Document TD2022MRPL, laboratories shall confirm the presence of cocaine in a Sample when (i) Cocaine is present at a concentration higher than 10 ng/mL, and/or (ii) Benzoyllecgonine is present at a concentration higher than 50 ng/mL.

⁵ Pursuant to Rule 4.2.3, Substances of Abuse are substances that are identified as such because they are frequently abused in society outside of the context of sport. In accordance with page 3 and section 6 of the 2024 WADA Prohibited List, cocaine is designated as a Substance of Abuse.

- 11.1. he arrived at his hotel in Lima (“the **Hotel**”) on 17 May 2024 and remained there until 20 May 2024;
 - 11.2. he had lunch and dinner in a room reserved for the athletes where he was served food and beverages selected by the race organiser;
 - 11.3. a buffet style breakfast was served in a different room accessible to all Hotel guests;
 - 11.4. he consumed tea with every meal during his stay and believes that some of the tea he consumed (most likely at breakfast) was coca tea;
12. The AIU took the following steps to verify the Athlete’s explanation:
- 12.1. The AIU reviewed publicly available information that showed that products containing coca plant (such as beverages and jam) were available at the Athlete’s Hotel during the period of his stay, a fact that was subsequently confirmed by the Hotel in writing;
 - 12.2. The AIU sought an opinion from an independent scientific expert who confirmed that the Adverse Analytical Finding was compatible with the consumption of coca tea as described by the Athlete.
13. On 4 October 2024, the Athlete was informed that:
- 13.1. following review of his explanation, the AIU was satisfied that he had established that his Adverse Analytical Finding was more likely than not the result of the ingestion Out-of-Competition of coca tea, and was unrelated to sport performance.
 - 13.2. in accordance with Rule 10.2.4 ADR, the applicable period of Ineligibility was a period of three (3) months.
14. On 8 October 2024, the Athlete wrote to the AIU and confirmed that he admitted the Anti-Doping Rule Violation pursuant to Rule 2.1 ADR and accepted a period of Ineligibility of three (3) months. The Athlete enclosed a signed Admission of Anti-Doping Rule Violation and Acceptance of Consequences Form.

Consequences

15. This is the Athlete’s first Anti-Doping Rule Violation.
16. On the basis that the Athlete has admitted the Anti-Doping Rule Violation under Rule 2.1 ADR, in accordance with Rule 10.2.4 ADR, the AIU confirms by this decision the following Consequences for a first Anti-Doping Rule Violation:
- 16.1. a period of Ineligibility of three (3) months commencing on 10 July 2024 (the date of Provisional Suspension); and
 - 16.2. disqualification of the Athlete’s results on 19 May 2024, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points, prizes and appearance money.

17. The Athlete has accepted the above Consequences for her Anti-Doping Rule Violations and has expressly waived his right to have those Consequences determined by the Disciplinary Tribunal at a hearing.

Publication

18. In accordance with Rule 8.5.6(b) ADR, the AIU shall publicly report this decision on the AIU's website.

Rights of Appeal

19. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6 ADR.
20. Further to Rule 13.2.3 ADR, WADA and the Comisión Nacional de Cultura Física y Deporte (“**CONADE**”) have a right of appeal against this decision to the Court of Arbitration for Sport in Lausanne, Switzerland, in accordance with the procedure set out at Rule 13.6.1 ADR.
21. If an appeal is filed against this decision by WADA or CONADE, the Athlete will be entitled to exercise her right of cross-appeal in accordance with Rule 13.2.4 ADR.

Monaco, 9 October 2024