

# INTERNATIONAL OLYMPIC COMMITTEE

## IOC DISCIPLINARY COMMISSION DECISION

### REGARDING MS MARINA LISOGOR BORN ON 11 MAY 1983, ATHLETE, UKRAINE, CROSS-COUNTRY SKIING

1. Ms Marina Lisogor (hereinafter the “**Athlete**”) competed in the following events at the occasion of the XXII Olympic Winter Games in Sochi, in 2014 (hereafter the “**Sochi Olympic Winter Games**”):
  - On 11 February 2014, in the Ladies’ Sprint Free Qualification event, where she placed 58<sup>th</sup>;
  - On 13 February 2014, in the Ladies’ 10 km Classic event, where she placed 58<sup>th</sup>;
  - On 19 February 2014, in the Ladies’ Team Sprint Classic Semifinal B event, where she recorded a DNS (did not start).
2. The Athlete was requested on 18 February 2014, at 8:50 a.m. 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 XXII Olympic Winter Games in Sochi, in 2014* (the “**Rules**”), Dr. Richard Budgett (the “**IOC Medical Director**”), as representative of the Chairman of the IOC Medical Commission, was informed in the morning of Thursday, 20 February 2014 by the Head of the WADA Accredited Laboratory in Sochi, 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, Thomas Bach, of the existence of the adverse analytical finding and the essential details available to him concerning the case.
6. Pursuant to Article 6.2.5 of the *Rules*, the IOC President, by letter dated 20 February 2014, promptly set up a Disciplinary Commission, consisting of:
  - Denis Oswald (Chairman)
  - Nawal El Moutawakel
  - Gunilla Lindberg

The IOC President also informed the Disciplinary Commission that, pursuant to Rule 59.2.4 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.

The IOC President has in this case decided that the procedure may be extended beyond the 24-hour time-limit as per Article 6.2.14 of the *Rules*.

7. The analytical report of the laboratory analysis of the A sample, issued by the WADA Accredited Laboratory in Sochi, dated 20 February 2014, indicated the presence of **trimetazidine**.
8. Pursuant to Article 6.2.6 of the *Rules*, by letter dated 21 February 2014, notified to the Athlete, to the Chef de Mission of the National Olympic Committee of Ukraine (hereafter the "**NOCU**"), Nina Umanets, to the International Ski Federation (hereafter the "**FIS**") and to the Head of the Independent Observers' Programme, the IOC President advised of the above-mentioned adverse analytical finding and of the time, date and place of the hearing of the Disciplinary Commission regarding this case.
9. The Athlete did not request the analysis of the B sample.
10. The Athlete did not submit any written submissions.
11. The Disciplinary Commission held a hearing on 22 February 2014, at approximately 12:30 p.m., at the Olympic Family Hotel (OFH), Radisson Blu Hotel and Congress Center, IOC Executive Board Meeting Room, in the presence of a delegation from the NOCU (hereinafter the "**Delegation**") comprised of:  
  
Marina Lisogor, Athlete  
Nina Umanets, Chef de Mission  
Yaroslav Kruchek, Administrative Personnel
12. The FIS was not represented at the hearing.
13. The Independent Observers' Programme was represented at the hearing by Huw Roberts.
14. Also attending the hearing were:  
  
Dr Richard Budget, IOC Medical Director  
Howard Stupp, IOC Director of Legal Affairs  
Andre Sabbah, IOC Doping Control Administrative Coordinator  
Cherine Fahmy, Assistant  
Kate O'neil, Minute-taker
15. At the beginning of the hearing, the Delegation was informed that the meeting was being recorded and that minutes were being taken. The Delegation was also reminded of the results of the laboratory analysis of the A sample, which, according to the analysis report prepared by the Head of the WADA Accredited Laboratory in Sochi, indicated the presence of **trimetazidine**.
16. At the hearing, the Athlete stated in summary that:
  - (i) After having surgery to remove her thyroid in 2004, she had been prescribed Thyroxin. In January 2013, she was prescribed Preductal (which is the trade name for trimetazidine), by a cardiologist who was not associated with the NOCU, for fatigue thought to be due to her hypothyroid condition.
  - (ii) She had taken Preductal for two weeks in January 2013, and had six remaining pills, which she had taken with her to Sochi.

- (iii) After a training session in Sochi, she started to feel unwell, saw the six pills in her medical kit, and decided to take them in order to feel better.
  - (iv) She had taken four pills on 16 February 2014 (two in the morning and two in the evening), and two pills on the morning of 17 February 2014.
  - (v) She knew that she was supposed to list all medications on the doping control form, both prohibited and non-prohibited substances. However, she forgot to declare Preductal.
  - (vi) She had checked WADA's list of prohibited substances prior to January 2014, and the substance was not on the list.
  - (vii) She admitted that it was irresponsible of her to take Preductal, that she was at fault and that she should have checked the prohibited list after January 2014, when trimetazidine was added to the list.
  - (viii) She had no intent to improve her results or sports performance.
  - (ix) She should have informed and consulted with the doctor of the NOCU before taking the pills. Nobody from the NOCU was aware of the fact that she was taking Preductal since she trained separately and never consulted with a doctor of the NOCU.
17. The Chef de Mission of the NOCU stated that the problem of doping is one that the NOCU and the Ministry of Sport take very seriously. Both the NOCU and Government do their utmost to fight doping in sport and ensure that all athletes, coaches and doctors are informed with regard to anti-doping rules.
18. Upon questioning from the Chairman, the Athlete and the Delegation confirmed they did not have any objection as to the conduct of this disciplinary procedure and confirmed that their right to be heard had been fully respected.
19. After hearing the Delegation and the arguments it put forward, the Disciplinary Commission retired in order to deliberate.
20. Based on the above, the Disciplinary Commission unanimously concluded that the Athlete had, at the very least, been negligent, and had therefore committed an anti-doping rule violation pursuant to Article 2.1 of the World Anti-Doping Code, (hereafter the "**Code**") and Articles 2 and 12 of the Rules, in that there was the presence of the prohibited substance, **trimetazidine**, in her body.
- As a consequence, the Athlete shall be disqualified from the Ladies' Team Sprint Classic Semifinal B event.
21. Pursuant to Article 9.1 of the *Rules*, if one or more team members have committed an anti-doping rule violation, the team may be subject to disqualification, and/or other disciplinary action as provided in the applicable rules of the relevant International Federation (in this case the FIS and in particular its Anti-Doping Rules, hereinafter the "*FIS Rules*").
- As a direct consequence of the disqualification of the Athlete in the Ladies' Team Sprint Classic Semifinal B event, and despite the fact that her teammate in such event has not been found to have committed an anti-doping rule violation, the Ladies' Team Sprint

Classic team, of which the Athlete is a member, shall also be disqualified pursuant to Article 9.1 of the *Rules* and Article 11 of the *FIS Rules*.

CONSIDERING the above, pursuant to the Olympic Charter and, in particular, Rule 59.2.1 thereof, and pursuant to the IOC Anti-Doping Rules applicable to the Games of the XXII Olympic Winter Games, Sochi 2014 and in particular, Articles 1.2, 2, 7, 8 and 9 thereof and pursuant to the World Anti-Doping Code and, in particular, Articles 2.1 and 10 thereof, in particular Article 11.1 thereof:

THE DISCIPLINARY COMMISSION OF THE  
INTERNATIONAL OLYMPIC COMMITTEE  
DECIDES

- I. The Athlete, Ms Marina Lisogor, Ukraine, Cross-Country Skiing, is disqualified from the Ladies' Team Sprint Classic Semifinal B event.
- II. The Athlete shall be excluded from the XXII Olympic Winter Games in Sochi in 2014, and shall have her Olympic identity and accreditation card immediately cancelled.
- III. The Ladies' Team Sprint Classic team, of which the Athlete was a member, is disqualified from the Ladies' Team Sprint Classic Semifinal B event.
- IV. The International Ski Federation is requested to modify the results of the above-mentioned event accordingly and to consider any further action within its own competence.
- V. This decision shall enter into force immediately.

Sochi, 22 February 2014

The IOC Disciplinary Commission

Denis Oswald  
Chairman

Nawal El Moutawakel

Gunilla Lindberg