

INTERNATIONAL OLYMPIC COMMITTEE

**IOC DISCIPLINARY COMMISSION
DECISION**

**REGARDING Ms THI NGAN THUONG DO
BORN ON 10 MARCH 1989, ATHLETE, VIETNAM, ARTISTIC GYMNASTICS**

(Rule 23.2.1 of the Olympic Charter)

1. On 10 August 2008, Ms Thi Ngan Thuong Do (hereinafter the "Athlete") competed in the Women All-Around qualification for Artistic Gymnastics in Beijing, in which she placed 59th.
2. The Athlete was requested on 10 August 2008, in Beijing, in the beginning of the afternoon, immediately following the completion of her participation in the Women All-Around qualification for Artistic Gymnastics, to provide a urine sample for a doping control.
3. Pursuant to Article 7.2.1 of the *IOC Anti-Doping Rules applicable to the Games of the XXIX Olympiad in Beijing in 2008* (the "Rules"), Dr Patrick Schamasch, as representative of the Chairman of the IOC Medical Commission, was informed at about 01:00 hours on Wednesday 13 August 2008, by the Head of the WADA-Accredited Laboratory in Beijing of an adverse analytical finding on the A sample of the above-noted urine.
4. Pursuant to Article 7.2.2 of the *Rules*, Dr Schamasch, in his capacity as representative of the Chairman of the IOC Medical Commission and IOC Medical and Scientific 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 7.2.3 of the *Rules*, Dr Schamasch, representing the Chairman of the IOC Medical Commission, 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 7.2.4 of the *Rules*, the IOC President, by letter dated 13 August 2008, immediately set up a Disciplinary Commission, consisting of:
 - **Dr Thomas Bach (Chairman)**
 - **Ms Gunilla Lindberg**
 - **Mr Denis Oswald**

The IOC President also informed the Disciplinary Commission that, pursuant to Rule 23.2.4 of the Olympic Charter and Article 7.1.4 of the *Rules*, the decision of the Disciplinary Commission in this case would constitute the decision of the IOC.

The IOC President decided in this case that the procedure may be extended beyond the 24-hour time limit as per Article 7.2.13 of the *Rules*.

7. Pursuant to Article 7.2.5 of the *Rules*, by letter dated 13 August 2008, notified to the Athlete, to the Chef de Mission of the NOC of Vietnam, Hoang Vinh Giang, to the International Gymnastics Federation, and to the Head of the Independent Observers' Programme, the IOC President advised of, among other things, the above-

mentioned adverse analytical finding and the time, date and place of the hearing of the Disciplinary Commission regarding this case.

The analytical report of the laboratory analysis of the A sample, prepared by the Head of the WADA-Accredited Laboratory in Beijing and attached to the above-mentioned letter dated 13 August 2008, indicated the presence of the prohibited substance Furosemide.

8. The Athlete requested the analysis of the B sample but did not attend the B sample opening and analysis, which occurred on Wednesday 13 August 2008 at around 21:00.

9. The Disciplinary Commission held a hearing on 14 August at about 16:00 hours, at the Beijing Hotel, IOC Executive Board Room, 18th Floor, 33 East Chang An Avenue in Beijing, in the presence of a delegation (hereinafter the "Delegation") comprised of:

Ms Thi Ngan Thuong Do, Athlete
Ms Thuy Giang Do, Coach
Prof. Vinh Giang Hoang, Chef de Mission

10. The International Federation of Gymnastics was represented at the hearing by Mr Michel Léglise, first Vice-President.

11. Also attending the hearing was:

Dr Patrick Schamasch, IOC Medical Director
Mr Christian Thill, IOC Doping Control Administrative Coordinator

Mr François Carrard, IOC Counsel

Mr Travis Tygart, representative of the Independent Observer Programme.

12. The Delegation had been informed 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, indicated the presence of the prohibited substance Furosemide. Subsequent to the hearing, this finding was confirmed in the results of the laboratory analysis of the B sample.

13. The Delegation confirmed, at the beginning of the hearing of the Disciplinary Commission, that the disciplinary procedure with respect to the alleged anti-doping rule violation, in accordance with Article 7 of the *Rules*, had been respected.

14. The Chef de Mission informed the Disciplinary Commission that inexperience and absence of knowledge lead to the current situation and recognised that the NOC had made an error.

The Athlete informed the Disciplinary Commission that she wanted to lose weight to look slim and lean, not to enhance her performance. She admitted having taken pills to that effect. She explained that she purchased such pills after speaking with older athletes back in Vietnam, who told her it was the best way to lose weight. The Athlete indicated that she bought such pills directly at a pharmacy in Hanoi. The Athlete had not consulted with a doctor prior to making such purchase.

15. Dr Schamasch informed the Disciplinary Commission that Furosemide is a diuretic, which can be used to lose weight, but may also be used as a masking agent for other substances.

16. The Chef de Mission apologised on behalf of the NOC for this situation and indicated that measures would be taken in order to avoid such mistakes in the future.
17. After hearing the Delegation and the arguments it put forward, the Disciplinary Commission retired in order to deliberate.
18. The Disciplinary Commission unanimously concluded that the Athlete had committed an anti-doping rule violation pursuant to Article 2.1 of the *Rules* in that there was the presence of the prohibited substance Furosemide in her body.

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 Games of the XXIX Olympiad in Beijing in 2008* and, in particular, Articles 2.1 and 8 thereof

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES

- I. The athlete Thi Ngan Thuong Do, Vietnam, Artistic Gymnastics:
 - (i) is disqualified from the Women All-Around qualification for Artistic Gymnastics, where she had placed 59th;
 - (ii) is excluded from the *Games of the XXIX Olympiad in Beijing in 2008*;
 - (iii) shall have her Olympic identity and accreditation card immediately cancelled and withdrawn.
- II The International Gymnastics Federation is requested to modify the results of the above-mentioned event accordingly. The Athlete's file shall be transmitted to such International Federation, which is requested to consider any further action within its own competence.
- III The NOC of Vietnam and BOCOG shall ensure full implementation of this decision.
- IV. This decision shall enter into force immediately.

Beijing, 15 August 2008

The IOC Disciplinary Commission

Dr Thomas BACH
Chairman

Ms Gunilla Lindberg

Mr Denis OSWALD