



Decision

No.1/08.01.2018

**Issued by The National Anti-Doping Agency
in the case of the athlete Lasha AZALADZE,
affiliated with Bucharest Municipal Sport Club, sport discipline rugby**

The National Anti-Doping Agency, named hereinafter “the Agency”, having the official seat in Bucharest, 37-39 Basarabia Blvd., District 2, pursuant to the provisions of article 42 of the Law no. 227/2006 regarding prevention and fight against doping in sport republished, with subsequent amendments and additions, responsible for managing the case of the athlete **Lasha AZALADZE**, affiliated with Bucharest Municipal Sport Club and domiciled in Giorgia, 18 Rote Meskhi Street, Tibilisi, holds the following:

De facto aspects:

- As result of the in-competition doping control conducted at rugby sport discipline, within CEK BANK Super League, Bucharest MSC – Steaua Bucharest ASC match, held in Bucharest, in compliance with the testing plan of the National Anti-Doping Agency on 07.10.2017, the athlete **Lasha AZALADZE**'s urine sample with the code number **6305059A**, revealed the presence of the prohibited substance **stanozolol**. The substance is included in the 2017 Prohibited List in Section S1.Anabolic Agents, 1.Anabolic Androgenic Steroids (AAS), A. Exogenous AAS. Following the reviews conducted as provided in Article 36 paragraph (4) of the Law no. 227/2006 regarding prevention and fight against doping in sport republished, the Agency established that no therapeutic use exemption (TUE) has been granted for the substance detected in the athlete's sample and there is no apparent departure from the International Standard for Testing and Investigations or the International Standard for Laboratories to invalidate the adverse analytical finding.
- Given the facts established pursuant to article 36 paragraph (4) the Law no. 227/2006 regarding prevention and fight against doping in sport republished with subsequent amendments and additions, the Agency decided the manage the result as an alleged anti-doping rule violation under article 2 paragraph (2) let. a) of the Law no. 227/2006 regarding prevention and fight against doping in sport republished with subsequent amendments and additions.
- As provided by article 36 paragraph (6) of the Law, the athlete was granted with the right to defense in terms of his lawful rights and he was also informed that he is provisional suspended from any sport activity, according to article 50 paragraph (1) of the *Law no. 227/2006 regarding prevention and fight against doping in sport republished with subsequent amendments and additions*.
- In compliance with the provisions of article 36 paragraph (5) of the *Law no. 227/2006 regarding prevention and fight against doping in sport republished, with subsequent amendments and additions*, ANAD checked - by consulting the internal database, if the athlete **Lasha AZALADZE** has been previously sanctioned for an anti-doping rule violation, and it has establish that the athlete didn't served any previous ineligibility.

- The athlete **Lasha AZALADZE** didn't request the B sample analysis within the 48 hours deadline.
- Within the 10 days administrative deadline, the athlete **Lasha AZALADZE** submitted his opinion on the alleged anti-doping rule violation, choosing not to challenge the accusation forwarded against him through the notification received from ANAD and he also waived his right to be heard.

After reviewing the rules of evidence in the file, the National Anti-Doping Agency holds the following:

- The current procedure for the management of an anti-doping rule violation has been initiated as result of the analytical results revealed in the urine sample collected from the athlete – with the code number **6305059A**.
- It is the athlete's duty to be sure that no prohibited substance enters her body. The athlete is strictly responsible for the presence of any prohibited substance or its metabolites or markers in the biological samples collected.
- There is no need for ANAD to prove the intention, fault, negligence or conscious use by the athlete to establish and anti-doping rule violation.
- The athlete didn't submit any evidences in his defense, nor did he exert his right to be heard.
- The athlete **Lasha AZALADZE** has committed his first anti-doping rule violation.

In consideration of the above,

- The athlete **Lasha AZALADZE** is found guilty of violating the anti-doping rules provided in article 2 paragraph (2) letter (a) of the *Law no. 227/2006 regarding prevention and fight against doping in sport republished with subsequent amendments and additions*, in application of the strict liability principle incumbent to the athlete whose biological sample revealed the presence of the prohibited substance. Therefore, we consider the athlete has accepted the violation of the anti-doping rules.
- There is no need to establish the intention, guilt, negligence or conscious use of prohibited substances or methods by an athlete to determine an anti-doping rule violation under article 2 paragraph (2) let. a) of the Law no. 227/2006, as provided by article 2.1 of the World Anti-Doping Code.
- The proof of the anti-doping rule violation is represented by the presence of the prohibited substance **stanozolol** in the sample **6305059A** of the athlete **Lasha AZALADZE**.

De jure, National Anti-Doping Agency bases the current decision on the following legal grounds:

- article 2 paragraph (2) letter a) of the *Law no. 227/2006 regarding prevention and fight against doping in sport republished*,
- article 36 paragraph (6) let. h), article 55 paragraph (2), 56 paragraph (1), (2) and (5), article 60 paragraph (1), article 61, article 74 paragraph (1) and (4), article 75 paragraph (2), article 80 and article 102 of the *Law no. 227/2006 regarding prevention and fight against doping in sport republished*, with reference to article 13 of the World Anti-Doping Code;
- article 2.1 and article 10.6.1.1 of the World Anti-Doping Code.

DECIDES:

Article 1. (1) The athlete **Lasha AZALADZE** is sanctioned with four (4) years ineligibility.

(2) The ineligibility period is **07.10.2017 – 06.10.2021**.

Article 2. During the period of ineligibility provided in article 1 paragraph (2), the athlete is not allowed to participate in any competition or activity authorized or organized by a Signatory of the World Anti-Doping Code.

Article 3. During the period of ineligibility provided in article 1 paragraph (2), the athlete is not allowed to act in any capacity within a sport body of a Signatory, or enter any contract relationship or act as volunteer in relation to such entity.

Article 4. When a violation of articles 2 and 3 occurs, the athlete's results shall be disqualified and the full period of ineligibility initially imposed will resume from start effective the date of the violation of the prohibition.

Article 5. During the period of ineligibility provided in article 1 paragraph (2), all financial support from Signatories and Signatories' member organizations shall be withheld.

Article 6. During the period of ineligibility provided in article 1 paragraph (2), the athlete shall remain subject to testing and bound to provide his whereabouts information, in compliance with the International Standard for Testing and Investigations, via ADAMS.

Article 7. The current Decision may be appealed in 21 days from its communication, to the Appeal Commission beside ANAD, by the following: the athlete **Lasha AZALADZE**, Bucharest MSC, Romanian Rugby Federation and World Rugby (WR).

Article 8. – The current Decision may be challenged by the World Anti-Doping Agency in 21 days from the expiration of the appeal term or in 21 days from receiving the case file, to the Court of Arbitration for Sport in Lausanne.

Article 9. The current Decision shall be communicated to the athlete **Lasha AZALADZE**, Bucharest MSC, Romanian Rugby Federation and World Rugby (WR), the Ministry for Youth and Sport, Romanian Olympic and Sports Committee and the World Anti-Doping Agency.

Article 10. The Romanian Rugby Federation is bound to enforce the current Decision and to comply with the applicable legal provisions.

Article 11. The following information included in the current decision shall be posted on the websites of ANAD and Romanian Rugby Federation: the name of the athlete, the anti-doping rule violation and the ineligibility period.

Article 12. After a final appellate decision under Article 13 of the World Anti-Doping Code or the expiration of time to appeal, an anti-doping organization may suspend a part of the otherwise applicable period of ineligibility with the approval of WADA and the relevant International Federation. The extent to which the otherwise applicable period of ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the athlete and the significance of the substantial assistance provided by the athlete to the effort to eliminate doping in sport. No more than three quarters of the otherwise applicable period of ineligibility may be suspended.

Article 13. If the athlete fails to continue to cooperate and to provide the complete and credible substantial assistance upon which a suspension of the period of ineligibility was based, the anti-doping organization that suspended the period of ineligibility shall reinstate the original period of ineligibility.

Article 14. If an anti-doping organization decides to reinstate a suspended period of ineligibility or decides not to reinstate a suspended period of ineligibility, this decision may be appealed by any person entitled to appeal under article 13 of the World Anti-Doping Code.

PRESIDENT

GRAZIELA ELENA VAJIALA