

**IWF INDEPENDENT MEMBER FEDERATIONS SANCTIONING
PANEL**

in the matter

Turkmenistan Weightlifting Federation (“TWF”)

Final Decision

I. INTRODUCTION

1. The present Decision is issued by the International Weightlifting Federation (the “IWF”)’s Independent Member Federation Sanctioning Panel (the “IWF Panel” or the “Panel”) in order to decide upon whether the Turkmenistan Weightlifting Federation (the “TWF”) has committed a breach of Article 12.3.2 of the 2024 IWF Anti-Doping Rules (the “IWF ADR”) and the provisions of the IWF Qualification System for the Games of the XXXIII Olympiad, Paris 2024 (the “IWF OQS”), and if so, the consequences of such breach.

II. PARTIES

A. THE INTERNATIONAL WEIGHTLIFTING FEDERATION

2. The IWF is the international governing body for the Olympic sport of weightlifting. It has its registered seat in Lausanne, Switzerland.

B. THE TURKMENISTAN WEIGHTLIFTING FEDERATION

3. The TWF is the national governing body for the Olympic sport of weightlifting in Turkmenistan. The TWF is a Member Federation of the IWF.

III. FACTS AND PROCEDURAL BACKGROUND

4. Below is a summary of the relevant facts and allegations based on the Parties’ written submissions, pleadings and evidence adduced during the proceedings. Additional facts and allegations found in the Parties’ written submissions and evidence may be set out, where relevant, in connection with the legal discussion that follows. While the Panel has considered all the facts, allegations, legal arguments and evidence submitted by the Parties in the present proceedings, it refers in its Decision only to the submissions and evidence it considers necessary to explain its reasoning.

A. THE ANTI-DOPING RULE VIOLATIONS OF THE TWF’S ATHLETES IN 2023

5. Between 15 February 2023 and 18 May 2023 (i.e. over the course of the qualification period of the 2024 Paris Olympic Games from 23 July 2021 until 25 July 2024), four athletes affiliated to the TWF committed Anti-Doping Rule Violations (“ADRVs”) under Article 2.1 and/or 2.2 of the IWF ADR related to the presence and/or use of a prohibited substance. The athletes provided Out-of-Competition and In-Competition samples that were analysed by WADA-accredited laboratories (Dresden in Germany and Seibersdorf in Austria), which reported Adverse Analytical Findings (“AAFs”).

6. In summary, the ADRVs were as follows:

- **Mr. Rejepbay Rejepov's** Out-of-Competition sample from 15 February 2023 revealed the presence of a methasterone metabolite (18-nor-17 β -hydroxymethyl-2 α -methyl-5 α -androst-3-one). On 23 June 2023, Mr. Rejepov agreed to resolve the case via an Agreement on Consequences, according to which he admitted the ADRV and accepted a one-year reduction from the otherwise applicable four-year sanction per Article 10.8.1 of the IWF ADR, resulting in an agreed three-year period of ineligibility from 6 April 2023 to 5 April 2026, with the disqualification of results from 15 February 2023 until his provisional suspension on 6 April 2023.
- [REDACTED] In-Competition sample from the 2023 IWF Youth World Championships on 31 March 2023 revealed the presence of methasterone and its metabolites. Based on the evidence provided, the ITA accepted that the source was a contaminated supplement and that [REDACTED] bore no significant fault or negligence. On 15 December 2023, [REDACTED] agreed to resolve the case via an Agreement on Consequences, resulting in a 12-month period of ineligibility from 11 May 2023 to 10 May 2024, with the disqualification of results from the 2023 Youth World Championships and from 31 March 2023 until the provisional suspension on 11 May 2023.
- **Ms. Medine Amanova's** provided Out-of-Competition samples on 11 April 2023 and 18 May 2023, which both revealed the presence of methasterone metabolites. While the first Out-of-Competition sample revealed the presence of 2 α ,17 α -dimethyl-5 α -androstane-3 α ,17 β -diol, 18-nor-17 β -hydroxymethyl-17 α -methyl-2 α -methyl-5 α -androst-13-en-3-one, the second Out-of-Competition sample revealed the presence of methasterone metabolites 18-nor-17 β -hydroxymethyl-17 α -methyl-2 α -methyl-5 α -androst-13-en-3-one (LTM), 2 α ,17 α -dimethyl-5 α -androstane-3 α ,17 β -diol. Based on the evidence provided, the ITA accepted that the source was a contaminated supplement and that Ms. Medine Amanova bore no significant fault or negligence. On 15 December 2023, Ms. Medine Amanova agreed to resolve the case via an Agreement on Consequences, resulting in a 15-month period of ineligibility from 24 May 2023 to 23 August 2024 pursuant to Articles 10.2.1 and 10.6.1.2 of the IWF ADR, with the disqualification of results from 11 April 2023 until the provisional suspension on 24 May 2023.
- **Ms. Ogulgerek Amanova's** Out-of-Competition sample from 18 May 2023 revealed the presence of methasterone metabolites (18-nor-17 β -hydroxymethyl-17 α -methyl-2 α -methyl-5 α -androst-13-en-3-one (LTM), 2 α ,17 α -dimethyl-5 α -androstane-3 α ,17 β -diol). Based on the evidence provided, the ITA accepted that the source was a contaminated supplement and that Ms. Ogulgerek Amanova bore no significant fault or negligence. On 15 December 2015, Ms. Ogulgerek Amanova agreed to resolve the case via an Agreement on Consequences, according to which

she was sanctioned with a period of ineligibility of 15 month from 3 July 2023 to 2 October 2024, with the disqualification of results from 18 May 2023 until the provisional suspension on 3 July 2023.

B. THE IWF'S ANTI-DOPING PROCEDURE

7. On 18 March 2024, the IWF notified the TWF of the alleged breaches of Article 12.3.2 of the 2024 IWF ADR and the IWF OQS and granted TWF a deadline until 1 April 2024 to file written observations with respect to the alleged breaches.
8. On 28 March 2024, the TWF provided its observations, making the following key points:
 - None of the sanctions imposed on the four athletes exceeded four years of ineligibility.
 - Three of the four cases involved athletes who did not act with intent and were found to have no significant fault or negligence, as the AAFs resulted from the same contaminated supplement.
 - When athletes did not intend to dope, sanctioning the national federation under Article 12.3.2 of the IWF ADR does not effectively promote behavioural change or protect the integrity of the sport.
 - Therefore, the TWF argued that no sanction should be imposed against it. Alternatively, if a sanction was deemed appropriate, the TWF requested that it be limited to a fine only.

C. THE PROCEEDINGS BEFORE THE IWF PANEL

9. On 15 May 2024, the IWF referred the matter of the TWF to the Chairman of the IWF Panel for adjudication (the "Referral").
10. On 16 May 2024, the TWF wrote to the IWF Panel raising several procedural concerns. The TWF argued that the proceedings should not be rushed, as this could compromise the TWF's right to be fully heard. Furthermore, the TWF requested permission to file additional observations before the Panel, stating that principles of fair procedure entitled the TWF to have the last word to express itself in the procedure.
11. On 17 May 2024, the Chairman of the Panel acknowledged TWF's letter and asked the parties to refrain from any submissions that require a judicial decision until the Panel is constituted.

12. On 21 May 2024, the Parties were informed of the composition of the IWF Panel as follows:
- Mr. Antonio Rigozzi (Chairman);
 - Mr. Mario Vigna; and
 - Mr. Stephen Bock.
13. Also on 21 May 2024, the IWF Panel provided the Parties with the Acceptance and Statement of Independence forms duly signed by the members of the Panel and requested the Parties to inform the Panel without delay in the event they had any issue with its composition.
14. On 25 May 2024, the Panel issued further directions to the TWF in response to the procedural requests raised in the TWF's letter of 16 May 2024. The Panel confirmed that Mr. Claude Ramoni's letter of 28 March 2024 is part of the record of the present proceedings. Additionally, the Panel invited the TWF to reply on or before 31 May 2024 to any aspects of the IWF's Referral that had not been already addressed in Mr. Ramoni's letter of 28 March 2024.
15. On 31 May 2024, the TWF submitted its reply, including additional evidence.
16. On 3 June 2024, the Panel issued further directions following the receipt of the TWF's submission. The Panel invited the IWF to file a rebuttal submission on or before 7 June 2024, limited to the new evidence and arguments provided by the TWF on 31 May 2024.
17. On 7 June 2024, the IWF submitted its rebuttal, maintaining its position and addressing the new evidence and arguments provided by the TWF.

IV. THE RELEVANT PROVISIONS

A. SUBSTANTIVE RULES

1. The 2024 IWF ADR

18. The IWF ADR¹ provide in Article 12.2 some general principles applicable to Member Federations Sanctioning:

Member Federations shall take all measures within the scope of their powers to implement these Anti-Doping Rules and ensure that their affiliated Athletes and other Persons comply with them. As a matter of principle, the Member Federations are liable for the conduct of their affiliated Athletes or other

¹ Reference is in the following made to the IWF ADR approved by the IWF Executive Board on 15.12.2020, in effect from 01.01.2021, with its amendments by the IWF Executive Board on 18.11.2023, in effect from 01.01.2024 ("2024 version") insofar as it contains the same provisions as the amendments by the IWF Executive Board on 03.12.2022, in effect from 01.01.2023 ("the 2023 version").

Persons. However, the Independent Panel should take into account the degree of fault or negligence of the Member Federation when determining the Member Consequences to be imposed in each case of a violation of this Article 12.

19. Article 12.3.2 of IWF ADR provides relevantly as follows:

Should three (3) or more violations of these Anti-Doping Rules sanctioned by IWF or Anti-Doping Organizations other than the Member Federation or its National Anti-Doping Organization have been committed by Athletes or other Persons affiliated to the Member Federation within a 12-month period [footnote omitted], the Independent Panel may, after taking into account both the seriousness of the underlying anti-doping rule violations and the gravity of the circumstances surrounding the case:

- a) impose Member Consequences on the Member Federation of a period of up to (4) years [footnote omitted]; and/or
- b) fine the Member Federation up to \$500,000 USD to be paid within 6 months from the receipt of the Independent Panel's decision. If the Member Federation fails to pay the fine within such deadline, further Member Consequences for an additional period of up to two years, or, if earlier, until the fine is settled in full, may be imposed by the Independent Panel on the Member Federation concerned. For the avoidance of doubt, the fine remains due to IWF after the further Member Consequences have been fully served.

2. The IWF OQS

20. Under the subheading "Consequences due to Anti-Doping Rule Violations" Section C.3 of the IWF OQS reads as follows:

Without prejudice to the power of the Independent Panel per article 12.1 IWF ADR (the "Independent Panel") to impose any other consequences, such as Member Consequences, under article 12 IWF ADR, the following provisions shall apply:

- a) In the event that during the period from 23 July 2021 until 25 July 2024 a Member Federation (MF) is found to have breached an obligation under the IWF ADR, including, without limitation, under Article 18 (but excluding the violations under Article 12), or failed to comply with any directive or request on anti-doping matters issued by the IWF, the Independent Panel may withdraw some or all of the quota place(s) from that MF/NOC with regard to the Olympic Games Paris 2024 or the next ensuing Olympic Games.
- b) Should three (3) or more Anti-Doping Rule Violations sanctioned by IWF or Anti-Doping Organisations other than a Member Federation or its National Anti-Doping Organisation have been committed by Athletes and/or other Persons affiliated to such MF/NOC from 23 July 2021 until 25 July 2024, the Independent Panel may withdraw some or all of the quota place(s) from that MF/NOC with regard to the Olympic Games Paris 2024 or the next ensuing Olympic Games.[footnote omitted] In cases where three or more of the underlying violations involve periods of Ineligibility of four years or more, all quota places shall be withdrawn.
- c) When considering the application of points a) and b) above, the Independent Panel may refer to the principles set forth in Articles 12.3.2 and 12.4 IWF ADR applicable to the imposition of Member Consequences.

Similarly, the procedural rules of Article 12.7 of the IWF ADR apply by analogy to the process pertaining to the provisions above.

- d) Any quota places withdrawn pursuant to points a) and/or b) above shall be reallocated in accordance with the reallocation process as detailed in section F. Reallocation of Unused Places. [...]

B. PROCEDURAL RULES

21. Article 12.7 of the IWF ADR governs the procedure in this case and provides relevantly as follows:

12.7.1 If IWF is satisfied that a breach of Article 12 has occurred, it shall promptly notify the Member Federation.

12.7.2 The notice shall include details of the alleged breach and shall give the Member Federation a reasonable deadline to respond. IWF will then transfer the file to the Independent Panel for adjudication. The Independent Panel will render a decision on the basis of the written file, unless it considers in its entire discretion that exceptional circumstances require the holding of a hearing.

V. THE PARTIES' POSITIONS

22. The IWF Panel has taken into consideration all of the Parties' written submissions and has weighed the arguments made by the Parties in light of all the evidence presented. In the following, the Panel summarises the positions of the parties relevant to this decision.

A. THE IWF'S POSITION

23. In its Referral, the IWF submitted that it was satisfied that the TWF had breached Article 12.3.2 of the IWF ADR and that the preconditions for the impositions of Consequences due to Anti-Doping Rule Violations under the IWF OQS were met.

24. More specifically, the IWF argued that the requirements of Article 12.3.2 of the IWF ADR and the IWF OQS were met insofar as:

- Over the course of the Qualification Period, four athletes affiliated with the TWF committed ADRVs according to Article 2.1 and/or 2.2 of the IWF ADR.
- All four ADRVs were sanctioned by the IWF through Agreements on Consequences. The decisions are final and binding.
- The conditions of Article 12.3.2 of the IWF ADR have been met:
 - i. *“Three (3) or more violations of these Anti-Doping Rules [...] committed by Athletes or other Persons affiliated to the Member Federation” - in fact, four ADRVs have been committed by athletes affiliated with the TWF;*

- ii. *“Sanctioned by IWF or Anti-Doping Organizations other than the Member Federation or its National Anti-Doping Organization” - all four ADRVs stem from tests conducted under the Testing Authority and Results Management Authority of the IWF and all four (4) athletes were indeed sanctioned by the IWF;*
 - iii. *“Within a 12-month period” - the four ADRVs occurred between 15 February 2023 until 18 May 2023.*
25. Similarly, and for the same reasons, the conditions of the IWF OQS were met.
26. The IWF noted specific factors relevant to the Panel’s assessment, which were initially mentioned in its Referral:
 - One athlete did not establish a lack of intent and accepted a one-year reduction from a four-year ineligibility period.
 - The other three athletes agreed to consequences after receiving Notices of Charge, with their violations attributed to contamination from the same supplement.
 - One athlete was a protected person at the time of the AAFs, necessitating a higher duty of oversight and care by the TWF.
 - Two of the sanctioned athletes are sisters.
 - The contaminated supplements were provided by Mr. Jannyev Muhammetnur, the assistant coach of the youth weightlifting team of Turkmenistan, who also acts as a trainer to the senior weightlifters of the national weightlifting team.
 - The TWF has one quota place for the Olympic Games Paris 2024.
27. With respect to the consequences for the TWF’s breach, the IWF highlighted the following potential sanctions as set out in the relevant rules:
 - Imposing Member Consequences for a period of up to four years.
 - A fine of up to \$500,000 and/or
 - Withdrawal of some or all quota places for the Olympic Games Paris 2024.
28. The IWF emphasized that the level of consequences should take into account the seriousness of the underlying ADRVs and the gravity of the circumstances. The IWF cited Article 12.2 of the IWF ADR, which holds Member Federations liable for the conduct of their affiliated athletes or other persons. However, the Independent Panel should consider the degree of fault or negligence of the Member Federation when determining

Member Consequences. The principle of strict liability applies, but mitigating factors, such as attenuated degrees of fault or negligence, should be considered.

29. In its letter dated 7 June 2024, the IWF maintained its position, reiterating that the status of one athlete as a protected person and the provision of contaminated supplements by a member of the coaching staff are relevant factors. The IWF argued that these factors increase the severity of the violations and justify the imposition of significant sanctions on the TWF.
30. The IWF did not propose any particular consequences to be applied as a result of the TWF's alleged breach but emphasized the need for measures that promote behavioural change and maintain public confidence in the integrity of the sport.

B. THE TWF'S POSITION

31. As noted above, the TWF provided its first written observations on 28 March 2024. The TWF argued that the requirements for sanctioning under Article 12.3.2 of the IWF ADR were not met. Specifically:
 - Three out of the four athletes who tested positive did not act with intent as the ITA itself recognized they bore no significant fault or negligence due to ingesting the same contaminated supplement. The level or degree of fault of three athletes is thus not important;
 - The ITA acknowledged that these three AAFs were caused by the ingestion of a Contaminated Product that was purchased and recommended by the athletes' coach: Therefore, the ADRVs are not serious under the terms of the IWF ADR;
 - The same Contaminated Product, "AMINO Hardcore", which all three athletes declared and listed on their doping control forms, caused the three athletes' ADRVs: This should not be considered as an aggravating circumstance. This is even more so since two of the athletes were sisters, making it normal for them to use the same supplements;
 - Sanctioning the TWF would be contrary to the purpose of Article 12.3.2 of the IWF ADR since the athletes were already "cautious" in reviewing supplement ingredients and sanctioning would not promote real behavioural change within the TWF: Given that these three cases were non-intentional, it is difficult to see how sanctioning the TWF would help to increase public confidence in the integrity of the sport and that of IWF's events;
 - It would be unfair to treat unintentional contamination cases the same as intentional doping;

- Article 12.3.2 of the IWF ADR requires three or more violations of the IWF ADR to apply: The ADRVs in the present case were related to the same contaminated product, “AMINO Hardcore”, and the fourth athlete’s sanction was reduced for admitting the ADRV;
 - The TWF has not previously been sanctioned by the IWF for a violation of articles 12.3.1 and/or 12.3.2 of the IWF ADR. Nor has there been any violation committed by Athlete Support Personnel of the TWF: Thus, there is no aggravating factor to sanction the TWF.
32. In its observations, the TWF requested that no sanction be imposed. Specifically, the TWF requested the following:
- No Consequence in the meaning of the IWF ADR shall be imposed on the TWF.
 - The TWF will not be fined.
 - No quota place shall be withdrawn from the TWF with regard to the Olympic Games Paris 2024 or the next ensuing games.
33. Alternatively, if a sanction was still deemed appropriate, the TWF submitted that “the maximal sanction shall be a fine”, given the exceptional circumstances of three (out of four) unintentional ADRVs from contaminated products.
34. In its final submission dated 31 May 2024, the TWF reiterated its previous arguments and emphasized several key points:
- The status of ██████████ as a protected person at the time of his AAFs should not be considered a relevant factor in this case. The TWF argued that the level of oversight and care provided was appropriate and consistent with the regulations. The prohibited substance was used without intent due to supplement contamination, and the age of the athlete is not relevant in such cases. Contamination is inherently unintentional and difficult to prevent, thus not linked to a violation of oversight or care.
 - The contaminated supplements were provided by Mr. Jannyev Muhammetnur, the assistant coach of the youth weightlifting team, who also acts as a trainer to the senior weightlifters. The coach showed caution, purchasing the supplements from a specialized “nutritional supplements store” and reviewing the ingredients with the athletes.
 - The TWF highlighted that it has only one qualified weightlifter eligible for the Olympic Games Paris 2024. Imposing sanctions that reduce the TWF’s Olympic quotas would result in a complete ban, which the TWF argued would be disproportionate and unfair to the sole qualified athlete with a clean record.

35. The TWF further argued that measures taken by the TWF, such as organizing Anti-Doping seminars, should be considered mitigation factors. These seminars were held to increase education and awareness among athletes and coaches, demonstrating the federation's commitment to prevent future violations.

VI. JURISDICTION AND APPLICABLE LAW

36. At the outset, the Panel notes that the TWF does not dispute that the IWF Panel has jurisdiction over the present matter.
37. In view of the above, the IWF Panel has jurisdiction to decide on the present dispute.
38. With respect to the applicable rule of law, the IWF has alleged that the IWF OQS and the IWF ADR apply to the case at hand. The TWF has not disputed this position and has also argued within the framework of these provisions The Panel holds that the presented proceedings will be adjudicated in the application of the IWF OQS and the IWF ADR.

VII. MERITS

39. The questions that the IWF Panel needs to rule on in the present proceedings are the following:
- Has the TWF breached Article 12.3.2 of the IWF ADR and the provisions of the IWF OQS?
 - If so, what sanctions should be imposed on the TWF?

A. HAS THE TWF BREACHED ARTICLE 12.3.2 OF THE IWF ADR AND THE IWF OQS?

40. As a reminder, Article 12.3.2 of the IWF ADR provides that a Member Federation may be sanctioned in the event that three or more ADRVs, which are sanctioned by the IWF, are committed by athletes affiliated to the Member Federation within a 12-month period.
41. The Panel notes in this respect that IWF OQS contained in Section C.3 ("Athlete Eligibility") under "Consequences due to Anti-Doping Rule Violations" provides in lit. b slightly differently that the three or more ADRVs have to be committed both within a 12-month period and from 23 July 2021 until 25 July 2024 and as a consequence quota place(s) may be withdrawn.
42. On the basis of the evidence on file, the IWF Panel is satisfied (i) that four athletes affiliated to the TWF committed, and were sanctioned by the IWF for ADRVs; and (ii) that such offences were committed between 23 July 2021 and 25 July 2024, and within a 12-month period. Hence, consequences can be applied under both Article 12.3.2 of the IWF ADR and the IWF OQS.

43. The Panel acknowledges the TWF's argument that three of the four cases involved unintentional ADRVs from a contaminated supplement. However, the purpose of promoting behavioural change and maintaining integrity, while relevant for determining sanctions, does not affect whether the factual requirements of Article 12.3.2 of the IWF ADR and of the IWF OQS are met. The straightforward wording of "three (3) or more violations" leaves no discretion in finding a breach once that threshold is exceeded. In this respect, the Panel highlights that Article 12.3.2 does not stipulate that three or more violations should be committed with intent.

44. The IWF Panel thus needs to determine the relevant sanction for this breach.

A. WHAT SANCTION SHOULD BE IMPOSED ON THE TWF?

1. Sanction under the IWF ADR

45. According to Article 12.2 of the IWF ADR, the Panel "should take into account the degree of fault or negligence of the Member Federation" when determining consequences.

46. Moreover, Comment to Article 12.2 of the IWF ADR provides that the Member Federations "bear the burden of any attenuating circumstance" and "submit evidences" to establish its position.

47. In deciding on any sanction, the comment to Article 12.3.2 of the IWF ADR indicates that the Panel should take into account "the number of violations, the substances involved, the level of fault of the perpetrators, the fact that the violations were committed by Athlete Support Personnel, etc."

48. As noted, the IWF did not make any specific request on the consequences.

49. The TWF, on the other hand, requested that: (i) no sanction should be imposed on it at all; (ii) no quota place shall be withdrawn from the TWF with regard to the Olympic Games Paris 2024 or the next ensuing games, and (iii) if any sanction is imposed it should be limited to a fine.

50. The Panel accepts the TWF's argument that sanctions under Article 12.3.2 IWF ADR are not automatic but grant a certain amount of discretion to the IWF to sanction its Member Federations. However, the rules provide no further guidance on weighing multiple ADRVs arising from the same contaminated supplement issue.

51. Applying these criteria to the case at hand, the Panel notes the following with respect to the seriousness of the underlying Anti-Doping rule violations and the gravity of the circumstances surrounding the case:

- Number of ADRVs: The number of ADRVs (four) is at the lower end of the scale set out in the IWF ADR (which starts from “three or more”).
- Nature of ADRVs: Three out of four ADRVs are related to the same issue and to the same Contaminated Product (“AMINO Hardcore”), and all four ADRVs relate to non-specified substances. The Panel acknowledges the general principle cited by the IWF that athletes and support personnel must exercise caution when using supplements due to the well-known risk of contamination. However, in this specific case, the Panel notes that the contaminated supplements were purchased from a specialized nutritional supplements store and that the assistant coach reviewed and discussed the ingredients with the athletes, demonstrating awareness with the issue and an intent to act with caution.
- The level of fault of the athletes: While four violations occurred, three resulted from the ingestion of the same contaminated supplement without significant fault or negligence by the athletes as accepted by the ITA, which runs the IWF’s anti-doping program.
- Relationship of the athletes: The fact that two athletes were sisters does not inherently increase the seriousness of the underlying ADRV. On the contrary, as the source of the contamination has been reliably established, the fact that both sisters tested positive appears consistent with the shared use of the same supplements.
- TWF’s measures and attitude: The Panel is of the view that the three doping cases arising from the same Contaminated Product were not directly attributable to wrongdoing by the TWF. Moreover, the TWF has reacted promptly after these AAFs by organizing Anti-Doping seminars to increase education and awareness among athletes and coaches.
- Athlete’s Support Personnel: The contaminated supplements were administered to three athletes by Mr. Jannyev Muhammetnur, the assistant coach of the youth weightlifting team of Turkmenistan, who also acts as a trainer to the senior national team. It is self-evident that Ms. Janyev Muhammetnur is under the control and authority of TWF. This factor weighs against treating the cases as entirely separate from the TWF’s sphere of influence, especially as one athlete was a protected person, who requires a greater duty of care from the TWF under the relevant rules, at the time of the AAFs.

52. Applying all of the above to the present proceedings and considering both the wide discretion it enjoys under Article 12.3.2 of the IWF ADR as well as the fact that the IWF did not request any specific sanction to be applied, the Panel considers that in the present case a fine is an appropriate sanction. The Panel is mindful of the severity of one

intentional ADRV and of the involvement of an Athletes' Support Personnel in the three other ADRVs, one of which concerned a protected person. However, the three non-intentional ADRVs were considered as being committed without significant fault or negligence as a result of the use of the same supplement that turned out to be contaminated despite the checks conducted by the athletes' assistant coach. Taking into account that this is the first instance where Article 12.3.2 of the IWF ADR is applicable to the TWF, the Panel decides to impose a fine of USD 80,000.00, which is on the lower range of scale provided for by Article 12.3.2 lit. b of the IWF ADR and proportionate in light of all the circumstances of the case.

2. Sanction under the IWF OQS

53. The IWF OQS provides for an automatic withdrawal of all quota places in cases where three or more of the underlying violations involve periods of Ineligibility of four years or more (lit. b last sentence of the IWF OQS). The IWF does not claim (and rightly so) that this is the case here. As not at least three out of the four ADRVs committed by TWF athletes met this threshold, the automatic consequences do not apply in this case.
54. Hence, the Panel is left with the discretion to withdraw the quota place. The IWF OQS provides that the Panel can find guidance in the criteria set out in Article 12.3.2 of the IWF ADR (lit. c of the IWF OQS) as discussed above.
55. The TWF also submits that the IWF waited for seven weeks before referring the matter to the Panel, which should be taken into account before imposing a quota restriction on the TWF. The Panel is of the view that the delays in this procedure are still within normal limits, given the need for careful consideration of the case file and the sufficient time remaining before the Olympic Games Paris 2024.
56. In its discretion, the Panel further considers that for the reasons set out above, in particular the fact that three of the four ADRVs were related to the use of the same contaminated product without significant fault or negligence, it would be disproportionate to order the withdrawal of the single Olympic quota place earned by Turkmenistan weightlifters. In the Panel's view such a drastic consequence, which would deprive an innocent athlete from competing in the Olympic Games, should not be applied when there are not multiple instances of confirmed cheating.
57. Therefore, no quota places for the Olympic Games Paris 2024 or subsequent Olympic Games shall be withdrawn from the TWF.

* * * *

VIII. DECISION

58. In light of the above the Panel rules as follows:

- 1. The Turkmenistan Weightlifting Federation has committed a breach of Article 12.3.2 of the IWF ADR and of the provisions of the IWF OQS, Paris 2024.**
- 2. The Turkmenistan Weightlifting Federation shall pay a fine in the amount of USD 80,000 (in words: eighty thousand US Dollars) to be paid within 6 months from receipt of the present decision.**
- 3. Each party bears its own costs.**

Date: 5 July 2024

The IWF Panel:

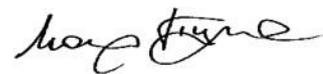


Antonio Rigozzi

Chair



Stephen Bock



Mario Vigna