

Result Management Committee

**THE DECISION
DISCIPLINARY PANEL**

**Between
Vietnam Anti-doping and Sports Medicine Center (VADA)**

And

Ms. DUONG THI TO LIEN

Hearing Panel:

Prof. Le Quy Phuong, Doctor - Chairman

Mr. Luu Duc Tu - Member

Jurisdiction

1. This case by Vietnam National Anti-Doping Rules (compliance with WADA Code 2015), the Panel is of the view the applicable rules would be the **VADA Rules (Rules)**.
2. **Vietnam Anti-Doping and Sports Medicine Center (VADA)** was the Testing Authority, Sample Collection Authority and Result Management Authority.

Background

3. **Duong Thi To Lien ("Athlete")**, date of birth 11th June 1999, is Vietnamese athlete. Her sports and discipline is Gymnastics/ Gymnastics. She was managed by Vietnam National Athletics Federation.
4. **VADA** was assigned to be the Testing Authority, Sample Collection Authority and Result Management Authority of OOCT in 2017.
5. The athlete was tested on 11th July 2017. The Doping Control Officer (DCO) of the test was **Ms. Ly Ngoc Dung**, the Chaperones were **Ms. Ly Ngoc Dung** (for notification) and **Ms. Ly Ngoc Dung** (for witness). Her sample code is 4073879. All the procedures were stipulated by the **World Anti-Doping Agency's (WADA)** International Standards for Testing 2015. All samples were sealed by the Athlete in the presence of DCO **Ms. Ly Ngoc Dung**
6. All information on athlete's sample was recorded in the Doping Control Form. The Athlete declared she did not use any medicine in the Medication Information. The Athlete had no comment on the Doping Control Session.
7. The movement of the sample was recorded accurately on the Chain of Custody Form. A report was also provided by the Lead DCO on 11th July 2017.
8. The sample was transferred to the Laboratory on 14th July 2017. The sample was analyzed by the WADA-accredited laboratory, National Doping Control Centre in Bangkok, Thailand. The test results for the A sample, reported by the laboratory on 5th April 2017 (Lab Reference #L171799), showed the presence of Prohibited Substance as below:

- S5. Diuretics and Masking Agents/Furosemide
9. This substance is in the S5. Diuretics and Masking Agents of WADA's 2017 Prohibited List.
10. The Athlete has, therefore, committed an **Anti-Doping Rule Violation (ADRV)** of Article 2.1 and 2.2 of the VADA Rules.

11. Due to an absence of the proper RM committee at the time of AAF happened, VADA has not completed this case and received a request from WADA to proceed the documents in order to close the case.
12. On 24th April 2023, the Athlete was notified that her urine sample was Adverse Analytical Finding (AAF) via email. The first notification stated that:
 - a. Athlete has right to send her explanation;
 - b. Athlete has right to request B-sample opening to confirm the A Sample results or to waive that right.
13. The deadline for the athlete to was on 04th May 2023.
14. On 4th May, The Athlete send explanation to VADA.
15. The Athlete confirmed she did not sent the B-sample opening request to VADA and neither request hearing but admitted the anti-doping rule violation and accepted any decisions from NF by a document.

Anti-Doping Proceeding

16. Result Management Committee files proceedings alleging a violation of Article 2.1 of Rules, evidenced by the presence of Prohibited Substance in the sample collected on 11th July 2017.
17. Definition of Article 2.1 of VADA Rules: **Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample.**
18. The analysis of the sample confirmed the presence of Furosemide. According to the Prohibited list 2017 of WADA, Furosemide is the Specified Substances, which is in S5. Stimulant, being prohibited at all times.

Proposed Sanction

19. Our records indicate that you have No prior ADRVs; athlete's AAF substance was a Specified Substance but testing at out-of-competition carries a presumption that the ADRV was not intentional, therefore in the event that the asserted ADRVs are upheld, VADA will seek the following proposed Consequences:
 - 19.1 A period of Ineligibility of **two [02]** years by athlete's IF or NF under VADA Rules 10.2.1.
 - 19.2 Public disclosure pursuant to Article 14.3 of VADA Anti-Doping Rules;

The Decision

20. The Disciplinary panel members comfortably satisfied that an ADRV is established under Article 2.1 of the VADA Anti-Doping Rules (The Rules) for the presence of prohibited substances.
21. A period of Ineligibility of **two [02]** years by athlete's IF or NF under VADA Rules 10.2.1.
22. Public disclosure pursuant to Article 14.3 of VADA Anti-Doping Rules;

Conclusion

23. In conclusion, the Panel imposes a period of ineligibility of **two [02] years** backdate to commence from 5th April 2017, and means athlete is ineligible to participate in sport until 5th April 2019.
24. Athlete has 21 (twenty one) days to appeal from the date the athlete is notified of the hearing decision as set forth in Article 13.6.2 of VADA Rules.

31th May 2023

Disciplinary panel



Prof. Le Quy Phuong, Chairman

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