

Summary of relevant facts

5. On 6 November 2018, Mr Anik provided an in-competition urine sample, sample 4300885, after playing for Dhaka Metro in the match against Chattagram Division at the Sk. Kamal Intl. Cricket Stadium, at Cox's Bazar.
6. Sample 4300885 was sent for analysis at the National Dope Testing Laboratory, the WADA-accredited anti-doping laboratory in New Delhi, India.
7. On 20 December 2018, the BCB was notified by the ICC that the National Dope Testing Laboratory had reported an Adverse Analytical Finding for sample 4300885, with the sample testing positive for Methamphetamine (d-), a stimulant prohibited under section S6a of the 2018 WADA Prohibited List.
8. On 8 February 2019, the BCB contacted Mr Anik by telephone and advised him of the AAF in his sample. During this telephone call, the BCB advised Mr Anik of his right to have his B sample analysed, and that he should not participate in any capacity in any cricket activity pending the outcome of his case.
9. Mr Anik indicated that he would not challenge the AAF and therefore advised the BCB that he did not require his B sample to be analysed.
10. On 26 February 2019, the BCB received the full documentation package from the Laboratory for sample A4300885 confirming the AAF.
11. In accordance with the results management procedures set out in Article 7.2 of the Rules, the BCB referred the file to its Review Board, which reviewed the file to determine whether (a) there was any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the AAF, or (b) the AAF was consistent with any applicable TUE that had been granted or that might be granted in accordance with the International Standard for Therapeutic Use Exemptions. The Review Board reported that no such departures could be identified, nor that there was any applicable TUE.

Relevant Provisions of the Rules

12. Article 2.1 makes the following an offence:

"The presence of a Prohibited Substance or its Metabolites or Markers in a Cricketer's Sample."

13. Further, Article 2.1.2 provides, in relevant part, that:

"Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following (unless the Cricketer establishes that such presence is consistent with a Therapeutic Use Exemption granted in accordance with Article 4.4): (a) the presence of a Prohibited Substance or its Metabolites or Markers in the Cricketer's A Sample, where the Cricketer waives analysis of the B Sample and the B Sample is not analysed; ..."