

INTERNATIONAL OLYMPIC COMMITTEE

IOC EXECUTIVE BOARD DECISION

**REGARDING ALEX SCHWAZER
BORN ON 26 DECEMBER 1984, ATHLETE, ITALY, ATHLETICS**

UPON CONSIDERING the attached recommendation of the IOC Disciplinary Commission dated 10 August 2012, pursuant to the Olympic Charter and, in particular, Rule 59.2.1 thereof, and pursuant to the *IOC Anti-Doping Rules Applicable to the Games of the XXX Olympiad, London 2012* and, in particular, Articles 1.2 and 7 thereof, and pursuant to the World Anti-Doping Code and, in particular Articles 2.1 and 10 thereof:

**THE EXECUTIVE BOARD OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES**

- I. The IOC has taken note of the decision of CONI to suspend the athlete Alex Schwazer.
- II. The athlete Alex Schwazer, Italy, Athletics:
 - (i) is declared ineligible to participate in the Games of the XXX Olympiad in London in 2012;
 - (ii) shall have his Olympic identity and accreditation card immediately cancelled and withdrawn.
- III. The Athlete's file shall be transmitted to the International Association of Athletics Federations (IAAF), which is requested to consider any further action within its own competence.
- IV. The NOC of Italy and LOCOG shall ensure full implementation of the Executive Board decision.
- V. This decision shall enter into force immediately.

London, 10 August 2012

On behalf of the IOC Executive Board

Dr Jacques ROGGE
IOC President

Christophe DE KEPPEL
Director General

**INTERNATIONAL OLYMPIC COMMITTEE
IOC DISCIPLINARY COMMISSION**

RECOMMENDATIONS

**REGARDING ALEX SCHWAZER
BORN ON 26 DECEMBER 1984, ATHLETE, ITALY, ATHLETICS**

(Rule 59.2.1 of the Olympic Charter)

1. Mr Alex Schwazer (hereinafter the “**Athlete**”) was requested on 30 July 2012, as part of the pre-competition testing conducted under the auspices of the International Olympic Committee, in Calice, Italy, at around 21:20 hours, to provide a urine sample for a doping control.
2. Pursuant to Article 6.2.1 of the *IOC Anti-Doping Rules Applicable to the Games of the XXX Olympiad, London 2012* (the “**Rules**”), Dr Patrick Schamasch (the “**IOC Medical Director**”), as representative of the Chairman of the IOC Medical Commission, was informed at approximately 09:45 on 6 August 2012, by the Head of the WADA Accredited Laboratory in Cologne (Germany), of an adverse analytical finding on the A sample of the above-noted urine.
3. Pursuant to Article 6.2.2 of the *Rules*, the IOC Medical 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.
4. Pursuant to Article 6.2.3 of the *Rules*, the IOC Medical Director, 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.
5. Pursuant to Article 6.2.4 of the *Rules*, the IOC President, by letter dated 6 August 2012, promptly set up a Disciplinary Commission, consisting of:
 - Thomas Bach (Chairman)
 - Denis Oswald
 - Frank Fredericks

The IOC President also informed the Disciplinary Commission that, pursuant to Rule 59.2.4 of the Olympic Charter and Article 6.1.7. of the *Rules*, the final decision in this case will be pronounced by the IOC Executive Board.

As per Article 6.1.7 of the *Rules*, the Disciplinary Commission will provide to the IOC Executive Board a report on the procedure conducted under its authority, including a proposal to the IOC Executive Board as to the measures and/or sanctions to be decided upon by the IOC Executive Board.

The IOC President has in this case decided that the procedure may be extended beyond the 24 hour time limit as per Article 6.2.14 of the *Rules*.

6. Pursuant to Article 6.2.6 of the *Rules*, by letter dated 6 August 2012 notified to the Athlete, to the Chef de Mission of the NOC of Italy, Rossana Ciuffetti, to the International Association of Athletics Federations and to the Head of the Independent Observers' Programme, the IOC President advised of the above-mentioned adverse analytical finding and of 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, issued by the WADA Accredited Laboratory in Cologne (Germany) and attached to the above-mentioned letter dated 6 August 2012, indicated the presence of the prohibited substance **recombinant erythropoietin (rhEPO)**.

7. The Athlete was scheduled to compete on Saturday 11 August, at 09:00 in the Men's 50km Walk Race.
8. The Athlete requested the analysis of the B sample, which occurred on Tuesday 7 August 2012, at approximately 16:00 (Germany time), at the WADA Accredited Laboratory in Cologne.
9. The Athlete held a press conference on 8 August 2012, during which he declared in substance that:
 - He admits having bought EPO in Turkey (Antalya) for 1500 Euros at a local pharmacy;
 - He used EPO in July 2012, starting to inject himself after the doping control he underwent on 13 July 2012, the last injection having been made on 29 July 2012;
 - He did it alone, having found on the internet how to use EPO and how to procure it;
 - On 30 July 2012, when the Doping Control Officers knocked on his door at his home, he understood that "it was over";
 - He regrets his actions and apologizes.
10. The NOC of Italy sent to the IOC, on 8 August 2012, a letter dated 7 August 2012, addressed to the Chairman of the Disciplinary Commission, in which it stated in substance that:
 - After receiving the communication from the IOC President, the NOC duly and quickly informed the Athlete of the adverse analytical finding;
 - The Athlete immediately admitted on the phone to have used EPO, a banned substance;
 - The President of the NOC, after consultation with the Head of the Italian delegation, decided to exclude the Athlete from the Italian Olympic Team;
 - On 7 August 2012, the CONI/NADO Anti-doping court suspended the Athlete.
11. The Disciplinary Commission held a hearing on 9 August 2012 starting at around 09:00 hours, at the London Hilton on Park Lane, in the presence of a representative of the NOC of Italy (hereinafter the "Delegation") in the person of its Chef de Mission, Rossana Ciuffetti.
12. The International Association of Athletics Federations (hereinafter "IAAF") was represented by Huw Roberts, IAAF Legal Counsel.
13. Also attending the hearing were:

Dr Patrick Schamasch, IOC Medical Director
Howard Stupp, IOC Director of Legal Affairs
Christian Thill, IOC Doping Control Administrative Coordinator
Susan Greinig and Sarah Friberg, Assistants
Kate O'Neill, Minute-taker

René Bouchard, Head of the Independent Observers' Programme.
14. At the beginning of the hearing, the Delegation was informed that the meeting was being recorded and that minutes were being taken. The Delegation was also 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 in Cologne, indicated the presence of **recombinant erythropoietin (rhEPO)**.

15. Upon questioning from the Disciplinary Commission, the Delegation confirmed it did not have any objection as to the conduct of this disciplinary procedure until now.
16. The Delegation described the course of events that occurred after receiving the letter from the IOC President dated 6 August 2012, and which has been summarised in the letter from CONI dated 7 August 2012.

The Delegation also explained that Dr Pierluigi Fiorella, who is the Italian athletics team doctor, was the person who called the Athlete to inform him of the adverse analytical finding on 7 August 2012. The Delegation confirmed that the Athlete then, on the phone, admitted to have used the prohibited substance EPO.

The Delegation indicated that she did not know more about the circumstances in which the Athlete used or procured the prohibited substance at this stage, other than the declarations made by the Athlete during his press conference on 8 August 2012.

17. After hearing the Delegation, the Disciplinary Commission retired in order to deliberate.
18. As of the time of the meeting of the IOC Executive Board, the result of the B sample analysis was not yet available.
19. Based on the result of the analysis of the A sample and the oral admission made by the Athlete to his National Olympic Committee, as well as in public during his press conference of 8 August 2012, 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 **recombinant erythropoietin (rhEPO)** in his body.

The Disciplinary Commission has taken note of the decision by CONI to suspend the Athlete.

CONSIDERING the above, pursuant to the Olympic Charter and, in particular, Rule 59.2.1 thereof, and pursuant to the *IOC Anti-Doping Rules Applicable to the Games of the XXX Olympiad, London 2012* and, in particular, Articles 1.2 and 7 thereof, and pursuant to the World Anti-Doping Code and, in particular Articles 2.1 and 10 thereof:

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
RECOMMENDS TO THE EXECUTIVE BOARD

- I. The IOC to take note of the decision of CONI to suspend the athlete Mr Alex Schwazer, Italy, Athletics.
- II. The athlete Mr Alex Schwazer, Italy, Athletics:
 - (i) be declared ineligible to participate in the Games of the XXX Olympiad in London in 2012;
 - (ii) shall have his Olympic identity and accreditation card immediately cancelled and withdrawn.

- III. The Athlete's file shall be transmitted to the International Association of Athletics Federations (IAAF), which is requested to consider any further action within its own competence.
- IV. The NOC of Italy and LOCOG shall ensure full implementation of the Executive Board decision.

London, 10 August 2012

The IOC Disciplinary Commission

Thomas BACH
Chairman

Denis OSWALD

Frank FREDERICKS