

INTERNATIONAL OLYMPIC COMMITTEE

IOC DISCIPLINARY COMMISSION DECISION

REGARDING MR VITALIJS PAVLOVS BORN ON 17 JUNE 1989, ATHLETE, LATVIA, ICE HOCKEY

1. Mr Vitalijs Pavlovs (hereinafter the **"Athlete"**) competed in the following events at the occasion of the XXII Olympic Winter Games in Sochi, in 2014 (hereafter the **"Sochi Olympic Winter Games"**), where the Latvian Men's Hockey team placed 8th:
 - On 12 February 2014, in the Men's Preliminary Round – Group C - Latvia vs Switzerland match;
 - On 14 February 2014, in the Men's Preliminary Round – Group C - Czech Republic vs Latvia match;
 - On 15 February 2014, in the Men's Preliminary Round – Group C - Sweden vs Latvia match;
 - On 18 February 2014, in the Men's Play-offs Qualifications – Switzerland vs Latvia match;
 - On 19 February 2014, in the Men's Play-offs Quarterfinals – Canada vs Latvia match.
2. The Athlete was requested on 19 February 2014, at 11:30 p.m., immediately following the completion of his participation in the Men's Play-offs Quarterfinals – Canada vs Latvia match - to provide a urine sample for a doping control.
3. Pursuant to Article 6.2.1 of the *IOC Anti-Doping Rules Applicable to the XXII Olympic Winter Games in Sochi, in 2014* (the **"Rules"**), Dr. Richard Budgett (the **"IOC Medical Director"**), as representative of the Chairman of the IOC Medical Commission, was informed in the morning of Friday, 21 February 2014 by the Head of the WADA Accredited Laboratory in Sochi, of an adverse analytical finding on the A sample of the above-noted urine.
4. 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.
5. Pursuant to Article 6.2.3 of the *Rules*, the IOC Medical Director immediately informed the IOC President, Thomas Bach, of the existence of the adverse analytical finding and the essential details available to him concerning the case.
6. Pursuant to Article 6.2.5 of the *Rules*, the IOC President, by letter dated 22 February 2014, promptly set up a Disciplinary Commission, consisting of:
 - Denis Oswald (Chairman)
 - Nawal El Moutawakel
 - Gunilla Lindberg

The IOC President also informed the Disciplinary Commission that, pursuant to Rule 59.2.4 of the Olympic Charter and Article 6.1.6. of the *Rules*, the decision of the Disciplinary Commission in this case would constitute the decision of the IOC.

- 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*.
7. The analytical report of the laboratory analysis of the A sample, issued by the WADA Accredited Laboratory in Sochi, dated 21 February 2014, indicated the presence of **methylhexaneamine (dimethylpentylamine)**.
 8. Pursuant to Article 6.2.6 of the *Rules*, by letter dated 22 February 2014, notified to the Athlete, to the Secretary General of the Latvian Olympic Committee (hereafter the "**LOC**"), to the International Ice Hockey Federation (hereafter the "**IIHF**") and to the Head of the Independent Observers' Programme, the IOC President advised of the above-mentioned adverse analytical finding.
 9. The Athlete requested the analysis of the B sample, which occurred on Saturday 22 February 2014 at 4:00 p.m., at the WADA Accredited Laboratory in Sochi, in the presence of the Athlete's representative, Ms. Liga Cirule.
 10. The Athlete did not submit any written submissions.
 11. The Disciplinary Commission held a hearing on 22 February 2014, at approximately 1:30 p.m., at the Olympic Family Hotel (OFH), Radisson Blu Hotel and Congress Center, LOC Executive Board Meeting Room, in the presence of a delegation from the LOC (hereinafter the "**Delegation**") comprised of:

Zorsz Tikmers, Chef de Mission
Aldons Vrublevskis, NOC President
Dr Liga Cirule, Team Doctor
Raitis Keselis, Deputy Chef de Mission

The Athlete joined the hearing by telephone conference call.
 12. The IIHF was represented at the hearing by Horst Lichtner, Secretary General.
 13. The Independent Observers' Programme was represented at the hearing by Huw Roberts.
 14. Also attending the hearing were:

Dr Richard Budget, IOC Medical Director
Howard Stupp, IOC Director of Legal Affairs
Andre Sabbah, IOC Doping Control Administrative Coordinator
Cherine Fahmy and Susan Greinig, Assistants
Kate O'neil, Minute-taker
 15. 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 reminded that 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 Sochi, indicated the presence of **methylhexaneamine (dimethylpentylamine)**.
 16. At the hearing, the Athlete stated that he did not understand how this substance entered his body. The Athlete further informed the Disciplinary Commission that he has been taking food supplements upon the recommendation of the doctor of his club team, Dynamo Riga. The Athlete stated that he followed the instructions of his club team doctor, whom he trusted. In addition, the Athlete stated that his teammates on his club team were also taking these food supplements. Upon being questioned by the Chairman of the Disciplinary Commission, the Athlete confirmed that he had heard about the risk of

contamination involved with the use of food supplements, in particular that, even if some supplements did not contain any prohibited substances, another sample of that same supplement might be contaminated.

17. Ms Liga Cirule, the doctor of the LOC, explained that the LOC was not aware of any of the food supplements that the Athlete was taking, as the club teams of the hockey players have their own medical doctors, with their own medical system, and the LOC does not intervene in their system. Ms Cirule further stated that she was aware of the risk of contamination involved with the use of food supplements, which is why the LOC has a very strict system in place whereby the LOC does not prescribe any medications or food supplements unless they are tested in their laboratories. Ms Cirule informed the Disciplinary Commission that, before the Sochi Olympic Winter Games, the Athlete was tested on 10 December 2013 and 2 January 2014, by the LOC's anti-doping commission, and both test results were negative for banned substances.
18. The Chef de Mission of the LOC stated that there was no pre-meditation on the part of the Athlete to commit an anti-doping rule violation and that, if such substance was found in his body, it was not done intentionally.
19. Upon questioning from the Chairman, the Athlete and the Delegation confirmed they did not have any objection as to the conduct of this disciplinary procedure and confirmed that their right to be heard had been fully respected.
20. After hearing the Athlete and the Delegation and the arguments they put forward, the Disciplinary Commission retired in order to deliberate.
21. By taking food supplements, which, as the Athlete had confirmed, might be contaminated, the Athlete accepted the risk that such supplements be contaminated with a prohibited substance.
22. On 22 February 2014, shortly after the end of the hearing, the analytical report of the laboratory analysis of the B sample, prepared by the Head of the WADA Accredited Laboratory in Sochi, was communicated to the IOC. Such report confirmed the presence of the prohibited substance **methylhexaneamine (dimethylpentylamine)** in the B sample.
23. Based on the above, the Disciplinary Commission unanimously concluded that the Athlete had been negligent and had therefore committed an anti-doping rule violation pursuant to Article 2.1 of the World Anti-Doping Code, (hereafter the "**Code**") and Articles 2 and 12 of the Rules, in that there was the presence of the prohibited substance, **methylhexaneamine (dimethylpentylamine)**, in his body.

As a consequence, the Athlete shall be disqualified from the Men's Play-offs Quarterfinals – Canada vs Latvia match.

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 XXII Olympic Winter Games, Sochi 2014 and in particular, Articles 1.2, 2, 7, 8 and 9 thereof and pursuant to the World Anti-Doping Code and, in particular, Articles 2.1 and 10 thereof, in particular Article 11.1 thereof:

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES

- I. The Athlete, Mr Vitalijs Pavlovs, Latvia, Ice Hockey, is disqualified from the Men's Play-offs Quarterfinals – Canada vs Latvia match.
- II. The Athlete shall be excluded from the XXII Olympic Winter Games in Sochi in 2014, and shall have his Olympic identity and accreditation card immediately cancelled.
- III. The Athlete's diploma (for placing 8th) be withdrawn.
- IV. The International Ice Hockey Federation is hereby requested to make appropriate mention of the above in the record of the sports results, and to consider whether it should take any further action within its competence.
- V. The Latvian Olympic Committee is hereby requested to return to the IOC, as soon as possible, the diploma awarded to the athlete in relation to the above-mentioned event.
- VI. This decision shall enter into force immediately.

Sochi, 22 February 2014

The IOC Disciplinary Commission

Denis Oswald
Chairman

Nawal El Moutawakel

Gunilla Lindberg