



Tribunal Arbitral du Sport
Court of Arbitration for Sport

PRESS RELEASE

CYCLING – DOPING

MICHELE SCARPONI SUSPENDED UNTIL THE BEGINNING OF AUGUST 2008

Lausanne, 26 March 2008 – The Court of Arbitration for Sport (CAS) has partially upheld the appeal of the International Cycling Union (UCI) and the counterclaim of the Italian cyclist Michele Scarponi who have both challenged the decision made on 13 July 2007 by the Federal Disciplinary Commission of the Italian Cycling Federation imposing an 18-month suspension on Michele Scarponi, suspension which should have come to an end on 15 November 2008.

Michele Scarponi has been involved in the “Operation Puerto”, an investigation conducted by the Spanish Guardia Civil since 2004. In 2006, on the basis of the report provided by the Guardia Civil, the UCI has requested many national cycling federations to open a disciplinary procedure with respect to some professional cyclists. Michele Scarponi was one of those and has been heard by the competent disciplinary authorities in Italy. During the procedure, the cyclist has admitted to have agreed to a taking of blood in April 2006, at the time when he was a member of the team Liberty Seguros. Such blood should have been conserved in a plastic bag and stored in a thermic container. M. Scarponi has admitted to have paid an amount of EUR 2’000 to Alessandro Kalc who had been introduced to him by Manolo Saiz, team leader of Liberty Seguros, as being a colleague of Dr Fuentes, the key person of the investigation in the “Puerto” case. M. Scarponi has then specified that he had regretted this situation and that he had contacted again Mr Kalc very quickly to inform him that he did not want to continue in that way. The FCI has taken the collaboration of M. Scarponi into account in order to fix his suspension at 18 months.

The UCI has filed an appeal with the CAS against the FCI decision on 30 August 2007 in order to request that a two-year ban be imposed on M. Scarponi. The latter has filed a counterclaim to request in particular that some periods of inactivity be taken into consideration in the calculation of his suspension. This matter has been handled by a Panel of three CAS arbitrators : Judge Bernard Foucher (France), President, Mr Olivier Carrard (Switzerland) and Mr Michele Bernasconi (Switzerland). The Parties have been heard at a hearing which took place at the CAS Headquarters in Lausanne on 7 February 2008.

The arbitral Panel has first considered that M. Scarponi has provided a limited assistance to the competent disciplinary authorities in order to establish a violation of the anti-doping rules committed by another person, namely Mr Kalc. In addition, his revelations, of a reduced efficacy, have occurred relatively late. The CAS arbitrators have therefore decided to fix the suspension of M. Scarponi at 21 months instead of the 18 months fixed by the FCI. Furthermore, the arbitral Panel has decided to take into account the period of inactivity of the cyclist between 30 June and 31 December 2006, considering the fact that on 30 June 2006, the UCI Pro-Tour teams had decided to prevent the cyclists listed in the

“Puerto” investigation to take part in competitions. Finally, the Panel has also taken into consideration the period from 15 May to 13 July 2007 during which M. Scarponi decided to suspend himself voluntarily. Consequently, the effective suspension of Michele Scarponi will come to an end on 1 August 2008.

The full award with the grounds is published on the CAS website (www.tas-cas.org, French part, section jurisprudence).

For further information related to the CAS activity and procedures in general, please contact Mr. Matthieu Reeb, Secretary General, tel : +41 21 613 50 00; fax : +41 21 613 50 01 or consult the CAS website : www.tas-cas.org.