



TAS / CAS
TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
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MEDIA RELEASE

FOOTBALL – ANTI-DOPING

FOUR-YEAR PERIOD OF INELIGIBILITY IMPOSED ON MARIO VUŠKOVIĆ (CROATIA / HAMBURGER SV) FURTHER TO A POSITIVE ANTI-DOPING CONTROL FOR RECOMBINANT EPO

Lausanne, 27 August 2024 – The Court of Arbitration for Sport (CAS) has issued its decision in relation to the appeals filed by 1) the Croatian football player Mario Vušković (the Player), 2) the National Anti-Doping Agency of Germany (NADA Germany) and 3) the World Anti-Doping Agency (WADA) against the decision issued on 30 March 2023 by the Sports Tribunal of the German Football Association (DFB) (the Challenged Decision), in which the Player was found to have committed an Anti-Doping Rule Violation (ADRV) (presence of recombinant erythropoietin “rEPO”, a non-specified substance) and sanctioned with a two-year period of ineligibility.

The CAS Panel in charge of the matter has confirmed the ADRV and increased the sanction imposed on the Player for a violation of Article 6 of the FIFA Anti-Doping Regulations to a four-year period of ineligibility, commencing on 15 November 2022. As a result, the appeal filed by Mario Vušković has been dismissed and the appeals filed by NADA Germany and WADA have been upheld.

On 16 September 2022, the Player was subject to an out-of-competition doping control at the training grounds of his club, Hamburger SV (HSV). Analysis of the Player’s samples revealed the presence of rEPO. The three appeals filed at the CAS were handled together and referred to the same panel of CAS arbitrators for resolution. In his appeal, Mario Vušković sought the annulment of the Challenged Decision and a finding that he did not violate any applicable anti-doping rules. NADA Germany and WADA sought an increased sanction of a four-year period of ineligibility. The CAS Panel held a hearing with the parties on 14 and 15 May 2024 at the CAS headquarters in Lausanne, Switzerland.

Following the hearing, the Panel deliberated and determined to its comfortable satisfaction that Mario Vušković had committed an ADRV pursuant to Article 6 of the FIFA Anti-Doping Regulations (FIFA ADR) for the presence of rEPO in his samples. With respect to the sanction, the Panel noted that Article 20(1) of the FIFA ADR provides for a four-year period of ineligibility, unless the athlete can prove that the ADRV was not intentional. For various reasons, not least because Mario Vušković himself did not submit any mitigating factors that could be taken into account to reduce the four-year period of ineligibility, the Panel found that there was no reason to deviate from the application of the FIFA ADR and imposed a four-year period of ineligibility on the Player. Mario Vušković has been provisionally suspended since 15 November 2022. The start of the four-year period of ineligibility is therefore backdated to such date.