



## MEDIA RELEASE

### CYCLING - DOPING (HGH)

### EIGHT YEAR SUSPENSION IMPOSED ON PATRICK SINKEWITZ

*Lausanne, 24 February 2014* - The Court of Arbitration for Sport (CAS) has upheld the appeal filed by Nationale Anti-Doping Agentur Deutschland (NADA) against Patrick Sinkewitz. As a consequence, Patrik Sinkewitz is declared ineligible to compete for a period of 8 years.

The German Anti-doping Agency had filed an appeal at the CAS to challenge the decision rendered on 19 June 2012 by the German Arbitral Tribunal for sports-related disputes (Sportschiedsgericht der Deutschen Institution für Schiedsgerichtsbarkeit (“DIS Arbitral Tribunal”)) acquitting Sinkewitz of any anti-doping rule violation.

The athlete underwent a doping control on 27 February 2011 at the end of the Grand Prix of Lugano (Switzerland). The analyses of the A and the B samples displayed the presence of recombinant growth hormone (“recGH”).

In its appeal, the German NADA requested that a period of ineligibility of no less than 8 years be imposed on the athlete, considering that he already served a one-year suspension in 2007 for an anti-doping rule violation. Patrik Sinkewitz disputed the reliability of the hgH test and put forward that several departures from the International Standards for Laboratories (ISL) had occurred during the procedure.

The CAS Panel in charge of this matter, composed of Prof. Christoph Vedder, President (Germany), Dr. Dirk-Reiner Martens, Germany, and Prof. Dr. Martin Schimke, (Germany) found that the German NADA has clearly established that the athlete's blood samples revealed the presence of recGH. On that basis, the Panel has come to the conclusion that, on 27 February 2011, Patrick Sinkewitz committed an anti-doping rule violation. Due to the fact that the German athlete had committed a first anti-doping rule violation in June 2007 (testosterone), the athlete has been declared ineligible to compete for eight years commencing three months prior to the date of the pronouncing of this Award, as a result of a second anti-doping rule violation. A period of 1 year, 3 months, and 4 days, corresponding to a voluntary suspension already served, is credited against the period of eight years.

In addition, Patrick Sinkewitz is ordered to pay a fine of EUR 38'500.



One year ago, the CAS ruled in favour of the Estonian cross-country skier Andrus Veerpalu, who was suspected of an anti-doping rule violation with recGH. In the case of Patrick Sinkewitz, there is no borderline situation which might trigger the benefit of uncertainty for the Athlete as the CAS did in the Veerpalu case.

The CAS Panel is of the view that the findings in both the Veerpalu award and the DIS award do not undermine the reliability of the so-called "decision limits" as such and do not prevent the Panel from taking into consideration the ratios found in the athlete's samples as means of evidence. The CAS Panel does not have to scientifically evaluate the process of the determination of the decision limits and can restrict itself to evaluating the persuasive weight of the expert testimonies before it. The CAS Panel in Veerpalu essentially based its conclusion on technical issues such as late or incomplete provision of information and data by the FIS.