

INTERNATIONAL OLYMPIC COMMITTEE

**IOC DISCIPLINARY COMMISSION
DECISION**

**REGARDING Ms FANI CHALKIA
BORN ON 2 FEBRUARY 1979, ATHLETE, GREECE, ATHLETICS**

(Rule 23.2.1 of the Olympic Charter)

1. Ms Fani Chalkia (hereinafter the "Athlete") was requested, on 10 August 2008, in Fukui, Japan, in the beginning of the afternoon, to provide a urine sample for a pre-competition doping control.

Given that the sample had a low urine specific gravity, three additional samples of urine were provided by the Athlete, in accordance with the *IOC Anti-Doping Rules applicable to the Games of the XXIX Olympiad in Beijing in 2008* (the "Rules") and the WADA International Standards.

2. Pursuant to Article 7.2.1 of the *Rules*, Patrick Schamasch, as representative of the Chairman of the IOC Medical Commission, was informed at about 05:00 hours on Saturday 16 August 2008, by the Head of the WADA Accredited Laboratory in Tokyo, of an adverse analytical finding on two of the A samples of the above-noted urine.
3. Pursuant to Article 7.2.2 of the *Rules*, Patrick Schamasch determined that the above-noted A samples belonged to the Athlete, and verified that they 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 7.2.3 of the *Rules*, Patrick Schamasch 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 7.2.4 of the *Rules*, the IOC President, by letter dated 16 August 2008, immediately set up a Disciplinary Commission, consisting of:
 - Thomas Bach (Chairman)
 - Gunilla Lindberg
 - Denis Oswald

The IOC President also informed the Disciplinary Commission that, pursuant to Rule 23.2.4 of the Olympic Charter and Article 7.1.4 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 7.2.13 of the *Rules*.

6. Pursuant to Article 7.2.5 of the *Rules*, by letter dated 16 August 2008, notified to the Athlete, to the Chef de Mission of the NOC of Greece, Isidoros Kouvelos, to the International Association of Athletics Federations, and to the Head of the Independent Observers' Programme, the IOC President advised of, among other things, the above-mentioned adverse analytical finding and 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 samples, prepared by the Head of the WADA Accredited Laboratory in Tokyo and attached to the above-mentioned letter dated 16 August 2008, indicated the presence of the prohibited substance Methyltrienolone.

7. The Athlete requested the analysis of the B samples. The B samples' opening and analysis was scheduled to occur at the WADA Accredited Laboratory in Tokyo on 17 August 2008, at 11:00 (local time).

The Athlete was offered the possibility to appoint a representative to attend such opening and analysis in Tokyo and was informed that in case she did not appoint a representative, an independent witness would be appointed in compliance with the WADA International Standards.

The Athlete did not attend nor appoint a representative to attend the B samples' opening and analysis, which occurred on as scheduled on 17 August 2008 at around 11:00 in the presence of an independent witness.

8. At around 02:00 in the morning of 17 August 2008, the Athlete held a press conference at her hotel denying any wrongdoing.

9. On 17 August 2008, at around 19:30, the analytical reports of the laboratory analysis of the B samples, prepared by the Head of the WADA Accredited Laboratory in Tokyo, were communicated to the IOC. Such reports indicated the presence of the prohibited substance Methyltrienolone in the B samples, thus confirming the adverse analytical finding of the A samples.

10. In the evening of 17 August 2008, the Chef de Mission of the NOC of Greece informed the IOC by e-mail that:

- upon receipt of the notification by the IOC that the doping control test of the Athlete "was positive", the Athlete was suspended by the NOC of Greece and asked to leave the Olympic Village;
- the Athlete decided, on her own, to leave Beijing for Athens and had already left on 17 August 2008;
- the Athlete would submit a defence in writing, although the NOC of Greece did not know precisely when and how such submission would be made or whether it would be submitted within the deadline set by the Disciplinary Commission;
- the Athlete would not compete in the Women's 400m hurdles (round 1, heat 1) scheduled for Sunday 17 August 2008 at 20:10;
- representatives of the NOC of Greece would be attending the hearing of the Disciplinary Commission the next day.

11. The Athlete did not compete in the Women's 400m Hurdles (round 1, heat 1) on the evening of Sunday, 17 August 2008.

12. Just prior to the hearing, the Disciplinary Commission received the written submission of the Athlete on 18 August 2008. In such submission, the Athlete states, in summary, that:

- she never used Methyltrienolone or any other prohibited substance;
- she suspected acts of tampering by third parties;
- she has been extensively tested in the last two years and none of the tests were positive for a prohibited substance;
- she was determined to investigate every possible aspect of the events, "with the assistance of the competent authorities", starting by taking contact with the Greek State Chemical Laboratory to test her dietary supplements.

13. The Disciplinary Commission held a hearing on 18 August at about 12:30 hours, at the Beijing Hotel, IOC Executive Board Room, 18th Floor, 33 East Chang An Avenue in Beijing, in the presence of a delegation (hereinafter the "Delegation") comprised of:

Isidoros Kouvelos, Chef de Mission
Ioannis Vasileiadis, Deputy Chef de Mission
Panagiotis Tsarouchas, Doctor
14. The International Association of Athletics Federations was represented at the hearing by Gabriel Dolle, Director of the Medical and Anti-Doping Department of the International Association of Athletics Federations and Huw Roberts, Legal Counsel to the IAAF.
15. Also attending the hearing were:

Patrick Schamasch, IOC Medical Director
Howard Stupp, IOC Director of Legal Affairs
Christian Thill, IOC Doping Control Administrative Coordinator

François Carrard, IOC Counsel

Travis Tygart, representative of the Independent Observer Programme.
16. The Delegation had been informed of the results of the laboratory analysis of the A samples which, according to the analysis reports prepared by the Head of the WADA Accredited Laboratory in Tokyo, indicated the presence of the prohibited substance Methyltrienolone. At the hearing, the Delegation was informed that this finding was confirmed by the results of the laboratory analysis of the B samples.
17. The Delegation did not have any objection as to the conduct of the disciplinary procedure with respect to the alleged anti-doping rule violation, in accordance with Article 7 of the *Rules*.
18. The Chef de Mission informed the Disciplinary Commission of the following:
 - upon receipt of the notification from the IOC regarding the adverse analytical finding, the NOC of Greece immediately suspended the Athlete and asked her to leave the Olympic Village;
 - the Athlete left the Olympic Village promptly and went to a hotel in Beijing, in which her personal coach, George Panagiotopoulos, was also staying;
 - on the morning of 17 August 2008, the Athlete left Beijing, apparently with her personal coach;
 - he does not personally know such coach (he met such coach for the first time on 17 August 2008), but knows that he is also the coach of Tassos Goussis (another Greek athletics athlete). Both the Athlete and the coach were at the same time in Japan. Most athletes in athletics have their own coach;
 - the substance Methyltrienolone is dangerous;
 - the NOC of Greece cooperates with all anti-doping agencies and has a strict anti-doping programme, which in particular requires that each athlete qualified on the Olympic team of Greece be checked three times in the period leading up to the Games;

- the NOC of Greece is committed to the fight against doping and is dedicated to have a clean team at the Olympic Games.

19. Upon questioning by the Disciplinary Commission, Patrick Schamasch indicated:

- Methyltrienolone is a strong anabolic steroid, prohibited under the WADA Prohibited List;
- it was unlikely that any element mentioned by the Athlete on the doping control forms could have caused the presence of the Methyltrienolone or be contaminated by such substance, although, without knowing exactly what type of supplements the words "energy modulators" covered and without having the actual specimens analysed, a definitive confirmation in this respect could not be given;
- Methyltrienolone has been found in the tests relating to 12 other Greek athletes (of which 11 athletes in weightlifting and one other athlete in track and field, Tassos Goussis);
- this substance is offered on the internet.

21. The Disciplinary Commission praised the reaction of the NOC of Greece and congratulated it for its prompt action in relation to the Athlete, showing its commitment and dedication to the common fight against doping in sport.

Upon the conclusion of the Hearing, the Delegation voluntarily returned to the IOC the accreditation card of Ms Chalkia.

22. After hearing the Delegation and the arguments it put forward and reviewing the written submission made by the Athlete, the Disciplinary Commission retired in order to deliberate.

23. 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 Methyltrienolone in her body.

24. The Disciplinary Commission notes that George Panagiotopoulos, who was not appointed by the NOC of Greece, was the personal coach of the Athlete as well as the personal coach of Tassos Goussis, who recently tested positive to the same substance, Methyltrienolone.

Furthermore, the substance Methyltrienolone is dangerous and may lead to serious consequences to the health of athletes, even threatening their lives.

Therefore, the Disciplinary Commission considers it necessary to report the matter to the competent Greek authorities.

CONSIDERING the above, pursuant to the Olympic Charter and, in particular, Rule 23.2.1 thereof, and pursuant to the *IOC Anti-Doping Rules applicable to the Games of the XXIX Olympiad in Beijing in 2008* and, in particular, Articles 2.1 and 8 thereof

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES

- I. The athlete Fani Chalkia, Greece, Athletics:
 - (i) is excluded from the *Games of the XXIX Olympiad in Beijing in 2008*;
 - (ii) shall have her Olympic identity and accreditation card immediately cancelled.
- II. 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.
- III. The NOC of Greece and BOCOG shall ensure full implementation of this decision.
- IV. The IOC Disciplinary Commission will report the matter to the competent Greek authorities, with a request to investigate possible violations of Greek law, in particular by the coach, George Panagiotopoulos.
- V. The IOC reserves its right to take sanctions or measures in relation to the Athlete's coach, George Panagiotopoulos.
- VI. This decision shall enter into force immediately.

Beijing, 18 August 2008

The IOC Disciplinary Commission

Thomas BACH
Chairman

Gunilla Lindberg

Denis OSWALD