

## FISA DOPING HEARING PANEL

### IN THE MATTER OF :

**Svetlana Fedorova**

#### Preliminary Matters

On 28 August 2007, the Executive Director of FISA established a Doping Hearing Panel to hear the case of a rower who the Executive Director considered may have committed an anti-doping rule violation. The Executive Director had conducted an investigation under Article 7.1.9 of the FISA Anti-Doping Rules, and had notified the athlete in terms of that Article. He imposed a provisional suspension on her under Article 7.4 on the 28 August 2007.

The members of the panel were John Boulton (Chair), Michael Williams and Michael Tanner.

The Panel convened on 28 August, and the athlete, Svetlana Fedorova (RUS) attended with Ludmila Saraeva, the Secretary General of the Russian Rowing Federation.

The Chairman of the Panel advised the athlete:

1. that the hearing involved an alleged use of a prohibited method – namely, intravenous infusion, other than as a legitimate medical treatment.
2. that the provisional suspension would continue until the conclusion of the hearing and that she was suspended from the World Championships which were currently taking place.
3. that she could choose to have the hearing that night (28<sup>th</sup>) or at a later date if she chose.
4. that she would be able to hear all evidence of the Executive Director which would be the evidence relied on at the hearing.
5. that she had the right to be represented by counsel.
6. that she had the right to adduce any evidence and call any witnesses that she might choose.
7. that she could provide an interpreter, or that FISA would provide one if she wished.
8. that she could have a person accompanying her
9. that Dr Kokas would be present at the hearing as a medical expert to provide advice to the panel on medical issues as required.
10. the process to be followed.
11. that if found to have committed an anti-doping rule violation, she would be liable to a period of 2 years ineligibility, which could only be reduced in certain circumstances outlined in the Rules.

The athlete chose to have the hearing on the night of 28 August, as she was due to compete at the World Championships the next day, 29 August. She agreed to the use of the interpreter provided by FISA. She asked for Mrs. Saraeva to accompany her. She asked for the hearing to be held immediately, but was given approximately 2 hours to consult, and prepare her case.

#### Evidence from FISA

Matt Smith, the Executive Director of FISA gave oral evidence as follows:

- a. On 16 July 2007 he had been told of medical materials found in a rubbish bin near the hotel used by the Russian team in Lucerne during the World Cup Regatta from 13-15 July 2007. The materials were provided to him.
- b. The materials were taken to the Anti-Doping Laboratory in Lausanne, and analysed. They comprised intravenous infusion equipment, along with legal substances such as creatine and fructose. Blood was found on the intravenous infusion needles and DNA analysis was performed on the blood remains. A number of different identifiable DNA chains were found in the blood.
- c. On 23 August 2007, Fedorova and a few other Russian athletes were tested by FISA in Munich. Blood and urine samples were taken and sent to the Lausanne laboratory for analysis.
- d. On 28 August 2007 the laboratory advised FISA that they had matched one of the DNA samples from the needles with a sample from the 23 August 2007 testing and confirmed that these were for Svetlana Fedorova, a member of the Russian women's eight which competed at Lucerne.
- e. In Munich (for the World Championships) he asked Mrs Saraeva and the Team Doctor, Dr. Schvetsky, if the Russian team used intravenous infusions during the month of July and was told by both of them that they did not. He indicated that the Team Doctor had stated that he did not know of any infusions which any of the team's rowers had taken in Lucerne.
- f. All rowers signed a Commitment Form which required them to inform their team doctor of all the medications they take.

The athlete was given the opportunity to ask questions of Mr. Smith but she had no questions.

#### The Athlete's Evidence

The athlete was asked to produce any evidence on her behalf.

She stated that she was selected in the national team in April and was afraid that she might be removed from the team if she said she was unwell, and did not tell the doctor or anyone of her health problems. She said her sister worked as a senior nurse in a hospital and often did biochemical tests on her. From these tests – ECG and creatine phosphate

tests – it appeared there were muscle abnormalities, problems with the phosphate level, and some heart problems.

After the World Cup in Linz in June, she did not feel well, and her sister gave her this medicine, isophosphena (Dr Kokas advised the panel that this is creatine phosphate). She knew that some medicines are forbidden, and looked it up, and saw it was not forbidden. She stated that she did not know that intravenous infusion was forbidden.

On the last day of competition in Lucerne, she did not feel well, and could not find the doctor, so she decided to treat herself and infused herself with this substance. She got the equipment as well as the medicine from her sister. She left the equipment in a rubbish bin in her room in the hotel, and does not know how it got into the rubbish bin where it was later found, nor could she explain how the equipment she used was together with other similar equipment when it was found.

Before Lucerne, she claims that she had never been told not to use intravenous infusions. She said that she had received no information in anti-doping matters before these events took place.

The athlete produced no further evidence.

#### Advice from the Medical Expert

Dr. Kokas advised that creatine phosphate can be used to restore over-trained muscles, including the heart muscle, but that there was no evidence in the literature that creatine phosphate has a real, prompt and good effect. It could have been taken orally, and have the same effect. Intravenous infusions should never be used in circumstances such as these (e.g. self administration in a hotel room) but only in life-threatening situations. Even if the medication could be justified as treatment, the method of intravenous infusion could not.

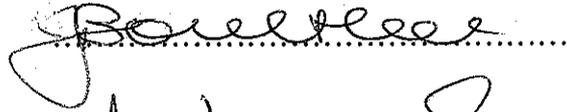
#### Decision

1. On the basis of her admissions, the Panel finds that the rower had used a prohibited method, namely, intravenous infusion with no legitimate medical treatment.
2. On the basis of the evidence from the athlete and the advice of the medical expert, the Panel finds that there was no legitimate medical treatment involved. This is on two bases: first, that the evidence is that the practice was being undertaken for sports recovery purposes, rather than medical treatment; and secondly that (in accordance with the athlete's evidence) the intravenous infusion was not done on medical advice or under medical supervision, and therefore was not legitimate medical treatment.
3. Therefore, the Panel finds that there has been an anti-doping rule violation under Article 2.2 of the FISA Anti-Doping Rules.
4. There is no evidence to suggest that Article 10.5 should apply to reduce the period of ineligibility based on exceptional circumstances.

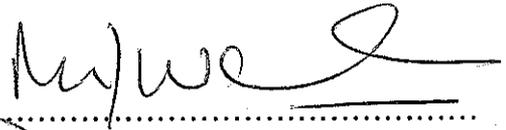
5. Therefore the provisions of Article 10.2 apply, and the athlete is declared to be ineligible within the meaning of the Rules, for a period of two years from 28 August 2007, in accordance with Article 10.8.

Signed in Munich, Germany, 30 August 2007, by the FISA Doping Hearing Panel

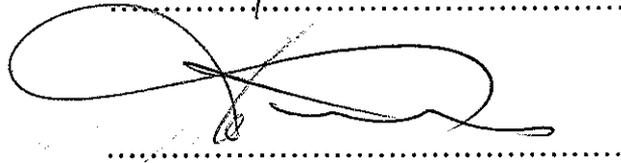
John Boulton (Chairman)

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Michael Williams

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Michael Tanner

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