



## PRESS RELEASE

### CYCLING

#### THE COURT OF ARBITRATION FOR SPORT (CAS) IMPOSES A TWO-YEAR BAN ON ALEJANDRO VALVERDE

*Lausanne, 31 May 2010* - The Court of Arbitration for Sport (CAS) has partially upheld the appeals filed by the International Cycling Union (UCI) and the World Anti-Doping Agency (WADA) against the Spanish Cycling Federation (RFEC) and the Spanish cyclist Alejandro Valverde. Accordingly, the CAS has imposed a two-year ban on Alejandro Valverde starting on 1 January 2010 but has denied the request of the UCI and WADA that results obtained by the athlete prior to the beginning of the suspension be annulled.

This matter arose as a result of the Spanish criminal investigation (Operación Puerto) which began in May 2004. On 29 August 2007, the UCI requested the RFEC to initiate disciplinary proceedings against Alejandro Valverde on the basis of the evidence gathered within the Operación Puerto proceedings, including the blood bag labelled “blood bag number 18”, the blood from which was purported to belong to Mr Valverde. On 7 September 2007, the RFEC denied the UCI’s request and refused to open disciplinary proceedings against Mr Valverde. In October 2007, both the UCI and WADA each filed an appeal with the CAS, requesting that Alejandro Valverde be found guilty of an anti-doping rule violation and that a two year suspension be imposed. Later, the Italian authorities opened disciplinary proceedings against Mr Valverde on the basis of evidence which they had in their possession, including a sample and DNA analysis of the blood from “blood bag number 18”. On 11 May 2009, the CONI Anti-Doping Tribunal (TNA) ruled that Mr Valverde had committed “*use, or attempted use of a prohibited substance or a prohibited method*” and, as a consequence, the athlete was banned for two years from participating in events organised under the auspices of CONI or related national sports organisations in Italy. Mr Valverde appealed the TNA decision to the CAS and, on 16 March 2010, the CAS confirmed the two year ban.

In its decision, the CAS Panel found, by a majority, that it could use the evidence collected in the course of the Operación Puerto for the purpose of the CAS arbitration. The CAS Panel also found, by a majority, that the scientific evidence which consisted, in essence, of:



- Blood bag number 18
- Scientific evidence that such blood contained EPO
- DNA evidence that clearly demonstrated that blood bag number 18 contained Mr Valverde's blood

was sufficient to conclude that Mr Valverde committed an anti-doping rule violation, considering that Mr Valverde's blood contained EPO, a prohibited substance according to Article 15 of the Anti-Doping Regulations (ADR) of the UCI (precisely, Article 15.2 of the UCI ADR: "Use or attempted use by a rider of a prohibited substance or prohibited method"). On the basis of the same regulations, a two-year suspension has been imposed on Alejandro Valverde, starting on 1 January 2010, in order to take into account, among other reasons, the fact that the CAS hearing which was initially scheduled for November 2009 had to be postponed until March 2010. Finally, the CAS considered that there was no evidence that any of the results obtained by Mr Valverde prior to 1 January 2010 was through doping infraction and decided that the appellants' request to annul those results should be denied.

The award, with the grounds, is published on the CAS website ([www.tas-cas.org/recent-decision](http://www.tas-cas.org/recent-decision)).