



Decision

by

the FIBA Disciplinary Panel established in accordance with
Section H7.8.5.2 of the
Internal Regulations governing Doping Control
in the matter

Antonios Gontopoulos
(born 18 June 1981)

("the Player")
(Nationality: Greece)

Whereas, on 25 February 2007, the Player tested positive for cannabis following a game of the Division B of the Greek Championship. The Player does not contest the result of the test but argues that the adverse analytical finding was the result of his smoking marihuana the night before the game in question and that he had no intention to enhance his performance ;

Whereas, the Player was immediately suspended by the Hellenic Basketball Federation ;

Whereas, on 20 April 2007, the Player was sanctioned with a two-year suspension beginning 25 February 2007 ; this decision was not communicated to FIBA until November 2007 when the matter was raised by the Player with FIBA ;



Whereas, on 18 July 2007, upon appeal, the Greek Supreme Council for the Resolution of Sports Disputes reduced the sanction to one year ; this decision was not communicated to FIBA until November 2007 when the matter was raised by the Player with FIBA ;

Whereas, by memorandum dated 2 November 2007, the Player requests to the FIBA Disciplinary Panel to decide “that a period of ineligibility of three months is the appropriate sanction in his case and that this period has already been served by him (...)” and “ that he is therefore allowed to participate in competitions from the date of FIBA Disciplinary Panel’s decision”.

NOW, therefore the Disciplinary Panel takes the following

DECISION

No sanction is imposed by FIBA for purposes of FIBA competitions.

Reasons

1. The Hellenic Federation failed to inform the Secretariat of FIBA of the sanctions imposed in Greece (Section H7.8.5.1 of the FIBA Internal Regulations governing Doping Control). Had it done so, FIBA could have imposed an own FIBA sanction according to the FIBA Regulations which –as a matter of FIBA’s practice and in the absence of an intent to enhance performance– would most likely not have exceeded a three-month suspension (Section H7.8.2.2). This sanction would have expired by the time of this decision. The Disciplinary Panel also takes into account the fact that up until the date of this decision the Player will have served a total of more than 8 months. Consequently, FIBA refrains from imposing a FIBA sanction.

2. *As for the Player's request to reduce the sanction imposed in Greece for Greek purposes, FIBA has no authority to do so. This is an internal matter of the Hellenic Federation.*
3. This decision is subject to an Appeal according to the FIBA Internal Regulations governing Appeals as per the attached "Notice about Appeals Procedure".

Geneva, 20 November 2007



Cendrine Guillon
President of the Disciplinary Panel



Dr Heinz Günter
Member of the Disciplinary Panel