



Decision

by

the **FIBA Secretary General**

in accordance with

Article 10.5.3 of the

FIBA Internal Regulations governing Anti-Doping

in the matter

Grigoris Pantouris

(born 22 July 1982)

hereafter:

(“the Player”)

(Nationality: Cyprus)

Whereas, on 4 August 2009 the FIBA Disciplinary Panel imposed a period of two years’ ineligibility, i.e. from 7 June 2009 to 6 June 2011, on the Player (copy attached);

Whereas, a few days after the laboratory results (sample code **2433931**) were announced to the Player, he voluntarily participated in separate meetings with the Cyprus Police and the National Anti-Doping Organization of Cyprus (the “CYP-NADO”) where he provided detailed information with respect to the source of the prohibited substance, the person(s) implicated etc. On the basis of such information the Cyprus police (drug enforcement unit) initiated a criminal investigation;

Whereas, on 31 July 2009 during the hearing before the FIBA Disciplinary Panel, the Player

- declared his availability to provide any further information available to him with respect to anti-doping rule violations and/or relevant criminal behaviour of third persons;
- provided information (name, identity) concerning the person who allegedly advised him to falsely declare the use of the prohibited substance mesterolone on the Doping Control Form dated 5 June 2009;

Whereas, in relation to the above facts criminal investigations and disciplinary proceedings were initiated by the competent Cyprus authorities and FIBA respectively;

Whereas, Article 10.5.3 of the FIBA Internal Regulations governing Anti-Doping (the “FIBA ADR”) reads as follows:

“The FIBA Secretary General may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case where the Player or other Person has provided Substantial Assistance to an Anti-Doping Organization, criminal authority or professional disciplinary body which results in the Anti-Doping Organization discovering or establishing an anti-doping rule violation by another Person or which results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another Person. After a final appellate decision under Article 13 or the expiration of time to appeal, FIBA may only suspend a part of the applicable period of Ineligibility with the approval of WADA. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the Player or other Person and the significance of the Substantial Assistance provided by the Player or other Person to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Article must be no less than 8 years. If FIBA suspends any part of the period of Ineligibility under this Article, it shall promptly provide a written justification for its decision to each Anti-Doping Organization having a right to appeal the decision. If FIBA subsequently reinstates any part of the suspended period of Ineligibility because the Player or other Person has failed to provide the Substantial Assistance which was anticipated, the Player or other Person may appeal the reinstatement pursuant to Article 13.2.”

Whereas, on 4 August 2009 FIBA decided to suspend six months of the Player's two-year period of ineligibility on the basis of Article 10.5.3 of the FIBA ADR (copy attached);

Whereas, on 22 January 2010 FIBA organised a disciplinary hearing at the FIBA Headquarters (Geneva, Switzerland) with respect to alleged anti-doping violations committed by Mr. George Stouppas ("Mr. Stouppas"), physiotherapist of the Cyprus national basketball team. The Player was called as a witness at the hearing;

Whereas, the Player confirmed his position in writing and thereafter, despite his limited financial resources, travelled to Geneva on its own expense in order to participate at the above-mentioned hearing. During the hearing the Player replied in an honest and straightforward way to the questions addressed to him by the FIBA Disciplinary Panel and Mr. Stouppas.

Whereas, the Player's testimony was essential in the Disciplinary Panel's finding that Mr. Stouppas violated Articles 2.5 and 2.8 of the FIBA ADR and should therefore be sanctioned with a one-year period of ineligibility. Such decision, delivered on 22 February 2010, has in the meantime become final.

Whereas, the above substantial assistance provided by the Player a) qualifies as additional assistance since he provided FIBA with *further* and more detailed information about the relevant facts, b) took place *after* FIBA's decision to suspend six months of his two-year suspension, c) resulted to discovering multiple violations committed by another person and to the latter's *sanctioning* by the competent FIBA body.

Whereas, on 13 April 2010 the Player requested FIBA to suspend his sanction for an additional approx. 45 days, so that he can play from the beginning in the 2010/2011 Cyprus championship.

Given that the season in Cyprus begins at the end of October and lasts approx. 4 months, he would miss almost half of the games if he remained ineligible until 6 December 2010.

Now, therefore, the FIBA Secretary General takes the following:

DECISION

- (a) further to FIBA Secretary General's decision of 4 August 2009, an additional period of one month and fifteen days of Mr. Grigoris Pantouris' two-year ineligibility is suspended;**
- (b) the non-suspended period of ineligibility shall start on 7 June 2009 and end on 22 October 2010;**
- (c) FIBA reserves its rights to reinstate the suspended period of ineligibility at any time, if the circumstances so require.**

This decision is subject to an Appeal according to the FIBA Internal Regulations governing Appeals as per the attached "Notice about Appeals Procedure".

Geneva, 10 May 2010

Patrick Baumann
FIBA Secretary General



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