

**PANEL OF THE JUDGES OF FINAL JURISDICTION ON DOPING ISSUES**

**No. 28/07**

in the following composition:

<b>Dr</b>	<b>Francesco Plotino</b>	<b>President</b>
<b>Mr</b>	<b>Luca Fiormente, Lawyer</b>	<b>Reporting Vice-President</b>
<b>Dr</b>	<b>Luca Amato</b>	<b>Ordinary legal member</b>
<b>Ms</b>	<b>Silvia Chiappalupi, Lawyer</b>	<b>Ordinary legal member</b>
<b>Mr</b>	<b>Luigi Di Maio, Lawyer</b>	<b>Ordinary legal member</b>
<b>Professor</b>	<b>Luca Marafioti, Lawyer</b>	<b>Ordinary legal member</b>
<b>Dr</b>	<b>Diana Bianchedi</b>	<b>Technical member not eligible to vote, athlete.</b>
<b>Professor</b>	<b>Ercole Brunetti</b>	<b>Technical member not eligible to vote</b>
<b>Professor</b>	<b>Marcello Chiarotti</b>	<b>Technical member not eligible to vote</b>

**DECISION**

on the referring order issued on November 22<sup>nd</sup> 2007 by CONI Anti-Doping Prosecutor's Office against the non-licensed physician Dr Carlo Santucci

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As a result of investigations carried out by the Carabinieri of Florence Unit responsible for preventing the Adulteration of Foodstuffs as part of the criminal proceedings called OIL FOR DRUG, the non-licensed physician Dr Carlo Santucci was subject to different criminal checks also including local wiretaps. This was aimed both at checking the adoption of medical practices not justified by pathological conditions and at checking whether Dr Santucci had been involved in the purchase, trafficking, marketing, administration, use by himself or by other people doping substances, drugs and/or substances altering the psychophysical state of the body, in order to enhance the sports performances of the following licensed and non-licensed athletes: Maurizio Camerini, Renzo Asci, Luciano Numera (they were interrogated also in their capacity as promoters of the unlawful activity and of the distribution of tasks to suppliers and co-operators for the trafficking in doping substances and the carrying on of unlawful activities in different areas of the country), Cesare Coconi, Riccardo Barotti, Maurizio Balestri, Alessandro Barotti, Mauro Balestri, Zoltan Bebo, Viscardo Freudiani, Danilo Di Luca, Giuseppe Gibilisco, Alessandro Spezialetti, Ruggero Marzioli, Domenico Quagliarello, Maurizio Di Antonio, Vincenzo Cacalano, Francesco Marinucci, Sergio Urbani, Giulio Salvatori, Marco Cedroni, Mauro De Carolis, Alessandro D'Olimpio, Eddi Mazzoleni, Giuseppe Muraglia, Simone and Andrea Masciarelli, Daniele Marziani, Francesco Di Paolo, Ivan Stevic and many more unidentified amateur athletes.

Dr Santucci was also charged with unlawful association with another physician, Dr Simone Giustarini, to prescribe doping therapies specifying the suppliers of the drugs and products, as well as the relevant ways to find these products. The charge brought against the above-mentioned doctors was their involvement in the direct marketing of doping substances in order to facilitate the diffusion and the use of the products among athletes involved in a variety of sports, as well as to induce altered sports performances and an altered psychophysical and biological state in the athletes, indicating dosage and intake modes concerning the doping substances.

Finally, the Carabinieri of Florence Unit responsible for preventing the Adulteration of Foodstuffs also charged Dr Santuccioni with the unlawful marketing, acquisition and administration of many doping substances, including: Andriol, Decadurabulin, Dhea, Proviron, Testoviron Depot, Testovis, Winstrol (all anabolic steroids), Efedrina, Eporex, Globuren, Profasi HP, Rubifen, Saizen, Synachten (growth hormone). These substances and drugs had been acquired and transferred to different third parties in Roma, Fiano Romano, Rieti, Vetralla, Pisa, San Giuliano Terme, Marina di Pietrasanta, Pescara, Trieste and in other places until May 2004. The Carabinieri also stated that the liability of Dr Santuccioni, also in association with Dr Simone Giustarini, had been proved by means of many local wiretaps, as well as of searches and seizures at the house of the now charged physician. They also transcribed different interrogations of many athletes involved in different sports, from which repeated and constant talks between them and the doctor, only aimed at providing instructions, advice, dosage plans, methods, supply and administration of the most varied doping substances. In particular, some athletes told and confessed that they had taken doping substances following the clear advice of Dr Santuccioni, who had provided them with dosage plans, training methods, news about the doping drugs, which the doctor considered to have a preparatory function with a view to the enhancement of the sports performances of the athletes who had contacted him.

In light of the acquisition of all the documentation derived from the above-mentioned criminal proceedings by the Anti-Doping Prosecutor's Office, Dr Santuccioni was summoned at the Anti-Doping Prosecutor's Office. However he failed to appear and sent a letter in which he wrote that he did not want to make any statement going beyond the pending criminal proceedings, as his own counsel had advised him.

With order of November 22<sup>nd</sup> 2007, act no.32/07, the Anti-Doping Prosecutor's Office referred Dr Santuccioni to this Panel of the Judges of Final Jurisdiction, requesting the Panel to impose the sanction of life ban prohibiting him from holding future positions or from carrying out future tasks within CONI, National Sports Federations or Associated Sports Disciplines, or from attending sports facilities, areas for athletes and insiders in Italy or from taking part in sports events held on the national territory or organized by the above-mentioned sports bodies in accordance with articles 2.8 and 10.4.2 of the Anti-Doping Rules combined with article 3, paragraph 7 of the criminal proceedings and operating instructions concerning the activities of the Anti-Doping Prosecutor's Office.

Dr Santuccioni did not file any brief.

At the hearing of December 17<sup>th</sup> 2007, after hearing the report by the reporting Vice-President and after hearing the representative of the Anti-Doping Prosecutor's Office attending the hearing, the Panel decided as per purview, which was then notified to the parties.

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Being well-grounded, the request for imposition of the sanction made by the Prosecutor's Office must be granted.

The striking sequence of violations committed by Dr Santuccioni is unprecedented if we examine the cases heard by this Panel.

The variety of substances, the systematic use of unlawful and prohibited methods and the reiterated information about the use and about the reasons for using prohibited substances given to the athletes have been proved so much that it is not necessary to dwell further upon the activities that by Dr Santuccioni carried on to make it possible for those athletes who had contacted him to enhance their own sports performances by means of prohibited substances

and methods, thus damaging those who play healthy sport according to the values embodied by sport.

Besides, the thick network of assistants and adepts that Dr Santucciono had recruited, the criminal association that he had established show that if it had not been for the help provided by the police force and, in the case in point, by the Unit responsible for preventing the Adulteration of Foodstuffs, the above-mentioned professional would have widened his range of action even more and would have spread both prohibited substances and a culture of sports unlawfulness and of doping use as a system to obviate natural deficiencies.

Dr Santucciono's uninhibited behaviour does not violate only those principles underlying and inspiring the World Anti-Doping Code, it violates the basic sports regulations and the rationales of the sports deontological code.

Therefore it follows that Dr Santucciono's violation of article 2.8 of the Anti-Doping Rules, as well as of the following article 10.4.2 of the same Rules as well as of article 3, paragraph 7 of the disciplinary proceedings and operating instructions concerning the activities carried on by the Anti-Doping Prosecutor's Office is evident.

The sanction envisaged for the violations of the above-mentioned rules is life ban, prohibiting the sanctioned person from holding future positions or from carrying out future tasks within CONI, National Sports Federations or Associated Sports Disciplines, or from attending sports facilities, areas for athletes and insiders in Italy or from taking part in sports events held on the national territory or organized by the above-mentioned sports bodies.

#### ***ON THESE GROUNDS***

In the disciplinary proceedings against Carlo Santucciono, the Panel of the Judges of Final Jurisdiction finds him guilty of the disciplinary charges brought against him under articles 2.8 and 10.4.2 of the Anti-Doping Code and, as a result, it imposes the sanction of life ban on him, prohibiting him from holding future positions or from carrying out future tasks within CONI, National Sports Federations or Associated Sports Disciplines, or from attending sports facilities, areas for athletes and insiders in Italy, or from taking part in sports events held on the national territory or organized by the above-mentioned sports bodies.

It reserves the right to file the grounds within 30 days.

It charges the Secretariat to notify the purview to the parties, to the National Sports Federations, to the Associated Sports Disciplines and to WADA.

Rome, December 17<sup>th</sup> 2007

**The Vice-President in charge of drawing up**  
*Mr Luca Fiormonte, Lawyer*

**The President**  
*Dr Francesco Plotino*