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## **Decision**

by

**the FIBA Disciplinary Panel established in accordance with  
Section H.7.8.3 of the  
Internal Regulations governing Doping Control**

**in the matter**

**Kaspars Kambala**

**("the Player")**

**(Latvian Nationality)**

**Whereas**, a urine sample provided by Mr. Kambala on the occasion of a doping test conducted on behalf of FIBA during an Euroleague game on 13 December 2006 in Istanbul, Turkey, tested positive for metabolites of cocaine;

**Whereas**, the laboratory analysis of Mr. Kambala's sample was conducted by the WADA-accredited laboratory in Barcelona;

**Whereas**, as per article H.7.8.1 of the FIBA Internal Regulations governing Doping Control by letter dated 30 January 2007 Mr. Kambala has been suspended with immediate effect both for national and international competitions;



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**Whereas**, the B-sample analysis confirmed the result of the A-sample analysis and tested positive for metabolites of cocaine;

**Whereas**, at the request of Mr. Kambala, a Disciplinary Panel established in accordance with Article H.7.8.3 of the FIBA Internal Regulations governing Doping Control held a hearing on 12 March 2007 in order to give the Player an opportunity to give a personal account of the circumstances which led to the Player's positive test. In preparation of the hearing the Player, through his counsel, submitted pleading notes.

**Whereas**, in said hearing Mr. Kambala acknowledged

- that he does not take issue with the way the doping test was conducted or with the laboratory results, and
- that he is familiar with the FIBA Internal Regulations governing Doping Control and that it was his responsibility to ensure that no prohibited substance entered his body,
- that cocaine and its metabolites are prohibited substances, and
- that he took some pills given to him by a friend against his mental distress resulting from a serious case of illness in his family, without knowing or asking questions about the ingredients of the pills;

**Whereas**, in said hearing Mr Kambala described the situation which caused him to take the pills as follows: He had lost one of his brothers three years before due to a severe illness and at the beginning of December 2006 his other brother suffered from a similar illness, a severe meningitis. Therefore, he and his family were deeply afraid that this brother would die as well. He found himself in a situation of heavy mental distress and psychological problems when a close friend who was aware of his mental situation advised him to take the pills which would help him to find mental relief.

**Whereas**, cocaine and its metabolites are prohibited substances under the FIBA Internal Regulations governing Doping Control,



Now, therefore, the Disciplinary Panel decided as follows:

**Mr. Kambala is suspended for a period of fourteen (14) months. The suspension shall begin on 13 December 2006 (date of sample collection) and shall end on 12 February 2008.**

**Reasons:**

The Disciplinary Panel is convinced that the prohibited substance entered the athlete's body by taking the pills and that the Player's statement that he took the pills in order to treat his psychological distress caused by his difficult personal circumstances is truthful.

The fact remains, however, that a prohibited substance was found in the athlete's bodily specimen which by itself constitutes an anti-doping-rule violation.

However, the Player has the option to establish the basis for eliminating or reducing a sanction as per secs H.7.8.2.4 a) and b) of the Regulations. On the other hand, there can be no doubt that the player was at least negligent by taking pills without checking if it contains a prohibited substance.

The Disciplinary Panel decided to reduce the sanction from 2 years to 14 months. In doing so the Disciplinary Panel took into consideration the player's extremely troubled personal situation in connection with the death of one of his brothers and the serious illness of his second brother, and further that he openly admitted his anti-doping rule violation and that he was very cooperative during the hearing.

In the Panel's view, therefore, a reduction of the period of ineligibility not to the minimum provided for in the FIBA Internal Regulations governing Doping Control, that is one year, but to 14 month is appropriate. According to sec. H.7.8.2.7 the Panel decides that the period of ineligibility for Mr. Kambala shall begin on 13 December 2006, the date of sample collection, as dictated by the principle of fairness. Mr. Kambala has been taking the pills in an extraordinary state of heavy mental distress on the advice of an old friend.

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

Geneva, 27 April 2007

On behalf of the FIBA Disciplinary Panel:

  
Yvan Mainini  
President of the Disciplinary Panel