

INTERNATIONAL SKATING UNION

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ISU Press Release

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Claudia Pechstein has not been rehabilitated

During the last six years Ms. Claudia Pechstein, the German speed skater who was sanctioned in 2009 for doping, has constantly organized media campaigns, including TV talk shows and articles on the internet, in which she claimed never to have doped. She has also published various expert opinions, supporting statements by friends and fans, etc. Although ISU is of the opinion that many of the published statements are incorrect and misleading, the ISU has so far not addressed the media and has always limited itself to present arguments, facts and evidence to the deciding bodies (CAS, Swiss Supreme Court, German courts). The ISU has maintained this conservative position even (i) when the DOSB (German Olympic Committee) appointed the so-called "independent impartial medical commission" to review medical issues involved in the case and (ii) following the subsequent publication of their conclusions and reports.

ISU's silence on Ms. Pechstein's massive media campaign has apparently created a public opinion (including that of the media) that Ms. Pechstein's abnormal blood values had been fully caused by an alleged inherited blood disease and that the report of the DOSB commission has fully rehabilitated and cleared her of doping. Also, the latest decision of the Munich Court of Appeal seems to have contributed to this opinion despite the fact that it did not in any way address the question of whether Ms. Pechstein had doped, but exclusively dealt with complex procedural issues. In addition, it should be noted that the decision is not final; the ISU has lodged an appeal with the German Federal Court of Justice.

Given the current perception of Ms. Pechstein's case by the public and media, created by many misleading statements, the ISU feels compelled to offer its own account of the situation:

The DOSB claims that it appointed an independent and impartial expert commission. This can rightfully be put into question for the following reasons: The DOSB has appointed as Chairman and Coordinator of the commission Prof. Dr. W. Jelkmann who was Ms. Pechstein's main expert in all proceedings from the very outset of the case and has actively appeared in person and testified on her behalf at hearings before the deciding bodies in both instances. The ISU emphatically believes this person cannot possibly be considered impartial or neutral.

Perhaps of greater importance is that the medical report used by Ms. Pechstein is definitely not conclusive and convincing evidence that Ms. Pechstein did not engage in doping. The DOSB expert commission based its findings solely on previous expert opinions, without studying all the scientific data and/or examining new or first hand evidence. The opinions (reports) of the members of the commission also show some other scientific shortcomings which the ISU will rebut with other experts if required.

It must be noted that although Ms. Pechstein had been offered during the proceedings before the ISU Disciplinary Commission and before the CAS to undergo tests for any possible blood disease or anomaly by neutral external experts, she refused to do so. Instead, she underwent tests by her own expert (without any control by or participation of the ISU). This expert concluded on 30.07.2009 preliminarily that there was no indication for a blood disease or anomaly and this report was presented to the CAS.

The German experts now claim that Ms. Pechstein suffers from a certain inherited blood disease. They cannot agree on the exact type or name of the disease but state that this disease explains every one of Ms. Pechstein's abnormal blood values in the past. However, even these experts had to admit that the disease is in "**a mild form**". The ISU experts are convinced that this mild

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form of a genetic anomaly has not been established with sufficient scientific certainty, but that even if it indeed exists, it could at most, explain slight, continuous and stable overtuning of reticulocyte production, but **does not and cannot explain the previous significant peaks and excess of variation of the hematologic parameters of Ms. Pechstein obtained during the period 2007 – 09**. Also, none of the members of the commission presented in his/her opinion one single patient (less so a study of a group of patients) suffering from the same mild form of blood disease showing that such patients would have a similar blood profile as Ms. Pechstein, thus further eroding the credibility of their findings.

In addition, the coincidence that Ms. Pechstein had her highest abnormal values frequently at exactly the time of the top world competitions is striking and remains without conclusive explanation by the DOSB commission.

Lastly, the fact that Ms. Pechstein's blood profile during the period 2000 – 2006 (ISU blood screening started in 2000) had never reached those high values obtained during the period 2007 - 2009, which was decisive for the imposed sanction, together with the fact that in the last entire season 2014/15 her values of % reticulocytes obtained due to ISU testing were in the normal range although she competed under the same conditions as in 2007 – 2009, does not support the existence of a genetic blood anomaly, because such anomaly can neither be cured nor disappear by itself.

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