



REPORT ON  
**DOPING**  
IN DANISH CYCLING  
1998-2015

Anti Doping Denmark  
The NOC and Sports  
Confederation of Denmark



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## PREFACE

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Since January 2013 an administratively appointed investigative group with employees from Anti Doping Denmark (ADD) and the NOC and Sports Confederation of Denmark have (DIF) carried out an investigation into the use of doping in Danish cycling since 1998. This report is the result of the investigation.

The investigation could not have been carried out without great willingness amongst many of the persons who were invited for an interview with the investigative group. The group wishes to bring a special acknowledgement to these persons and other involved persons for their co-operation and contribution to the investigation.

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### Abbreviations in the report:

AAA	American Arbitration Association - North American Court of Arbitration for Sport
ADAMS	Anti-Doping Administration & Management System
ADD	Anti Doping Denmark
CIRC	Cycling Independent Reform Commission
DCU	Danish Cycling Federation
DIF	NOC and the Sports Confederation of Denmark
MPCC	Movement for Credible Cycling (Mouvement pour un Cyclisme Crédible)
TUE	Therapeutic Use Exemption
UCI	Union Cycliste Internationale
USADA	United States Anti-Doping Agency
WADA	World Anti-Doping Agency

## EXECUTIVE SUMMARY

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In October 2012, the United States Anti-Doping Agency USADA published a report on the results of the most comprehensive investigation to date about cycling and the use of doping in general, namely the US Postal case. In section 1 of this report it is described how USADA's report was the result of an investigation which was based on confessions from riders and leaders who had also implicated other riders and persons associated to cycling, including the Danish rider Michael Rasmussen.

Subsequently, Anti Doping Denmark (ADD) and the NOC and the Sports Confederation of Denmark (DIF) in cooperation with anti-doping organisations in the Netherlands and the USA and with support from WADA, entered into a co-operation agreement with Michael Rasmussen. According to this agreement Rasmussen agreed to give information to those responsible for the fight against doping in Denmark about his own anti-doping rule violations as well as anti-doping rule violations committed by others with the intention to reduce his own sanction according to the rules for substantial assistance.

Following interviews with Michael Rasmussen in January 2013, ADD (as investigating authority according to the Danish anti-doping rules) in co-operation with DIF (as prosecuting authority according to Danish the anti-doping rules) administratively set up an investigative working group with the aim of corroborating Rasmussen's information through the collection of additional information from a number of persons. The activities related to this follow-up investigation is described in section 1.2 and 4. As a consequence of this follow-up investigation DIF's Doping Commission brought Michael Rasmussen's case to DIF's Doping Tribunal in July 2013. On 25 September 2013 the Doping Tribunal sanctioned Rasmussen with a period of ineligibility of two years which included a reduction due to the substantial assistance of three quarters of the otherwise applicable sanction of the eight years' ineligibility which Rasmussen faced.

As described in section 4, the management of the case against Michael Rasmussen gave the administrations of ADD and DIF so much concrete information on possible anti-doping rule violations committed by Danish riders and leading support personnel, that the administrations found it necessary to mandate the investigative group to carry out further investigations of concrete allegations against named persons in order to possibly provide the necessary evidential base to facilitate prosecutions of additional cases at the Doping Tribunal.

This additional investigation was carried out as a number of interviews with former and present riders, leading support personnel and other persons associated with Danish and international professional cycling. The conclusion from the investigative group for this part of the investigation is that there is sufficient basis that ADD – without statute of limitations – could have initiated proceedings against Bjarne Riis, Johnny Weltz and Alex Pedersen for violations of DIF's Doping Regulation in force at the relevant time. However, as all alleged violations have been committed prior to the statute of limitations in the anti-doping rules, it is not possible for ADD at this point to initiate proceedings against the mentioned persons.

Furthermore, if statute of limitations did not exist, there could – according to the assessment of the investigative group – be initiated proceedings before DIF's Doping Tribunal against a number of former riders for violation of the applicable anti-doping rules for use of doping. However, the investigation focused in particular on disclosing the role of leading support personnel, which is significantly different from the USADA report, which was case material used in proceedings to sanction Lance Armstrong and other riders in doping cases.

It should be emphasised that it is outside the mandate of the investigative group to determine how DIF's Doping Tribunal would have assessed the evidence from the investigation, which would have formed the basis for each of the cases in question.

Concrete as well as general information received by the investigative group through interviews conducted during the follow-up investigation, showed a pattern of long-term systematic use of doping in international and Danish cycling prior to the statute of limitations.

Early in the process ADD and DIF decided administratively that the investigative group should continue its work obtaining additional information and conclude by drafting and publishing this report on doping in Danish cycling since the beginning of Danish professional cycling in 1998 with a focus on Danish riders, leading support personnel and teams which had been leading during this period.

Part of the information set out in this report will already be well-known as it has also been published in newspapers and books. This report is, however, the first time ADD and DIF evaluate old as well as new information in order to obtain a comprehensive mapping of doping in Danish cycling.

The purpose of the investigation and this report may be summarised as follows:

1. To investigate cases against specific persons in Danish cycling for alleged anti-doping rule violations in order to determine whether there would be basis for bringing doping cases against these persons,
2. To examine and possibly disclose the use of doping in Danish professional cycling since 1998, including general cultural patterns which were characteristic for the sport,
3. To examine and evaluate the previous fight against doping in cycling in light of points 1 and 2, and
4. To present recommendations for the future in light of points 1 and 2.

From mid-1990's and onwards, Danish riders have achieved remarkable results in international cycling such as one Tour de France victory, stage victories and yellow jerseys in Tour de France, medals at the Olympic Games and World Championships and many other top results. Danish riders have been public heroes and although media and books over the years have brought many indications of alleged doping in relation to these results, the investigative group found it essential to examine further the Danish riders' use of doping.

The investigation team has naturally paid particular attention to one team. The present Team Tinkoff-Saxo has been the flagship of Danish professional cycling since its beginning as Team Home Jack & Jones in 1998 and until Bjarne Riis' sold the team to Oleg Tinkov in 2013. The work of the investigative group in this respect is described in section 5.

As it appears from section 5.2.2, it is the assessment of the investigative group that without statute of limitations in the anti-doping rules there would be basis for ADD to bring proceedings against Bjarne Riis for violation of article 6.8 in the Danish Doping Regulations in force at that time which is equivalent to article 2.9 in the current National Anti- Doping rules.

This assessment is based on the fact that Bjarne Riis has admitted, that he as team owner and leading sports director, while Tyler Hamilton was riding on his team, had knowledge of Tyler Hamilton's co-operation with Dr. Fuentes about blood doping, and additionally that Riis has admitted to have tried blood doping in his career as an active rider, and thus had knowledge of the

techniques of blood doping. Furthermore, the assessment is based on the fact that the investigative group on the basis of the information obtained, finds it established that:

- Bjarne Riis has requested Bo Hamburger to provide EPO to Jörg Jaksche,
- A comprehensive misuse of cortisone without medical justification took place on Riis's team
- In his capacity as team owner and leading sports director Bjarne Riis was aware that also other riders on the team in addition to Tyler Hamilton used doping.

The investigative group finds that the actual knowledge of anti-doping rule violations obliges a leader to act, which Bjarne Riis did not live up to. On the contrary, he at least tacitly accepted the use of doping which in the investigative group's opinion falls within the scope of complicity in the anti-doping rules which, among other things, comprises the covering up of anti-doping rule violations. According to the investigative group, the same applies to Johnny Weltz and Alex Pedersen, but as a team owner and leading sports director Riis has a greater responsibility than these two, since he in the position of chief executive of the team is able to take the final decisions to suspend doping users from his team and report them to the anti-doping authorities.

At the same time, the interviews have given the investigative group insight into the culture and patterns of cycling which it has been essential to describe in the report in a more general form. This is done in section 7 and concerns the substances and methods that were used with an emphasis on EPO, cortisone and blood doping as well as more culturally dependent characteristics as the notorious 'omertà' etc. Among other things, this culture is considered to have contributed to the fact that despite rumours and press stories about comprehensive doping in cycling, it succeeded to maintain a false picture of a certain effectiveness of the fight against doping.

In section 6 of this report, the investigative group has described areas where the doping control activities have failed, where improvements have been achieved with the introduction of rules for 'whereabouts', sample collection out-of-competition and blood profiles and among other things. In this process, the investigative group has made an attempt to collect input and suggest ideas as to how the system can further improve.

In the conclusion in section 8, the investigative group has summarised its work in a number of recommendations.

With regard to the work of doping control, the investigative group recommends among other things that:

- Work on developing improved tools to monitor the riders' whereabouts and biological profiles continue,
- Anti-doping organisations make use of the possibility to conduct doping control at night in cases where there is justified suspicion of use of doping in order to target potential use of micro doses of doping etc.,
- Anti-doping organisations use the possibility for long-term storage of doping samples in order to reanalyse the samples when analyses methods have been improved or when new are developed,
- WADA introduces procedures which secure that results of ABP blood samples are delayed for athletes or completely withheld, as access to these values can be misused by those

athletes who intend to cheat with blood profiles e.g. by adapting their doping on the background of their own monitoring of blood values,

- WADA and others strengthen the development of analyses and other methods to detect doping, in particular by strengthening the conditions for investigation and intelligence activities. In this context all anti-doping organisations should clarify possibilities and limitations of data protection laws so that the possibility for exchanging relevant information between anti-doping authorities, sports organisations, police and other authorities is secured.
- UCI implements rules equivalent to rules for member teams under 'Mouvement Pour un Cyclisme Crédible (Movement for Credible Cycling - MPCC)' for use of glucocorticoids (cortisone),

As for the specific structural characteristics of cycling which according to the investigative group make cycling especially vulnerable to doping, the group recommends that:

- UCI works to reduce the dependency for professional cycling teams on sponsors e.g. by strengthening the teams' possibilities to get a share of the income from TV-rights,
- UCI introduces principles for good governance for professional cycling teams in order to increase the responsibility for the team to manage their own employees, including increased contact to employees during periods of out-of-competition.

At the same time, the investigative group recommends that the UCI in a number of areas introduces control mechanisms and sanctions towards the teams in order to account for team managers' lack of responsibility. The investigative group recommends that:

- UCI internationally and Danish Cycling Union (DCU) nationally should establish rules for good governance for cycling teams, which must be mandatory for the teams to introduce and follow in order to obtain and maintain a UCI and/or DCU license,
- UCI introduces a system with a witness obligation similar to the one which the NOC and Sports Confederation of Denmark (DIF) has introduced in its disciplinary provisions for all members of DIF,
- UCI changes its license system by introducing 'fit-for-purpose' criteria for sports directors and team doctors, which would give the UCI a possibility to withhold a license for a sports director or a team doctor, who has violated the witness obligation to give truthfull witness testimony,
- DCU introduces correspondingly at national level a similar 'fit-for-purpose' criterion in its license system,
- UCI at international level and DCU at national level introduce rules to include prize money in cycling teams' official accounts and to secure that they are redistributed via the teams to the riders instead of directly to the riders. Hereby the risk of both tax fraud and 'free funds' for doping substances would be reduced.
- UCI introduce a rule to oblige the teams to pay a fine to the UCI in cases where an employee of the team is found to have committed an anti-doping rule violation (except for whereabouts violations). The fine should be of a considerable size so that the team management would need to enforce to the riders not to use doping.

The investigative group concludes the report with a plea to those riders who have admitted their doping violations to the investigative group to stand up in public and tell their full and true story and volunteer as ambassadors in the service of the anti-doping movement.

# 1 INTRODUCTION

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## 1.1 BACKGROUND

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On 10 October 2012, the American anti-doping agency USADA published a 200 pages report with the results of the most comprehensive investigation to date into cycling and the use of doping in general, namely the US Postal case, which sanctioned Lance Armstrong among others. More than 1000 pages of appurtenant documentation were published including, among other things, 26 witness statements, 11 of these from Lance Armstrong's former team mates.

The report from USADA was the result of an investigation launched during the spring of 2010 after the termination in February 2012 of the 20 month's long federal criminal investigation into Lance Armstrong's and the US Postal team's fraudulent conversion of public funds.

Although USADA did not get access to case documents and witness statements from the federal case, they took upon themselves to initiate their own investigation and summoned many of the same witnesses who gave evidence under oath in the federal case. Previously, USADA had an investigation pending based on information given to them from former US Postal rider Floyd Landis in April 2010, but with new witness statements, USADA received confirmation of the comprehensive use of doping at the US Postal team. Confessions and witness statements mapped out Lance Armstrong's and other riders' use of doping and how it was orchestrated with the assistance of support staff and medical doctors associated with the team.

The American riders who gave witness statements to USADA and admitted own use of doping had their sanctions reduced from the standard two years ineligibility because they also gave 'substantial assistance' to disclose the use of doping at the US Postal team. This is a possibility according to the World Anti-Doping Code (2009 edition: Art. 10.5.3, 2015 edition: Art. 10.6.1) in the case where an athlete as assistance to the anti-doping authorities, agrees to admit own anti-doping rule violations and to fully cooperate with the anti-doping authorities, including the provision of information, which leads to the discovery of other anti-doping rule violations.

In this way, USADA's case against Armstrong and US Postal was based on confessions from former team mates and support staff who also informed on other riders and persons related to cycling. In USADA's report these persons were made anonymous by deletion of their names.

In November 2012, through international co-operation between anti-doping organisations in Denmark, the Netherlands and the USA, ADD received a confirmation that "Rider 14" in the American rider Levi Leipheimer's statement to the USADA was identical to the Danish rider Michael Rasmussen. Levi Leipheimer told USADA that he knew "Rider 14" had used EPO while they were team mates on the Rabobank team in 2005 and 2006.

According to the WADA Code article 20.4.8 and 20.5.6 (2009 edition) and 20.4.10 and 20.5.7 (2015 edition) national olympic committees and national anti-doping organisations must pursue all possible anti-doping rule violations including investigation into whether the athlete's support staff or other persons have been involved in each case.

With confirmation of witness statements of Michael Rasmussen's involvement in doping, ADD and DIF were consequently obliged to investigate this more closely. In other words, ADD and DIF had the authority as well as an obligation to conduct this investigation.

## 1.2 THE MICHAEL RASMUSSEN CASE

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After ADD had received confirmation from USADA in November 2012 that there was a witness statement against Michael Rasmussen, a momentum arose in January 2013 for confessions from riders from the Dutch team Rabobank. Several riders from Rabobank came forward and admitted that doping had been widespread at the Rabobank team (Thomas Dekker, Danny Nelissen, Rudi Kemna, Gisscha Niermann and Marc Lotz). Several of these riders rode for Rabobank at the same time as Michael Rasmussen.

Thus, Michael Rasmussen's public confession and decision to co-operate with anti-doping authorities, including the provision of substantial assistance to expose other persons' doping violations in order to get a reduction of own sanction, coincided partly with other confessions in a time with great focus and pressure on former Rabobank riders and partly with the pressure that followed after Levi Leipheimer's testimony against him in the US Postal case.

On 25 January 2013, Anti Doping Denmark and the NOC and Sports Confederation of Denmark together with the anti-doping organisations in the Netherlands and the USA and with assistance from WADA entered into a cooperation agreement with Michael Rasmussen. The agreement entailed that Rasmussen would inform the anti-doping authorities of his own and others anti-doping rule violations as a condition for a reduction of the sanction according to the rules on substantial assistance.

Rasmussen gave his witness statement during interviews conducted on 28 and 29 January 2013 in Copenhagen. Representatives for all parties to the agreement participated in the interviews, as they were each responsible for the follow-up on Michael Rasmussen's witness statements within their respective jurisdictions. This report arises out of the Danish follow-up investigation of information from Michael Rasmussen.

Following the interviews with Rasmussen in January 2013 ADD (as investigative authority according to the Danish anti-doping rules) in co-operation with the NOC and Sports Confederation of Denmark (DIF) (as prosecuting authority according to the Danish anti-doping rules) administratively established an investigative group which was mandated to corroborate Rasmussen's information by collecting additional information from a number of different persons. This additional information should provide the basis for the Doping Commission under DIF to bring Rasmussen's doping case before the Doping Tribunal.

During this follow-up investigation the investigative group did not discover information to question Rasmussen's witness statements. However, a single misunderstanding was cleared up. It related to the question about whether or not the UCI had authority to take him out of Tour de France in 2005.

The follow-up investigation thus led the investigative group to find it satisfactorily established that Rasmussen had provided substantial assistance to the anti-doping authorities by disclosing other anti-doping rule violations. The case was referred to the Doping Commission under DIF, which on 25 July 2013 raised the case against Rasmussen before the Doping Tribunal at DIF prosecuting for 8 years ineligibility (multiple violations) to be reduced to 2 years due to the substantial assistance provided by Rasmussen.

The Doping Tribunal rendered its decision in the case on 25 September 2013. The Doping Tribunal found that the starting point for sanction was ineligibility for 8 years and confirmed that Rasmussen had given the anti-doping authorities substantial assistance for disclosure of and proof of other persons' violations of anti-doping rules so that the WADA Code art. 10.5.3 concerning 'substantial assistance' could be applied. On this background, Rasmussen had his

ineligibility reduced to one fourth, i.e. to two years with effect from the time of suspension on 8 February 2013.

### 1.3 THE FOLLOW-UP INVESTIGATION AND MANDATE FOR THE WORKING GROUP

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The Rasmussen investigation had disclosed specific information about alleged anti-doping rule violations committed by other Danish riders and leading support personnel to lead ADD and DIF to expect that additional cases could perhaps be brought to the Doping Tribunal.

The administrations of ADD and DIF thus mandated the investigation group to proceed its investigation with the aim of possibly collecting the necessary proof for the alleged violations in order to facilitate subsequent prosecution of anti-doping rule violations.

This follow-up investigation was conducted by means of additional interviews with 50 persons including former and present riders, leaders, sports directors and other persons associated with Danish and international professional cycling.

Until 1 January 2015, ADD had the authority to investigate possible violations while DIF's former Doping Commission acted as 'prosecuting authority' in doping cases according to ADD and the DIF's common National Anti-doping Rules. Therefore, DIF's participation in the work of the investigative group was partly due to by DIF's prosecutorial function (due to which DIF was an important party in the negotiations with Michael Rasmussen and the follow-up on Rasmussen's information), and partly by the circumstance that ADD at that time needed assistance in terms of resources to complete the investigation of other possible violations and the drafting of this report.

The investigation disclosed a number of facts, which led the investigative group to the conclusion stated in section 4.1 and 5 that in the absence of statute of limitations in the anti-doping rules there would have been grounds for ADD to initiate proceedings against Bjarne Riis, Johnny Weltz, Alex Pedersen as well as a number of former riders. As stated in section 2, the investigation focused on disclosing the roles of leading support personnel, which is considerably different from the USADA report, which served as case material to sanction Lance Armstrong, and other riders convicted in doping cases.

It should be emphasised that it is outside the mandate of the investigative group to consider how DIF's Doping Tribunal would have assessed the evidence, which would have formed the basis for the relevant cases.

The statute of limitations in the WADA Code and the Danish National Anti-Doping rules specifies that no results management process concerning any anti-doping rule violation can be initiated against an athlete or other persons, unless the case is initiated within 10 years from the date of the violation which is alleged to have been committed (8 years until 1 January 2015).

The concrete information on alleged anti-doping violations received by the investigative group during its follow-up investigation was all outside the statute of limitations, whether it involved admissions of rider's own violations or information on violations committed by other persons. Therefore, the investigative group soon realized that it would not be possible for ADD to prosecute the various alleged cases.

However, the concrete and general information received by the investigative group received through the conducted interviews showed a long-term pattern of systematic use of doping in international and Danish cycling prior to the statute of limitations.

Consequently, the investigative group decided at an early stage of the investigation, that the work of obtaining information should result in the drafting and publication of a report on doping in Danish cycling since the beginning of Danish professional cycling in 1998 with a focus on Danish riders, leading support personnel and teams, which had been significant during this period. ADD

and DIF's administrative managements thus mandated the investigative group to continue this work which is now resulting in this report.

The investigative group has continuously reported to ADD's Board of Directors about the overall status of the work of the group, but the details of the investigation and report have not been known to the Board of Directors in ADD and DIF.

Conclusions and recommendations in the report are therefore the sole responsibility of the investigative group.

## 2 PURPOSE OF THE INVESTIGATION

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The purpose of the investigative activities and this report may be summarized as follows:

1. To investigate cases against specific persons in Danish cycling for alleged anti-doping rule violations in order to determine whether there would be grounds to bring forward doping cases against these persons,
2. To examine and possibly disclose the use of doping in Danish professional cycling since 1998 including general cultural patterns which were typical of the sport,
3. To examine and evaluate the previous fight against doping in cycling in light of points 1 and 2, and
4. To present recommendations for the future in light of points 1 and 2.

Doping in international cycling is a problem reaching far beyond the individual athletes' use of doping. Therefore, the investigation particularly focused on disclosing leading support personnel's roles and actions in relation to the doping culture in cycling rather than investigating all Danish riders' possible anti-doping rule violations.

It is an essential background for the investigation that Danish professional cycling constitutes a central part of Danish sports history in the 1990s and 2000s. Bjarne Riis' victory in Tour de France in 1996 was only the top of a long list of outstanding results for Danish professional riders. World Championships and Olympic medals, victories in spring classic races, yellow jerseys etc. were achieved by an impressively large group of Danish top riders, who became national heroes in Denmark during this period.

During the entire period, media reports and books have brought many indications about alleged doping in relation to these results, and the investigative group found it essential to examine further the extent to which doping has been a part of these remarkable results and take a closer look at the Danish riders' use of doping.

The Danish team, which has been named 'Team CSC' during the major part of the investigation period, has naturally received particular attention from the investigative group. Since its start in 1998 as Team Home Jack & Jones and until Bjarne Riis' sold the team to Oleg Tinkov in 2013 the team was the flagship of Danish professional cycling. The team had great attention from the Danish public and throughout the years there had been several doping cases at the team. The investigative group has attempted to disclose as much as possible of the truth on different issues and illustrate how the team handled the doping problem.

It is important to emphasize that this purpose is significantly different from the USADA report which as mentioned in section 1.1 specifically served the purpose as case material in order to convict Lance Armstrong and other persons in doping cases.

Part of this investigation has more in common with the report from UCI's independent reform commission CIRC which UCI's new management under the Chairman Brian Cookson appointed in January 2014. CIRC's report was published on 9 March 2015. The investigative group did not directly co-operate with CIRC concerning the present report, but during the process, it held meetings with representatives from CIRC for mutual coordination.

Moreover, it should also be noted that the work with this report has been an administrative learning process for ADD and DIF. Firstly, it has shown that meeting face to face with interviewees can have great informative value, and today - based on this experience - ADD often carry out interviews of persons who are involved in a doping case before the case is brought before DIF's Doping Tribunal. These interviews contribute to the clarification of the case, but was not normal procedure before the case against Michael Rasmussen. Secondly, it has provided an insight into the resources required to carry out such an investigation.

## 3 METHODOLOGY

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### 3.1 INTERVIEW METHODOLOGY

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As mentioned previously, the basis of this investigation consists of interviews and conversations with selected key persons who have been or are key figures in the cycling environment with a focus on men's road racing. It is therefore only an investigation based on interviews with selected persons with association to Danish cycling, but not a study or a research project on the use of doping in cycling.

By way of introduction, the interviewees were informed about the premises for participation in the investigation and all interviewees have participated voluntarily. Furthermore, it was agreed with all interviewees that neither their names nor their information would be published in the report, unless this was approved in advance by the interviewee. Therefore, all interviewees have received their own direct or indirect quotations for approval. This has been necessary to secure correctness and approval of quotations and also to make sure that the interviewee would confirm his statements. This means that the investigative group could only include interview statements in this report upon prior permission from the interviewee.

Direct and indirect quotations included in this report are therefore in accordance with information and prior agreement with the person referred to. A few interviewees did not permit their answers to be included in the report. Some interviewees permitted only parts of their statements to be included in the report while they declined to have other statements included. It has been essential for the investigative group to be able to work with both confidentiality and the possibility of anonymity in order to achieve greater openness from participating persons.

This means that in a number of areas the investigative group is in possession of knowledge which it has not been able to include in the report. However, a number of answers, which could not be included in the report because the interviewee did not give permission, have still contributed to disclosure of the general patterns which are described in section 6-7.

Of course it must be emphasized that had the investigative group received information on alleged anti-doping rule violations *within the statute of limitations*, the investigative group would be obliged to hand this information over to ADD in order to initiate proceedings in a doping case.

Consequently, the report to a certain extent only presents a selective picture of reality. However, the use of confidentiality has been a necessary premise because a number of interviewees were not obliged to make a statement to the investigative group. As a result of this the working conditions for the investigative group are not comparable to e.g. public inquiry commissions where witnesses submit evidence under oath, but are as mentioned previously more comparable to those of UCI's independent commission CIRC.

At its annual meeting in 2014, DIF introduced a rule for its members on the obligation to give evidence and the obligation to give truthful statements in doping investigations. This is described in more detail in section 6.4.2. As most interviews in this investigation were carried out prior to the implementation of this rule and because a number of interviewees did not fall within DIF's jurisdiction, the investigative group could not make use of this witness obligation rule in the work with this report. However, it is expected that the witness obligation rule will be of great value for the investigative work in the future as the obligation for all members under DIF to give evidence and truthful witness statements during investigations of doping cases should increase ADD's possibilities for obtaining information.

In some instances, this report contains quotations from anonymous sources. These are instances where the interviewee has been guaranteed confidentiality, but where the quotation is assessed to be crucial for context, or where it is assessed to be irrelevant to mention the source as is the case in the more descriptive and general sections. It has been important for the investigative group to use named sources as far as possible in the instances where persons are alleged to have violated the anti-doping rules.

The interviewees either received a phone call or an e-mail with an invitation to participate in an interview with the investigative group. Some individuals have approached the investigative group on their own initiative to offer their contribution. The general premises for the interview have been presented at first contact. Most interviews have been conducted directly during personal meetings, mostly in Denmark but a few in countries abroad when this was necessary. Some interviews have been conducted via Skype. The interviews have been conducted with participation of all or some members of the investigative group. In some instances, one or several of the international co-operation partners have participated including skilled interviewers from USADA and WADA who also participated in the interviews in the US Postal case.

An open interview form has been used and each interview was introduced with a short description of the investigation and its intentions. The premise as described above was repeated and a declaration of confidentiality was signed except for a few instances. Most interviews were recorded on tape with prior acceptance from the interviewee.

The interviews were conducted from a general template where the individual person as a start had the opportunity to tell about own relations to cycling including also own use of doping or knowledge about doping in general. Subsequently, the interviewee was presented with possible information related to him and had the opportunity to give a statement or explain in greater detail. The interviews were concluded with a discussion of the doping problem in general and possible inputs for future initiatives. The questions posed to interviewees have varied from interview to interview depending on the role of the interviewee or his association to the cycling environment. The duration of interviews has varied between half an hour and 2 – 3 days, though typically 1 – 3 hours.

Most of the persons who were invited to participate replied positively. Generally, participating persons have shown support and a willingness to participate. This may partly be caused by substantial public attention for the investigation, which possibly put pressure on some individuals with regards to participation. Some persons have been called in for additional interviews as more information became available. As the investigated period stretches over many years and as it may therefore be difficult to remember details from the period, several interviews have been followed-up by provision of additional information.

Several interviewees showed a selective memory and a long-lasting culture of silence (“omerta”) in which it was unusual to speak about violations committed by others. It is the impression of the investigative group that many interviewees have been reluctant to speak about other persons’ doping violations even though they had knowledge of this.

It is important to note that much of the information reproduced in this report is already known, as it has been published in newspapers and books. However, this report is the first time ADD and DIF relate to old as well as new information in order to conduct a comprehensive analysis of doping in Danish cycling.

### 3.2 SCOPE

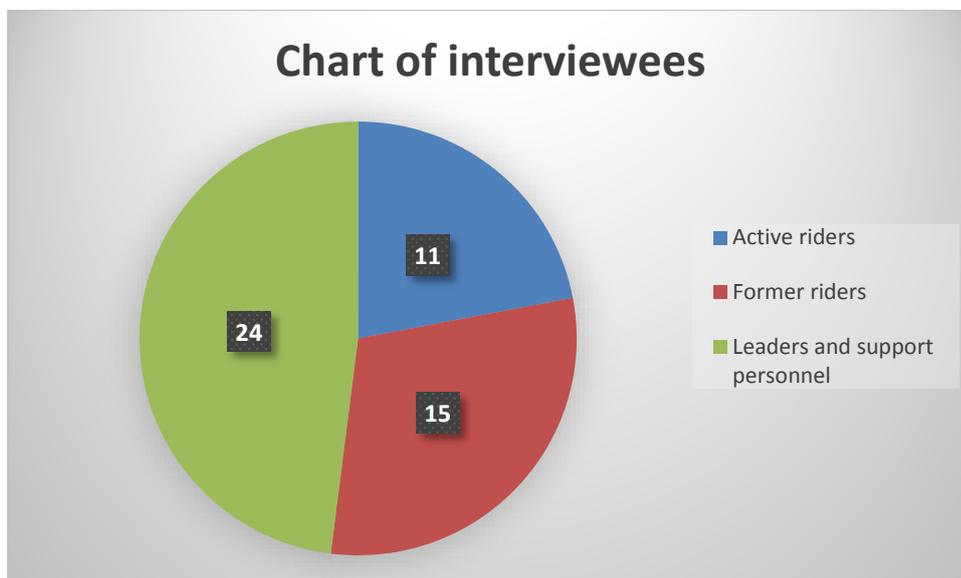
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The investigative group have interviewed a total of 50 persons associated with Danish cycling from 1998 and until today. Included are current and former riders, sport directors, team directors and team owners as well as other persons associated with cycling. The persons have been chosen on the basis of an assessment of their relevance for the investigation and a reasonable balance between persons with former and present functions. A total of approximately 100 hours of interviews have been conducted.

Only a few invited persons have chosen not to participate in the investigation (5 persons, all former riders). Some of these have refused the invitation from the investigative group with an explanation of lack of time or lack of knowledge about doping and lack of relevant contribution to the investigation, while others did not respond to the invitation from the investigative group despite repeated reminders and requests. A few interviewees have given testimony to the investigative group, but have not permitted their testimony to be included in the report. Some interviewees have permitted certain parts of their statement to be in the report while they declined to have other parts included. The investigative group have had no choice but to accept this.

The chart below shows the distribution of interviewees on their function in cycling. The category 'Leaders and support personnel' comprises persons who were interviewed at a time when they had a managerial function or other support function in relation to cycling and comprises directors, sport directors, doctors, press officers and administratively employed staff. Of the 24 persons who were interviewed in this category, one is a foreigner and nine are former elite riders. Four of the former riders who were interviewed are foreigners.

Active riders	11
Former riders	15
Leaders and support personnel	24
Total	50



## 4 MICHAEL RASMUSSEN'S CONTRIBUTION TO THE DISCOVERY OF OTHER ANTI-DOPING RULE VIOLATIONS

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As mentioned above this investigation originates in Michael Rasmussen's confession.

During a two-day interview in January 2013, Michael Rasmussen gave information about his own extensive use of doping in the period 1998-2010 as well as his knowledge of others persons' involvement and use of doping.

Early in the process, Michael Rasmussen wanted to publish the information he had provided to the investigative group. In consideration of the follow-up investigation, it was agreed that this could only happen after his case was concluded at the Doping Tribunal. Afterwards Michael Rasmussen published his version of his story in the book "Gul Feber (Yellow Fever)", which was released in November 2013.

In the following, Michael Rasmussen's information will be presented along general lines in order to give an impression of the contribution his information has provided to the anti-doping efforts.

Michael Rasmussen has admitted that he started a substantial use of EPO, growth hormone and synthetic hemoglobin as a mountain bike rider and that this was simple and without risk as none of the mentioned substances were detectable at that time. Michael Rasmussen has admitted that he, among other things, used EPO in the period just prior to his victory in the World Championships in mountain bike in 1999.

During his time at the CSC team from the autumn of 2001 to the end of 2002-season, Michael Rasmussen experienced widespread use of cortisone without legitimate medical justification given to riders at the team by doctors and with team management's knowledge and accept. Rasmussen has given detailed information on cases where he himself received cortisone from the team's doctors and has informed of at least one incident where the treatment was supervised by the team owner Bjarne Riis, and where Tyler Hamilton also received cortisone. Furthermore, Rasmussen experienced internal controls of blood values from riders with the intention to secure that no rider exceeded the hematocrit limit of 50 in force at that time.

Michael Rasmussen has given detailed information on the sequence of events in the publicly known episode in 2002 in Lucca where he - in one of these internal hematocrit controls at the team prior to the race Giro Di Lucca - had values of respectively 49 and 50. He has described how the team decided to send him away from the hotel to avoid that he was caught with a too high hematocrit value at the official UCI control the following morning. Michael Rasmussen had informed the team's staff that he had taken an EPO cure, but that 12 - 13 days had passed since last injection and therefore there should be no risk for him testing positive, but indeed a risk that he would have a too high hematocrit value which would result in a 14 days suspension from racing. Michael Rasmussen was willing to take this risk and wanted to participate in the race. Sports director Johnny Weltz and Team Owner Bjarne Riis were in dialogue as to how to handle the situation. It was decided that Michael Rasmussen should not participate in the race.

Michael Rasmussen has informed the investigative group that he was advised by the doctors at the CSC team to take EPO intravenously (in the blood vessels) instead of subcutaneously (in the skin) due to the shorter detection time.

Moreover, Michael Rasmussen has passed on to the investigative group his knowledge of other Danes' use of doping. In some instances, he has had direct dialogue with riders about use of doping and in other instances, it was indirect knowledge which Michael Rasmussen obtained during his time in the cycling peloton.

An example of Michael Rasmussen's concrete knowledge about other Danes' use of doping is an episode in 2003 where Michael Rasmussen purchased EPO and growth hormone at a pharmacy on the island of Mallorca together with another Danish rider who transported the doping to his home from where Michael Rasmussen subsequently picked it up.

Furthermore, Michael Rasmussen has described in detail where he procured the doping substances throughout his entire career. Upon suggestion from another rider, he purchased, among other things, EPO in 2004 at a pharmacy in Aachen in Germany under the guise of picking up medication for "Frau Müller". Moreover, Rasmussen has explained that he bought a great deal of the substances through 'Human Plasma' in Vienna assisted by Stefan Matschiner.

Michael Rasmussen has also given detailed information about his blood doping programme, which ran over the period 2004 – 2010. During the winter period between 2003 and the 2004-season, he had discussions with the Rabobank doctor, Geert Leinders, about a possible homologous blood transfusion (foreign blood) with the blood of Rasmussen's father, and it was arranged to take samples from the father in order to examine the compatibility. It appeared that the overall parameters were compatible, but that the underlying parameters did not match and Michael Rasmussen carried out a transfusion with his own blood instead. Thus, before the Tour de France in 2004 he drew 450 – 500 ml blood and re-injected it on the second day of the Tour with assistance from Gert Leinders while the Tour was in Belgium.

Michael Rasmussen continued with blood doping in the autumn of 2005 after he was connected to the Human Plasma clinic in Vienna, where also other Rabobank riders received assistance with blood doping programmes with the knowledge of Doctor Gert Leinders from Rabobank. This part of information from Michael Rasmussen comprises information on foreign athletes' blood doping which does not fall under Danish jurisdiction, but which has been followed-up by other anti-doping organisations. Michael Rasmussen informed the investigative group that he visited Human Plasma four times in total during the period between November 2005 to April 2006 where he had blood drawn for eight bags of blood in total, although six of these were destroyed after the Olympic Games in Torino. During the Tour de France in 2006 Michael Rasmussen had two bags of blood delivered from Austria by Stefan Matschiner.

Michael Rasmussen has described an episode during the Tour de France in 2005 where he, while he was holding the polka dot jersey, was tested with low reticulocytes at 0.23, and that a meeting was held with UCI's doctor about this. At that time, the UCI had a rule specifying that a rider who was tested with reticulocytes below 0.2 could be taken out of the race. Michael Rasmussen got permission to continue the race as his figures were not below the threshold even though they were very low. In this connection, Michael Rasmussen has publicly claimed that the UCI could have taken him out of the Tour on this basis. However, the investigative group has emphasized that this is not the case as the fixed threshold was 0.2 and Michael Rasmussen's figures were in fact not too low according to UCI's rules at that time.

Furthermore, Michael Rasmussen has given information on how three of the five riders on the Danish road racing team used Synachten in the Olympic Village during the Olympic Games in Athens in 2004. See further in section 4.1.

Michael Rasmussen has informed the investigative group of his purchase of blood handling equipment in 2006 in cooperation with the Austrian rider Bernhard Kohl and the Austrian cross-country skier Christian Hoffmann. Rasmussen used the machine during the period January 2007 and until November 2008. Administration of the equipment and assistance in the use of it was provided by Stefan Matschiner, who also assisted in delivering blood bags and other doping substances for Michael Rasmussen for Tour de France 2006 and 2007. Michael Rasmussen has also given information on how the use of the machines first took place from a basement in

Steyermuhl in Austria and later from an apartment in Linz. Michael Rasmussen used the machines four times in Steyermuhl and one or two times in Linz. Afterwards the machines were moved to Slovenia from where Michael Rasmussen used them one time in November 2008.

Michael Rasmussen has given detailed information on his own doping programme up to and during Tour de France in 2007 including blood doping, EPO and Dynepo, cortisone and insulin as well as use of injections with a saline solution to decrease the hematocrit value. Michael Rasmussen has told the investigative group how the substances were transported by the team's bus driver, after agreement with one of the doctors at the Rabobank team. Other riders at the Rabobank team also received substances in this context. The doctor assisted with the transport of Dynepo in the team's bus while the blood bags as well as insulin were delivered to Michael Rasmussen by Stefan Matschiner. Michael Rasmussen has given information on the use of Dynepo and blood doping by other Rabobank riders during the Tour in 2007. In total, Michael Rasmussen used five bags of blood of 180 ml. He had 1 bag injected before the start of the Tour and 2 after stage six and 2 after stage 11.

Michael Rasmussen has given detailed information of the Rabobank doctors' knowledge of and assistance in the use of doping and how a code language was used for dialogue on delivery and use of EPO ('hours of intensive training' = international unit of EPO) and how he received detailed advice by the doctors on doses and timing of use. Furthermore, on several occasions the doctors on Rabobank assisted Michael Rasmussen with injections of saline solutions in order to decrease his hematocrit value so that it was not near the threshold of 50.

Moreover, Michael Rasmussen has given information on the distribution of DHEA tablets by Rabobank doctors to the team's riders during the years 2003 – 2005. Riders received 25 mg DHEA tablets each night before bedtime by Rabobank doctors and this only stopped in 2005 when Rory Sutherland tested positive.

According to Michael Rasmussen, the riders at the Rabobank team received nose spray containing LH (Luteinizing hormone) by the doctors during the entire period Michael Rasmussen was on the team. In 2005 this resulted in an episode during the Tour de France where Michael Rasmussen was in third position of the race and had the polka dot jersey. Samples showed that his LH level had increased markedly from 4.7 to 114 between the two doping tests taken during the race. Michael Rasmussen had received an injection the evening before without being aware of the content. Consequently, Michael Rasmussen was summoned for a meeting with UCI's doctor together with Doctor Van Mantgem, but was allowed to continue the race.

Michael Rasmussen has admitted that he had blood drawn in July and August 2009 during his ineligibility period for the 'whereabouts' case and that he re-injected it unaided after the expiration of his sanction in 2010. He continued to use blood doping until March 2010 where he was diagnosed with mononucleosis during a race after which he stopped using doping.

For the Dutch anti-doping authorities Michael Rasmussen's confessions have been significant for their investigation, and for USADA Rasmussen's testimony has been decisive for the case against the Rabobank Doctor Gert Leinders, who was sanctioned to lifetime period of ineligibility at the beginning of 2015 by the AAA panel (American Arbitration Association (AAA)).

#### 4.1 USE OF DOPING AT THE OLYMPIC GAMES IN ATHENS IN 2004

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To the investigative group and in his book "Gul Feber (Yellow Fever)" Michael Rasmussen has described a situation which took place in the Olympic Village in Athens during the Olympic Games in 2004 two days before the road race. The Danish road racing team comprised the following five riders: Michael Rasmussen, Frank Høj, Nicki Sørensen, Lars Michaelsen and Bo Hamburger.

The riders stayed in an apartment in the Olympic village with three bedrooms and a common room. Nicki Sørensen and Michael Rasmussen as well as Frank Høj and Bo Hamburger shared rooms while Lars Michaelsen had a single room.

According to Rasmussen, one of the riders asked the others if anyone had 'something to ride on', after which one of the riders took out a Synachten vial in which there was enough for more than one dosage, from the battery compartment in a music player. Synachten is a synthetic cortisone-like composition which is prohibited to use, yet the substance could not be detected in a doping control until 2006.

According to Rasmussen, Frank Høj and Michael Rasmussen used Synachten and Rasmussen believes that Nicki Sørensen also used it. Bo Hamburger did not use it according to Michael Rasmussen, and it was also Rasmussen's impression that Lars Michaelsen did not use it.

The investigative group has presented Michael Rasmussen's statements to the four other riders.

Nicki Sørensen has informed the investigative group that he does not remember in detail the concrete episode during the Olympic Games, but he admits to have used Synachten before the road race. Nicki Sørensen has furthermore admitted to the investigative group that he used doping including EPO, cortisone (cortisone-like compositions) as well as growth hormone one time during the period from 1999 – 2003 after which he stopped and only used Synachten once at the Olympic Games in 2004.

Frank Høj has refused Rasmussen's allegations that he smuggled Synachten into the Olympic village and has denied to have used Synachten before the road race.

Bo Hamburger has confirmed that there was a debate among several riders if Synachten could be detected in a doping control. Hamburger is of the opinion that it was Frank Høj who asked if it could be detected. Michael Rasmussen confirmed, according to Bo Hamburger, that it could not be detected. Hamburger does not remember if Synachten was on the table in the Olympic village and he does not know for certain that any of the riders used it, but assumes that Høj and Rasmussen did. Hamburger did not take Synachten as he did not have any good effect of the substance. Neither did he wish to get in trouble after the turbulence there had been about whether or not he could participate in the Olympic Games as DCU had not nominated him for selection after he was measured with a high hematocrit value at the World Championship in Canada shortly before.

Lars Michaelsen has repudiated to the investigative group that he used Synachten during the Olympic Games in 2004 and besides he has informed the investigative group that he has no knowledge that other riders should have used it just as he repudiated to have been present during a conversation about this in the Olympic village.

Jesper Worre, who was head of the cycling team at the Olympic Games in 2004, has informed the investigative group that he had not heard of this incident before it was in the media in 2013.

The reason why the incident is mentioned in this report is due to several factors. Partly because the Olympic Games is a major event with great attention and interest for the Danish public, and partly because the story has been mentioned in both Michael Rasmussen's book "Gul Feber (Yellow Fever)" and in the media. Finally, all five Olympic riders have been suspected publicly of having participated in the use of doping during the Olympic Games and therefore it was important to investigative group to seek to disclose if this has been the case.

*Conclusion:*

The investigative group establishes that there is disagreement between those present about the sequence of events.

Michael Rasmussen and Nicki Sørensen have admitted to have violated article 2 point 4 in DIF's doping regulation in force at that time concerning the use of doping. Consequently, the investigative group establishes that there would have been basis for ADD to bring a doping case against Nicki Sørensen for this violation and his other admitted use of doping if the violations were not barred by the statute of limitations in the anti-doping rules.

The investigative group finds that there are corroborative statements given independently of each other from several of those present, which leads the investigative group to the conclusion that *it is more likely than unlikely* that Frank Høj during the Olympic Games in 2004 violated article 2 point 4 on the use of doping in DIF's doping regulation in force at that time. Therefore, the investigative group finds that the standard of proof in the anti-doping regulation is fulfilled and that there would be basis for ADD to initiate proceedings against Frank Høj for this violation if the case was not barred by the statute of limitations in the anti-doping rules.

At the same time, the investigative group finds that there is lack of proof to establish that Bo Hamburger and Lars Michaelsen violated the anti-doping rules on this occasion.

## 5 TEAM CSC AND BJARNE RIIS

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Professional cycling in Denmark started in the wake of Bjarne Riis' victory in Tour de France in 1996. The foundation was laid in Herning, Denmark, in the autumn of 1996, and in April 1997 the company 'Professional Cycling Denmark A/S', which should manage the cycling team, was established. On 16 January 1998 the official establishment of the cycle team Team Home Jack & Jones, was celebrated.

Bjarne Riis who at that time was still an active rider became the majority shareholder in the company behind the cycling team. However, in May 1999 Riis chose to withdraw from the company in the wake of a TV programme from the Danish Broadcasting Corporation (DR) accusing Riis of having used doping as an active rider. In August 2000 Torben Kølbaek, Director of the team, was replaced by Riis who at the same time again entered the group of owners.

Bjarne Riis owned the team until 2013 when he sold it to the Russian Oleg Tinkov. Riis continued at the team as leading sports director until 29 March 2015 when he resigned his position.

During the period the team has competed under different names according to the main sponsors. The team has had various names over the years. During a number of years the team was known first as Team CSC and later Team Saxo Bank. At this moment, the team is named Team Tinkoff Saxo, but for the rest of this report it will be referred to as 'Team CSC' or 'Riis' team'.

Part of this investigation into doping in Danish cycling since 1998 has naturally focused on the conditions at Team CSC and the former owner and leading sports director Bjarne Riis' possible knowledge and/or complicity in doping.

This focus on Bjarne Riis and his team is based on a number of circumstances:

1. In connection with the interviews, which the investigative group conducted, new information came to light concerning Bjarne Riis and his team which it was important to have corroborated. The investigation originated as mentioned previously in the USADA report on Lance Armstrong and US Postal as well as Michael Rasmussen's confessions to ADD and DIF. In Rasmussen's confessions there were allegations of the use of doping at Riis' team which the investigative group has been obliged to follow up on.
2. Throughout the years, there have been a number of doping cases where riders from the team were involved. Therefore, it was natural for the investigative group to take a starting point in these concrete and documented cases and examine if Riis or others at Riis' team had knowledge of or were involved in the specific doping cases.
3. Throughout the years, a number of allegations and suspicions have been raised about Riis' knowledge and possible complicity in doping in both the Danish media and books. Hence, there is a comprehensive public debate and interest in Riis' role in possible doping use at his team, which it has been important to the investigative group to examine more closely. Of course, the purpose has been to assess which of these accusations have merit and which can be repudiated as undocumented, improbable or groundless.
4. As Riis' team was the leading Danish professional cycling team during the entire examined period from 1998 and up until now, it was essential for the investigation to focus on what happened at this team. Team CSC is without parallel the Danish cycling team which have shown the best international sporting results in a period where doping (cf. a number of other investigations as well as confessions by a number of prominent riders) was widespread in international cycling. Therefore, it is obvious to examine if Riis' team could

achieve this sporting success without a doping programme organised by the team for several or selected riders.

5. Finally, as a locomotive and role model for Danish cycling and Danish cycling teams, Riis's team has had an enormous significance. Therefore, it was important for the investigative group to get insight into attitudes and actions which have been prevalent throughout the years among the leading personnel at the team in the effort to fight the use of doping.

In the following, the investigative group will reproduce – chronologically – the allegations and suspicions of the use of doping at Riis' team with Riis and/or other leaders' knowledge and/or complicity which the investigative group has examined in connection with the overall investigation of use of doping in Danish cycling.

In those instances where the investigative group finds basis for prosecuting a doping case against named persons, a conclusive summary of the disclosed grounds will be given in each individual section. Concerning Bjarne Riis, an overall conclusion will be given in section 5.2.

## 5.1 ALLEGATIONS OF RIIS' AND OTHER CSC-LEADERS' KNOWLEDGE OF AND/OR COMPLICITY IN DOPING USE

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### 5.1.1 RIIS' USE OF DOPING IN HIS OWN ACTIVE CAREER

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Even though the main purpose of this part of the investigation has been to find out what Riis knew/assisted in as *leader* of a cycling team, the investigative group also found it relevant to investigate if Riis used *blood doping* in his own active career. The reason is that whether Riis used blood doping or not as an active rider has importance for the assessment of other matters. Thus, Tyler Hamilton alleges cf. section 5.1.7 that Riis in his counselling of him used his experiences from his own active career about how blood doping should be carried out in relation to the major stage races. The question of whether or not Riis used blood doping in his active career is therefore of importance in relation to the assessment of the credibility of other assertions by Tyler Hamilton.

When Bjarne Riis at a press conference on 25 May 2007 admitted to a substantial use of doping in his own active career, Riis' press officer Brian Nygaard emphasised in his counselling of Riis prior to the press conference that Riis should tell everything about his own use of doping. *"No more wreckage must float around when the press conference is over,"* said Nygaard according to Riis (Riis' autobiography, page 422). At the press conference, Riis listed that he used EPO, growth hormone, testosterone and cortisone, over the period 1993 – 98, but he did not mention blood doping.

Tyler Hamilton who rode for Riis' cycling team from 2002 – 2003 alleged in his book *"The Secret Race"* that Bjarne Riis told him that Riis - in connection with his victory in Tour de France in 1996 - had three blood transfusions. The first just prior to the start of the Tour and another one on each of the two rest days in the race. According to Hamilton, Riis used his own positive experiences with blood doping to convince Hamilton that it was both more effective and secure (in relation to the risk of being discovered) to use blood doping than to take EPO. To the investigative group Hamilton has maintained his assertions in the book, but has admitted, however, that his memory was wrong in relation to the number of rest days in Tour de France in 1996 (there was only one rest day and not two). According to Hamilton, Riis told him that Riis used blood doping twice during the Tour and the fact that there were not two rest days during the Tour does not change the truthfulness of the story according to Hamilton: *"I know what Riis told me. It is not necessary with a rest day in order to do a blood transfusion during the Tour. It could be taken during the night"*, Hamilton explained to the investigative group.

To the investigative group Jörg Jaksche, who rode for Team Telekom 1999 – 2000 and for Riis' cycling team in 2004, has supported Hamilton's allegation that Riis used blood transfusions while he rode for Team Telekom. He does not remember if it was Riis and /or Hamilton who told him about it, but he is certain that either Riis and/or Hamilton (in 2007 where Hamilton and Jaksche trained together in Lucca, Italy) told him that Riis used blood doping in his active career. Jaksche had an impression that Riis used blood doping several times and that Riis had knowledge of how to organise and execute a blood doping programme. Jaksche does not remember exactly when Riis would have used blood doping.

Bjarne Riis admits to the investigative group to have used blood doping once in his active career at Team Telekom. This happened according to Riis in connection with Tour de France in 1997. Earlier in the year, the blood was drawn at Riis' home in Luxembourg and was re-injected at a hotel room – probably in the middle of the Tour in 1997. Riis does not remember exactly when. A doctor at Team Telekom assisted Riis with the blood doping.

Riis refuses to have used blood doping more than this time and similarly he repudiates that he should have done it in connection with his victory in Tour de France in 1996. He has told the investigative group that it was not necessary to use blood doping in 1996, but that EPO was sufficient. That he anyway tried blood doping in 1997 was, according to Riis, an experiment, which, however, did not give him the feeling of being stronger. Riis told the investigative group that for this reason he only used blood doping once.

Asked directly by the investigative group of the reason why Bjarne Riis did not give any information on blood doping at the press conference on 25 May 2007, Bjarne Riis has explained that he did not mention blood doping specifically as he did not find it relevant considering that he only tried it once. Therefore, his assessment was that on this basis it would not have any significance for the overall picture as he generally admitted the use of doping.

*Conclusion:*

The investigative group finds that Bjarne Riis' admission of use of doping in 2007 would have constituted basis for ADD to prosecute a doping case against Riis for violation of the prohibition of the use of doping in violation of DIF's Doping Regulation in force at that time had the case not been outside the statute of limitations.

This is mentioned here only for the sake of completeness.

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## 5.1.2 DOPING ARRANGEMENT IN LUXEMBOURG (1999-2000)

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In 1998 Team Home Jack & Jones was established with Director Torben Kølbaek and Sports Director Alex Pedersen in the management. In the autumn of 1999 Johnny Weltz - which for a number of years rode for the Spanish cycling team ONCE and later became sports director at Motorola and US Postal – was associated to the team as sports director with effect starting from the season 2000. At that time, a number of the team's riders lived in Luxembourg.

A number of persons interviewed by the investigative group, including Michael Rasmussen and Bo Hamburger, have informed that they were told that doping substances including EPO were delivered to an apartment in Luxembourg, where one of the riders at the team lived (the name of the rider is known to the investigative group) and where several Danish riders regularly visited.

The doping substances were kept in the refrigerator in the apartment and from here distributed primarily to riders at the Danish team. In addition, the investigation group received information that discussions arose between the riders about the sharing of the doping substances and decisions on payment for which the riders' prize money were used. This prize money was administrated by a rider on the team and occurred outside the team's accounts. Moreover, the interviewees have informed that it was Johnny Weltz, sports director at that time, who was responsible for the delivery of the doping substances.

Confronted with this information, Johnny Weltz explained to the investigative group that those riders at the team who lived in Luxembourg in 2000 wanted to establish a team "doping central", where the riders could pick up doping substances and where the substances could be stored. The riders bought a refrigerator and brought in the doping substances. It was not used to store bags of blood.

To the investigative group Weltz has admitted to be involved in the organisation of a delivery of EPO and growth hormone from a pharmacy in Andorra to the apartment in Luxembourg in 2000. The doping substances were transported by bus from Andorra to Barcelona from where another person from the team (whose name is known to the investigative group) transported the package to Paris. Finally, one of Weltz' friends (whose name is known to the investigative group) took the package from Paris to Luxembourg. Weltz did not want the person from the team to bring it to Luxembourg as he wanted to protect the person.

Weltz got the telephone number to the pharmacist in Andorra from Pedro Calaya, who at that time was a doctor at US Postal (and later sanctioned for anti-doping rule violations) and who also used the pharmacy to purchase doping substances. Weltz phoned the pharmacist and organised the delivery by bus to Barcelona. The price was about EUR 10 000. According to Weltz, the person from the team who was responsible for the transport of the substances to Paris received the money from the riders and transferred it to Weltz who paid the pharmacist. Weltz has confirmed to the investigative group that there were problems between the riders concerning payment and use of the doping. The riders were only supposed to use what they had paid for, but according to Weltz some of the substances disappeared.

The person who assisted with the transport and the collection of the money has confirmed to the investigative group that he once transported a package for Johnny Weltz, which he subsequently suspected could have contained doping substances.

Johnny Weltz has explained to the investigative group that the management of the team at that time pressured for performance results and that he on this basis felt pressured to provide doping to the team. To the investigation team Johnny Weltz has stated *that "Alex P. and Torben were really putting pressure on"*.

Both Torben Kølbaek and Alex Pedersen refuse to the investigative group to have encouraged the organisation of the purchase and use of doping at the team. Kølbaek has explained to the investigative group that he only recently got to know of the use of doping in Luxembourg while Alex Pedersen has admitted that he had knowledge of the doping arrangement, but that he neither encouraged it nor participated actively in organising it. In connection with the disagreement between the riders on the sharing of the doping substances, he had informed the riders that the team management would not interfere in the dispute. According to Alex Pedersen, it was the riders' prize money that was used to purchase the doping substances. Alex Pedersen is of the opinion that Kølbaek knew nothing about the doping dispute between the riders, as he was not involved with the riders on a daily basis. According to Alex Pedersen, there was only one delivery to the apartment in Luxembourg.

Additionally, Johnny Wertz has explained to the investigative group what a number of other persons have also explained to the group: that the use of doping was discussed at a team meeting before the team's first Tour de France in 2000. The team management with Alex Pedersen and Johnny Wertz informed the riders that they were not allowed to use doping to which several of the riders replied that the results would show this. The team's results in the Tour were also very poor which ought to be seen in the light of the widespread use of doping in the peloton at that time.

Bjarne Riis was not part of either the group of owners, administrative or sports management of the team in the period 1999 – 2000. None of the interviewees have stated that Riis took part in the organisation of the use of doping in the apartment in Luxembourg or that Riis should have encouraged this. Riis has also repudiated to the investigative group to have any knowledge of this. Riis has explained that he only recently became aware of the doping arrangement through information from one of the persons who also gave information to the investigative group.

*Conclusion:*

The investigative group finds that as Johnny Wertz has admitted to have delivered doping substances to riders in Luxembourg there would have been grounds for ADD to prosecute a doping case against Wertz for violation of article 6 point 8 in DIF's Doping Regulation applicable at that time, had the case not been barred by the statute of limitations in the anti-doping rules.

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### 5.1.3 RIIS' ENCOURAGEMENT TO BO HAMBURGER TO PROVIDE EPO (1. HALF OF 2000)

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To the investigative group the Danish rider Bo Hamburger has given an account for his own cycling career and use of doping in the form of primarily cortisone and EPO. During the period 1995 – 1999 Bo Hamburger took, among other things, EPO frequently and in large doses. In the autumn of 1998 – in the wake of the Festina scandal at Tour de France in the summer of 1998 - Hamburger was brought in for questioning by the French police together with eight teammates from his team Casino. This event scared Hamburger. He did, however, not stop taking EPO, but scaled down the use of EPO from 1999 and until 2003 by taking EPO in minor doses and fewer times. According to his own statement, Hamburger stopped taking EPO in 2003.

In 2000, Bo Hamburger came to the CSC team (at that time Team Memory Card Jack & Jones) and in the beginning he was trained by Bjarne Riis, as they lived closed to each other in Italy. Riis' training of Hamburger created some controversy, as Riis in this period was not involved with the team cf. above as a TV documentary from Danish Broadcasting Corporation (DR) raised allegations that Riis had used doping in his active career.

To the investigative group Bo Hamburger has explained that in this period he and Riis often discussed the use of doping. He has furthermore explained that Jörg Jaksche, who at that time rode for Team Telecom, also joined the training during this period and that Riis in this connection asked Hamburger if he could provide EPO to Jaksche. According to Hamburger, this happened just before Tour de France in 2000. Hamburger, however, refused to do this.

Jaksche has confirmed the information from Hamburger to the investigative group. Bjarne Riis had, according to Jaksche, asked him about his hematocrit values and on the basis of the answer, Riis had asked him if he took any doping substances. Jaksche had explained to Riis that he did not want to bring Riis into trouble by bringing doping substances to his house in Italy and Riis had, according to Jaksche, answered that he could take care of it via Bo Hamburger. Jaksche has further explained that he never received EPO or any other form of doping from Riis or Hamburger.

To the investigative group Bjarne Riis has refused the allegation that he asked Hamburger to provide EPO for Jaksche. Riis confirms that he assisted both Hamburger and Jaksche with training for a period in 2000, but he repudiates to have had knowledge that Hamburger or Jaksche used doping. He does not remember to have discussed the use of doping with either Hamburger or Jaksche, and he repudiates to have asked Hamburger to provide EPO for Jaksche. To the investigative group Riis adds that he had no reason to start discussing EPO with other riders at that point in time where he just had stopped his active career in 1999 after some troublesome years where, among other things, a suspicion of the use of doping was raised against him.

#### *Conclusion:*

The investigative group finds that on the basis of Bo Hamburger's admission to have used doping there would have been grounds for ADD to prosecute a doping case against Hamburger for violation of the prohibition against the use of doping in DIF's Doping Regulation in force at that time if the case was not barred by the statute of limitations the anti-doping rules. Regarding Bjarne Riis, see section 5.2.

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#### 5.1.4 BO HAMBURGER'S EPO-CASE 2001

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To the investigative group Bo Hamburger has explained the course of events in his EPO case from his time at Team CSC. Hamburger has explained that the French cycling star Laurent Jalabert came to the team in the beginning of 2001 – primarily to secure the team victories in the one-day classics. However, prior to the one-day classics in the spring, Jalabert had fallen down from a ladder in his home, and was badly injured. Therefore, Team CSC lost its best card in the great classics in the spring of 2001.

Subsequently, Bo Hamburger received a call from Bjarne Riis and was told to do whatever it took to ride well in the classics. According to Hamburger, Riis said verbatim: *"Now it is on your shoulders and you know very well what it takes"*. Hamburger understood this as an encouragement from Riis for him to use enough doping in order to make the classics.

At this point in time, Hamburger did not use a lot of doping cf. above, partly due to the introduced hematocrit limit, partly due to the greater cautiousness he had shown after having been interrogated by the French police in the autumn of 1998. Hamburger has admitted to the investigative group that he would probably have taken some EPO anyway – irrespective of whether Riis had encouraged him to do it or not. According to Hamburger, Riis knew very well that Hamburger had scaled down on the use of EPO, but Riis did not have detailed knowledge of when and how much EPO he used.

On 19 April 2001, as one of the first riders, Bo Hamburger tested positive for EPO by means of a new analysis which could detect the use of EPO in a urine sample. The sample was collected at a hotel in Liege the day after one of the spring classics, Fleche Wallone.

Bo Hamburger was informed of his positive doping sample by Jesper Worre, Director at the Danish Cycling Union (DCU), who called him.

Furthermore, Hamburger has told the investigative group that Riis subsequently together with Team CSC's Press Officer, Anders Bay, contacted Hamburger to discuss what should be done in relation to the public. In a meeting with Riis and Bay at his home Hamburger said that he would wait to see if the B sample was positive. After the meeting, Bjarne Riis phoned Hamburger and wanted him to admit and tell the truth. Bo Hamburger, who was disappointed by the lack of support from Riis, informed Riis that he would then tell the whole truth i.e. also about Riis' knowledge of and encouragement to him to the use of EPO. After this, the direct dialogue between Riis and Hamburger stopped, according to Hamburger. Hamburger added to the investigative group that he was surprised that Riis apparently took his threat to tell the whole truth so calmly.

On 10 May 2001, Team CSC held a press conference without the participation of Hamburger where the public was informed that Bo Hamburger had tested positive for EPO. Team CSC announced at the press conference that Hamburger was suspended from the team with immediate effect.

However, on 9 August 2001 Hamburger was acquitted for the use of EPO by DIF's Doping Tribunal due to inconsistencies between the two figures in the B sample. On 28 January 2002, this decision was confirmed by the Court of Arbitration for Sport (CAS).

To the investigative group Bo Hamburger has explained that he was called for a meeting with Bjarne Riis and his lawyer Henrik Schlüter (who at that point in time also was Chairman of the Board of Directors for the company behind the cycling team) after DIF's Doping Tribunal's acquittal. At the meeting, Hamburger was laid off for the rest of his contract period, but received his salary for the rest of 2001. However, Hamburger met with Riis in his house in Lucca the year after - in

2002 - where they discussed the possibility for him to return to the team. According to Hamburger, Riis expressed his own wish for Hamburger to return but said that others objected to this.

Bo Hamburger has further explained to the investigative group that doctors at Team CSC knew doping was being used on the team and that also Alex Pedersen, Sports Director at that time, knew about this.

To the investigative group Bjarne Riis has repudiated to have encouraged Hamburger to take EPO or to have had knowledge about Hamburger's use of EPO. Riis has told the group that he only became aware of the case when he was called in the middle of the night by the Jesper Worre, the Director of Danish Cycling Federation (DCU), who told him in confidence that DCU had been informed that there was a positive A sample for Hamburger. Riis does not remember if and when he subsequently had a conversation with Hamburger regarding the positive test. He believes that he probably did not contact Hamburger, as Worre had said it was confidential information. Instead, he contacted his Press Officer, Anders Bay, and probably also Solicitor, Henrik Schlüter, after which a meeting was very quickly arranged at Bo Hamburger's home in Denmark.

To the investigative group Jesper Worre has explained that he does not remember precisely when he had a conversation with Riis about this case. However, he is certain that he did not call in the middle of the night. Furthermore, he remembers quite precisely the course of events from the day when the fax ticked in from UCI with the message of the positive sample and how he called Hamburger the next day who disrupted his training and came to 'the House of Sports', where he got the message of the positive sample. Besides that, Jesper Worre told the group that he very seldom spoke with Bjarne Riis, but that he had close contact with the Press Officer, Anders Bay, at the CSC team.

Regarding the meeting at Hamburger's house, Riis has explained to the investigative group that Anders Bay wanted Bo Hamburger to admit his use of doping, but that Bo Hamburger refused this. According to Riis Hamburger was not upset with him, but Hamburger's wife was because Riis wanted to throw Bo Hamburger off the team.

To the investigative group Anders Bay has confirmed the content of the meeting at Hamburger's house, i.e. his own encouragement to Bo Hamburger to publicly admit his use of doping, if he had done something prohibited, as well as Bo Hamburger's aversion to doing so. Bay has furthermore said that it was his impression that Bo Hamburger's use of doping took Bjarne Riis by surprise. Bay did not ask Bjarne Riis directly if he had had knowledge of Bo Hamburger's possible use of doping before the positive test. However, in the situation, Bjarne Riis followed the advice from Anders Bay to distance himself from Bo Hamburger. The situation was, according to Bay, clearly emotionally difficult for both Bjarne Riis and Bo Hamburger as they previously had been close friends, but now it was an "employer – employee situation", and the possible consequences of a doping case were serious for the whole project. According to Bay the sponsors were frustrated at that time that the team did not win anything.

Alex Pedersen has informed the investigative group that he was in the car with Bjarne Riis on the day (19 April 2001) where Hamburger was tested, and therefore overheard a call from Hamburger to Riis where Hamburger told Riis that there had been unannounced control at the hotel in Liege where the riders of the team were staying. The control took place after Bjarne Riis and Alex Pedersen had left by car Thursday morning in order to transport Laurent Jalabert to his first race in the Netherlands after his accident earlier that year.

When Alex Pedersen and Bjarne Riis returned to the hotel, Bo Hamburger took Riis and Pedersen aside, was nervous and said that he had taken something in the morning. Bjarne Riis was according to Alex Pedersen upset and said: "*Ceccho (Cecchini) said that you should not take any of that shit*

*out of Italy*". Alex Pedersen understood Riis' utterance as a reminder to Hamburger not to bring EPO to take just before the races.

Bjarne Riis has repudiated to the investigative group that he had a dialogue with Bo Hamburger about not to bring EPO to races, as he did not know that Bo Hamburger used EPO.

*Conclusion:*

The investigative group finds that on the basis of Alex Pedersen's admission that in his capacity as Sports Director for Team CSC, he had knowledge of the use of doping at the team, both in connection with the doping arrangement in Luxembourg and in connection with Bo Hamburger's use of EPO, there would have been grounds for ADD to bring a doping case against Alex Pedersen for violation of DIF's Doping Regulation in force at that time article 6 point 8 on complicity, if the case was not barred by statute of limitations in the anti-doping rules. Concerning Bjarne Riis see section 5.2.

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### 5.1.5 TYLER HAMILTON'S AND MICHAEL RASMUSSEN'S USE OF SYNACTEN (2002) AND GENERAL USE OF CORTISONE AT TEAM CSC

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Michael Rasmussen, who rode for Team CSC for almost a year from the autumn of 2001 to the autumn of 2002, has informed the investigative group that during the Giro D'Italia 2002, he had the following experience:

Michael Rasmussen had entered the team doctor's hotel room, where also Bjarne Riis and Tyler Hamilton were present. Tyler Hamilton had just received an injection of Synacten (a cortisone-like product), and now Hamilton offered Michael Rasmussen an injection. Michael Rasmussen accepted the offer and Bjarne Riis, who were present during the event, including when one of the team's doctors afterwards gave Rasmussen a 0.2 ml Synacten in the shoulder, did not object, according to Rasmussen. On stage 16 of the race, Rasmussen assisted Hamilton in defending his position and according to Michael Rasmussen, this might have been the reason why Hamilton would do him a favour the same evening.

Tyler Hamilton has told the investigative group that he does not remember the concrete episode, but that Rasmussen's information is probably correct.

However, according to Hamilton, a comprehensive abuse of cortisone took place at Team CSC like on many other teams. The doctors at Team CSC gave the riders cortisone, even though it was not medically justified as it had to be according to the rules.

According to Hamilton, Bjarne Riis was fully aware of this abuse. According to Hamilton, the doctors at the CSC Team would have been fired if they had refused to give the dispensations for health or ethical reasons. Cortisone could be dangerous to take, if it was not taken at the right moment. Then it could "*block you up*", according to Hamilton. Once Hamilton heard that Riis told the doctors what they should do to avoid that cortisone injections blocked the legs: normally it takes a day before you get maximum effect of cortisone. The doctors had joked with Riis about this as they found it funny that Riis would pretend to know about their metier.

Similarly, Jörg Jaksche has told the investigative group that the doctors at Team CSC gave the riders cortisone including Synacten without valid medical reasons. When Jaksche started at the team in 2004, he asked Riis if it was ok to ask for the doctors' advice regarding doping. Riis had answered that it was ok; the doctors were there to give information and assist the riders with their preparations. The doctors were, according to Riis, informed, but they would not hand out EPO, testosterone or growth hormone to the riders, only cortisone and Synacten.

Alex Pedersen, Sports Director at the CSC Team at that time, has told the investigative group that Bjarne Riis - prior to the last individual time trial in Tour de France in 2002 where Tyler Hamilton was number 14 - wanted Hamilton to have cortisone without being injured - in other words, as doping. The team had run out of cortisone and Riis wanted Alex Pedersen to request the doctors to deliver cortisone together with the bikes for the time trial from Belgium, where they had been stored in a depot since the first time trial in Luxembourg. Pedersen refused to do this and according to Pedersen, this -among other things - was the beginning of the end of Pedersen's association with Team CSC.

From the UCI the investigative group has obtained data in order to see the extent of cortisone use at Team CSC. However, it is not possible to conclude anything from the obtained data, as they are incomplete. See more in section 6.2.2.

Bjarne Riis has repudiated to the investigative group that he had knowledge of this concrete episode during Giro d'Italia where Rasmussen and Hamilton allegedly took Synacten while Riis was

present and of the alleged general abuse of cortisone at the team. Riis explained that his directive to the team doctors was that they should follow the rules and that it was up to the doctors to assess if there was a medical justification to give cortisone. As Team Director Riis should be informed by the doctors which of the riders received cortisone so that he knew what was going on – i.e. have information on the riders' health including if they had injuries.

Bjarne Riis has also repudiated that he asked to have cortisone brought to any race or asked the riders to use it. Cortisone was according to Riis prescribed by the doctors, when they assessed it medically relevant.

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## 5.1.6 MICHAEL RASMUSSEN'S HIGH HEMATOCRIT VALUE (2002)

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Michael Rasmussen told the investigative group that he had his hematocrit value measured to 50 by a doctor on the team at the hotel the day before the race Giro D'Lucca in 2002. Up to the race he had been on an EPO cure with rather high doses. Five thousand units, four days in a row.

According to Rasmussen, Johnny Weltz, Sports Director at that time, and a doctor on the team were shocked by the high hematocrit value. Rasmussen told them of his EPO cure, but assured them that there should be no risk of being tested positive as it was 13 days since he had taken the last EPO. It was agreed that Michael Rasmussen should eat some salt, which would make him thirsty so that he by the intake of a lot of water would decrease the value.

However, later in the evening a measurement still showed a value of 50. Johnny Weltz expressed his fear that doping control officers from UCI would arrive the next morning. When Weltz spoke to Riis on the phone about the problem, Rasmussen suggested that Riis, who lived half an hour from the hotel, should go to the pharmacy to get half a litre of saline solution and bring it to the hotel. This was rejected by Weltz and Riis. Instead, Weltz checked out Rasmussen from the hotel. As agreement was made, that Rasmussen could return and check back in to the hotel and compete in the race, if there were no doping control officers the next morning.

However, the UCI doping control officers did show up the next morning, and consequently Weltz phoned Rasmussen and said that he could not come back to compete in the race.

Rasmussen has told the investigative group that the concrete episode clearly showed that Weltz, a team doctor and Riis knew about his use of EPO. Rasmussen found it hypocritical that they had accepted that he and others at the team took EPO and other doping substances, but would not assist when a problem arose.

Johnny Weltz has confirmed to the investigative group the episode with Michael Rasmussen's high hematocrit measurement in Lucca. Weltz has told that he contacted Riis by telephone to tell him about Rasmussen's high hematocrit measurement and that he asked Riis as Chief Executive to decide what to do, including if the Italian doctor and coach Cecchini should be contacted in order to bring down the hemotocit value. Weltz has furthermore explained that Riis did not want to decide on Rasmussen's case, but left it to Weltz. Weltz also told the investigative group that he did not directly ask Michael Rasmussen if he had taken EPO, but he presumed that Rasmussen had taken EPO and that he was convinced that Bjarne Riis knew that Rasmussen used EPO.

Bjarne Riis has confirmed to the investigative group that he was contacted concerning Rasmussen's high hematocrit value in relation to a race in Italy. Riis is unsure whether it was one of the doctors or Johnny Weltz who contacted him. Riis remembers that he was at home in his house near Lucca and that he said that Michael Rasmussen had to be sent home.

Riis told the investigative group that the high hematocrit value gave him a suspicion that Rasmussen took EPO, and that this was the reason why he later asked Rasmussen to leave the team. Riis has further explained that the episode with the high hematocrit value was the only knowledge he had about Rasmussen's use of doping.

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## 5.1.7 TYLER HAMILTON'S USE OF BLOOD DOPING AND THE CONNECTION TO FUENTES (2002-2003)

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Tyler Hamilton has told the investigative group that he had the first conversation with his future Sports Director Bjarne Riis concerning use of doping in August 2001. Riis had asked about "the methods" used at US Postal (Lance Armstrong's team which Hamilton came from), and Hamilton had answered that at the US Postal team only EPO, testosterone, cortisone, Actovegin and growth hormone had been used. He did not mention blood doping, despite the fact that this was being used at the US Postal team, and despite the fact that he himself had tried it during Tour de France in 2001. Hamilton has explained that he lied because he did not want to disclose secrets from his previous team.

According to Hamilton, Riis subsequently asked him at the meeting in August 2001 if he had ever tried blood transfusion and that he needed to try it. Riis had then told about his own positive experiences with blood doping: How he had three transfusions in 1996 in the Tour de France and why the transfusions were so effective. According to Riis, blood transfusions gave a quicker increase of one's performance than EPO. Moreover, blood transfusions could not be traced; EPO now could. According to Riis, transfusions were completely harmless if they were done correctly.

Hamilton has explained that he accepted Riis' proposal of blood doping, and that Riis gave him Dr. Eufemiano Fuentes' telephone number with a recommendation that *"Fuentes is the best in the business with blood doping; he is the doctor to go to"*.

Furthermore, Hamilton has explained to the investigative group, that Riis did not physically introduce him to Fuentes, but that Fuentes would not have met with him, if he had not received a recommendation from Bjarne Riis in advance to do so: *"I don't think he (Fuentes) would meet with just any random cyclist, so to get in I needed to have a recommendation and that was from Bjarne"*, Hamilton told the investigative group.

The first meeting between Hamilton and Fuentes took place at a high way rest area between Barcelona and Valencia in February 2002. Bjarne Riis was not present, but according to Hamilton, Fuentes was fully aware of who he was, and who had sent him. He does not know if Riis and Fuentes knew each other personally, or if they just knew of each other. However, he got the impression that Fuentes and Riis had met each other before. Finally, it was Hamilton's impression that he was one of the first riders from Riis' team who came to Fuentes.

Additionally, Hamilton has told the investigative group that he was sort of a "middle man" between Riis and Fuentes. Mostly, he told Riis face to face about what happened at Fuentes'. Riis liked to be involved and wanted to know continuously what Hamilton's hematocrit value was. Riis and Hamilton were careful when speaking about doping on the phone, and when they did, they used code words for doping. Hamilton did not inform the doctors at Team CSC, but he believed that they had a presumption of his relation with Fuentes.

Hamilton has informed the investigative group that Riis in connection with the race Tour of the Basque Country asked to participate in one of Hamilton's meetings with Fuentes. To the investigative group Hamilton has expressed uncertainty if it was in connection with the race Tour of the Basque Country in April 2002 or in April 2003. He has explained that he had told Riis that he was going to meet Fuentes in order to have a blood transfusion or blood withdrawal at the team's hotel just after the Tour of the Basque Country. Riis wanted to be present, as it took place in a hotel room at the team's hotel. Here there was not the same risk for Riis as if the meeting had been in at Fuentes' in Madrid.

It was not a long meeting. *"I was there, Fuentes was there, Bjarne was there, I wish it wasn't the case, but it's the truth"*, Hamilton told the investigative group.

According to Hamilton, Riis and Fuentes spoke with each other and Hamilton got the impression that Fuentes and Riis had met before.

As an example of Riis' active participation in Hamilton's blood doping, Hamilton has furthermore stated that Riis and he in connection with Giro D'Italia in May 2002 made a plan for how the blood doping should happen. Fuentes and Hamilton had decided to use two bags of blood, one before the race and one during the race. Reinfusion of the first blood bag took place at Fuentes' office in Madrid shortly before Hamilton's trip to Giro d'Italia. Reinfusion of the second portion of blood was more problematic as the Italian anti-doping legislation was more severe than the Spanish one, and the Italian police were determined to disclose doping through raids at hotel rooms and in team busses. Therefore, Fuentes did not want to go to Italy. Bjarne Riis found a solution to do the blood transfusion after the fifth stage, which finished in the town of Limone Piemonte, one and a half hours' drive from Monaco, where the transfusion could take place.

Hamilton has also stated that Riis participated in the planning of Hamilton's blood doping programme in connection with Tour de France 2003 where the first portion of blood was taken in Paris, the day before the start of the race.

Jörg Jaksche has told the investigative group that Tyler Hamilton already in 2007 – i.e. long before his doping revelations in 2012 in his book "The Secret Race" – had told him that it was Bjarne Riis, who had referred him to Fuentes. It happened while they trained together in Lucca. Jaksche and Hamilton trained together after they were both sanctioned with ineligibility for use of doping in connection with Operation Puerto and their blood programme with Fuentes. According to Jaksche, he and Hamilton had exchanged, among other things, experiences from their time with Riis, and they agreed that Riis had behaved as a hypocrite by distancing himself from their use of doping. Tyler Hamilton has confirmed to the investigative group that these conversations between Jaksche and himself took place during their joint training in Italy in 2007.

Jaksche furthermore told the investigative group that he got the impression that Riis had a really good relation with Fuentes. When Jaksche met Fuentes the first time at Gran Canary in 2005, when he rode for ONCE, Fuentes had smiled at him and said: *"Nice to meet you. I thought we should already have met last year,"* i.e. in 2004 where Jaksche rode for Team CSC. Jaksche took this as an indication that Fuentes already had treated CSC riders.

Johnny Weltz has told the investigative group that he found it very unlikely that Riis and Fuentes would not know each other. Furthermore, he found it suspicious that the CSC office often ordered plane tickets for Hamilton to go to Madrid (where Fuentes had his clinic). The explanation at the time was that Hamilton was in treatment for allergy.

Jörg Jaksche has told the investigative group that a soigneur at Team CSC in 2004 told him that Tyler Hamilton always flew via Madrid. Therefore, she knew that something happened in Madrid, which was organised by Team CSC, as it was Team CSC's administration that ordered the plane tickets. Normally, Team CSC's administration would tell the riders to fly directly to their destination as this was cheapest and fastest.

Bjarne Riis has repudiated to the investigative group to have encouraged Hamilton to blood dope and he also refuses to have given Hamilton the phone number of Fuentes. According to Riis, it was Tyler Hamilton who told him that he (Hamilton) cooperated with Fuentes about blood doping. Riis does not remember when and in which connection Hamilton told him about Fuentes. He believes that he reacted to Hamilton's information by not saying much, but that he was shocked and scared.

Moreover, Riis refuses that he participated in the planning of Hamilton's blood doping during Tour de France 2003. However, Riis told the investigative group that Hamilton might have told him when he should have his first blood transfusion during the Tour, but he repudiates to have assisted with a blood transfusion in Paris and the planning of blood doping in Monaco in connection with Giro d'Italia in 2002.

The investigative group has confronted Riis why he never told Hamilton to stop blood doping. Riis replied that he might have told him to stop, but that he is not sure of this. He does not remember when he would have said it. Riis is, however, certain that Hamilton knew that Riis did not like that he (Hamilton) used blood doping. Riis adds that he (Riis) was probably afraid of the consequences for the team should everything suddenly explode. To the investigative group Riis has admitted that it was a big mistake not to stop Hamilton, but that he had been confused and did not know how to handle the situation.

Confronted with the information that Riis believes he tried to stop Hamilton's blood doping, Hamilton said to the investigative group that this is outright wrong. Riis did not force Hamilton to take blood doping, but he encouraged and assisted him, and never asked him to stop it.

It has not been possible for the investigative group to interview Fuentes.

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## 5.1.8 JÖRG JAKSCHE'S EPO-PROGRAMME (2004) AND IVAN BASSO IN OPERATION PUERTO (2004-2006)

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In addition to the already mentioned information in support of Bo Hamburger's allegation of Riis' encouragement to purchase EPO, Tyler Hamilton's allegation on Riis' complicity in blood doping and Riis' own use of blood doping as well as Michael Rasmussen's allegation on the widespread abuse of cortisone at Team CSC, Jörg Jaksche, who rode for Team CSC in 2004, has informed the investigative group of his overall impression of the conditions at Team CSC. Furthermore, he has given concrete examples of when, how and with whom Bjarne Riis discussed the use of doping.

Thus, Jaksche has informed the investigative group that he has had a long and close relationship with Bjarne Riis – even though he only rode at Riis' team one year in 2004. Jaksche also rode with Riis at Team Telekom and was trained by Riis after Riis stopped his active career. Jaksche is of the opinion that for Bjarne Riis *"it was a normal procedure to be involved in doping"*, and explains that Riis' attitude to doping in his active career was reflected in the sentence *"Take all you can get, and take double"* – a sentence which Riis often used in front of Jaksche.

Jaksche has further told the investigative group of his time at Team CSC that *"a lot of people in cycling did not push you, but Bjarne Riis was definitely one of the guys who would push you. Bjarne always wanted to know everything you were doing"*. Jaksche underlines to the investigative group that Riis did not coerce him to take doping: *"Bjarne Riis saw doping as part of the job, never a question if it was good or bad or illegal or not. Bjarne Riis would have accepted if I had wanted to ride clean, but if performances were bad, I would have been kicked out."*

Jaksche had come to Team CSC from the Spanish team ONCE where all use of doping was organized by the team. This meant that Jaksche did not know very much of how much doping to use, and which substances were detectable when he came to Team CSC in 2004. At Team CSC the use of doping was not organized by the team. Riis told Jaksche that the team doctors were there to give advice and information, but that they would never give EPO, testosterone or growth hormone to the riders. The doctors would only provide cortisone and Synacthen directly to the riders. Furthermore, Jaksche received saline injections by the doctors at Team CSC in order to reduce his hematocrit value.

Therefore, Jaksche had several discussions with Riis about the risks of doping use. Riis knew about Jaksche's use of doping from the time at Telecom and the period of training in Italy. An example of such a conversation between Riis and Jaksche was the conversation in the ski lift in Toscana in 2004 – often referred to by the media – about how to use doping without detection.

Jaksche never discussed blood transfusions with Riis. In 2004 the UCI did not carry out unannounced out-of-competition tests, and as Jaksche was not a rider who aimed for the major stage races, he believed that he did not need to use blood doping, but could manage with the normal EPO programme without any major risk of being detected. Jaksche did not use blood doping at Team CSC and only started with this form of doping when he came to Liberty Seguros-Würth which in 2005 put him in connection with Fuentes. Jaksche was one of the riders who were revealed as a blood doping customer at Fuentes in connection with Operation Puerto in 2006. Jaksche admitted and gave statements to the German police in 2007 about his own use of doping.

Jaksche did not leave Team CSC in 2004 due to disagreement with Riis. Jaksche was happy to be with Riis, but Riis had difficulties securing the finances for the next season, and therefore Jaksche accepted an offer from Manolo Saiz from Liberty Seguros-Würth.

Moreover, Jaksche has mentioned to the investigative group that he in connection with a training camp in 2004 sat next to one of the other riders on the team and overheard this rider asking Riis

*"Is it ok that we start our own EPO programme in the training camp".* According to Jaksche, Riis had answered that this was naturally ok, and that he hoped that the rider had already started the EPO-programme.

Jaksche has furthermore told the investigative group that in 2007 or 2008 – after having admitted to be a blood doping client at Fuentes – he was interviewed by the Italian police, and in this connection was told that Ivan Basso was referred to Fuentes as early as 1999. According to Jaksche, Basso had thus already worked with Fuentes for five years before he came to Team CSC.

Jaksche is certain that Bjarne Riis had knowledge of the doping programmes for all riders at the team who were customers at Fuentes. According to Jaksche, this is due to, among other things, that Riis as head of the team had knowledge of travel plans which for example went from Milano via Madrid to France. These journeys were longer than the normal direct flights, but were used to carry out blood doping at Fuentes'. To fly from Malpensa to Paris via Madrid is more expensive than a normal direct flight, and according to Jaksche, Riis needed to give the necessary permission to do so as head of the team.

Finally, Jaksche has told the investigative group that in the spring of 2007 he talked to Ivan Basso about Bjarne Riis at a time when Basso – in the wake of Operation Puerto – was not employed by any team. According to Jaksche, he and Basso talked about Riis' behaviour in connection with Operation Puerto, where Basso was taken out of Tour de France just before the start in 2006 and fired from Team CSC, after revelations in the media that Basso was a customer at Fuentes'. According to Jaksche, Basso was upset that Riis *"was putting oil into the flames by telling the public how disappointed he was and felt betrayed by Jaksche and Basso."* Both Basso and Jaksche found that Riis was hypocritical, as he knew what had happened at Team CSC.

The press officer for Team CSC at that time, Brian Nygaard, has informed the investigative group that Bjarne Riis originally did not want to suspend Basso, but only when Nygaard put his position at stake and requested that Basso be suspended, did Riis change his attitude.

Bjarne Riis has refused to the investigative group that he had knowledge of Basso's doping. Riis informed the group that he only became aware that Basso could have a connection to Fuentes when the media wrote about it in connection with Giro D'Italia 2006. According to Riis, he had a conversation with Basso who assured him that there was no problem. Riis informed the investigative group that he could not fire Basso solely on the basis of rumours in the press.

When it was afterwards disclosed in the media, prior to the start of the Tour de France in 2006, that Basso was a customer at Fuentes', Riis had yet another conversation with Basso in which Basso, according to Riis, admitted to have lied to Riis about his connection to Fuentes. Riis suspended Basso and pulled him out of the Tour shortly before the start. Riis repudiates that there was disagreement about whether Basso should be suspended, and Riis also repudiates that it was only after pressure from Nygaard that he decided to suspend Basso.

Besides this, Riis informs the investigative group that since Basso was fired from Team CSC in 2006 and until Basso was reemployed at the team for the 2015 season, he has had personal contact to Basso, among other things, via text messages during the entire period.

Riis also repudiates to the investigative group that he had knowledge of flights booked to go via Madrid. According to Riis, it was the staff at the office who dealt with these things, and he had no knowledge that such flights had taken place.

Riis also refuses to the investigative group that he had knowledge of Jaksche's use of doping. The only rider Riis knew was using doping was Hamilton. In addition to that, Riis had a serious suspicion that Michael Rasmussen also used doping due to his high hematocrit figures in Lucca in 2002.

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## 5.1.9 TEAM CSC'S INTERNAL ANTI-DOPING PROJECT (2006-2009)

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In 2006, Team CSC initiated an internal anti-doping project managed by Doctor Rasmus Damsgaard, who previously had been employed by Anti Doping Denmark, and who at the time appeared in the media as one of Team CSC's toughest critics on doping issues. The project lasted until 1 January 2009 and involved a co-operation between Bispebjerg Hospital, Denmark, and Team CSC, which paid the hospital via a fond structure for carrying out an anti-doping programme under which the riders of the team were tested frequently for doping internally and in addition to the official UCI and ADD tests. The results were monitored with the intention to find abnormal fluctuations in various values which could indicate use of doping.

In order to secure the credibility and independence of the project, Damsgaard was thus employed by the hospital until 1 January 2009 and not directly by Team CSC. The project stopped at the end of 2008 where UCI introduced a similar blood profiling programme and hereby made Team CSC's internal profiling programme redundant. However, Rasmus Damsgaard continued to be associated with Team CSC in 2009, as the team still wanted Damsgaard to monitor the team's test results. Damsgaard also entered into co-operation with the cycling team Astana from 1 January 2008.

The co-operation between Team CSC and Rasmus Damsgaard has been discussed extensively in Danish sport and in the media: Was it – as it was announced – an anti-doping project intended to contribute towards doping free cycling at the team, was it a smart PR stunt, which was intended to rehabilitate Team CSC's credibility in the public and among sponsors after Operation Puerto and the Basso scandal, or was it a smokescreen for sophisticated monitoring of the use of doping?

During interviews with a number of Team CSC riders, the investigative group asked for information as to how Damsgaard's programme was articulated and functioned internally at the team. None of the interviewed riders had any other impression of the anti-doping programme except that it was intended discover the use of doping.

Brian Nygaard, Press Officer at Team CSC at that time, has informed the investigative group that he was the one who got the idea to ask Damsgaard if he would enter into co-operation with Team CSC about an internal anti-doping programme. Nygaard does not make a secret of the fact that there was a need to rehabilitate Team CSC after the Ivan Basso case, but insists that the project was sincerely meant, as an initiative to fight the use of doping. He presented the idea to Bjarne Riis, who immediately declared his readiness to allocate funds for the project.

Bjarne Riis has confirmed to the investigative group that it was Brian Nygaard, who got the idea which Riis found really good as Damsgaard was 'one of our biggest critics'. Riis underlines that the co-operation gave Damsgaard free reins to compose an anti-doping programme, and he informs that he was also very well aware, that many people were of the opinion that he only did it to protect himself and his team, but in reality the project meant such a big step forward in the fight against doping that it was later taken over by UCI and became the precursor for WADA's biological passport.

Rasmus Damsgaard has explained to the investigative group that he accepted Team CSC's offer for co-operation, as this would give him the chance to do what he had not had the possibility to do in Anti Doping Denmark. He would take the blood profiling programme, which Professor Bengt Saltin had developed for the sport of skiing after the doping scandal at the World Championship in Lahti in 2001, and introduce it to the CSC-team. In Damgaard's opinion, it would be groundbreaking.

The anti-doping programme was established under Bispebjerg Hospital. In 2007 the doping controls were carried out by the Swedish anti-doping company IDTM, and in 2008 – 2009 by the German company PWC. According to Damsgaard, both he and Bispebjerg Hospital were aware that a co-operation with Bispebjerg Hospital could be used by Team CSC to repair its image. However, according to Damsgaard this did not worry neither him nor Bispebjerg Hospital. According to Damsgaard, they were convinced that they would catch those who really cheated and that it would take Team CSC by surprise how much one could see via the blood- and urine profiling programme.

In 2007, the blood values of an individual Team CSC rider received particular attention. According to Damsgaard, further analysis as well as external expert statements showed that the rider's blood values were not doping related, but were caused by the athletes' long-term competition activities prior to sample collection. The experience and conclusion of the analysis of the values from this Team CSC rider contributed, according to Damsgaard, towards an improvement of the blood profile element of the biological passport, as attention was drawn to the fact that a possible long-term competition activity could give fluctuations in the blood profile due to increased plasma volume and by this reduced haemoglobin concentration. As a consequence, a clarifying question is now asked to all athletes in connection with blood sampling for the blood profile part of the biological passport of a possible competition activity during the last three days in order to avoid "false positive" profiles.

Damsgaard has informed the investigative group that he never claimed that Bispebjerg's anti-doping programme could guarantee that all riders of the Team CSC were clean during this period. The programme could, according to Damsgaard, be circumvented just as all previous and present programmes, and Damsgaard also mentions that there were uncertainties, particularly in 2007, but also in 2009, where UCI took over the tests. However, Damsgaard is of the opinion that the programme at that time was much better than any other anti-doping work conducted. As a matter of fact the programme was, according to Damsgaard, also better than most of the anti-doping programmes carried out today. Damsgaard is of the opinion that a paradigm shift took place at Team CSC in the summer of 2006, which meant that both riders and leaders wanted to stop the use of doping. One indication of this is not only the lack of doping cases at the team since then, but also that the team in 2009, when UCI took over the blood profiling programme, was surprised that they were not tested as much as in 2007 and 2008.

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### 5.1.10 ENCOURAGEMENT TO CARLOS SASTRE TO USE BLOOD DOPING (2008)

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An interviewee, who was part of Team CSC in 2008 and who wishes to be anonymous, has informed the investigative group that the Spanish rider and winner of Tour de France 2008, Carlos Sastre, who rode for Team CSC 2002 – 2008 told him that Bjarne Riis in 2008 encouraged him (Sastre) to use small blood bags. Riis allegedly said to Sastre: *"I guess you could still use small blood bags. The others are using it. We know for sure that Discovery is using it"*. Furthermore, the interviewee believes that Riis had this knowledge of Discovery from Ivan Basso, who rode for Discovery in 2007. According to the anonymous source, this encouragement from Riis to Sastre contributed to Sastre's decision to leave Team CSC in 2008 despite his victory in Tour de France in 2008.

Bjarne Riis has confirmed to the investigative group that Sastre told him that he was upset and felt that Riis had encouraged him to use blood doping. However, Riis told the investigative group that Sastre had misunderstood him. According to Riis, the conversation between Riis and Sastre took place in their hotel room in connection with training in the Alps prior to the Tour de France in 2008 and centered on whether there were still riders who used blood doping. According to Riis, he said during the conversation that it was still possible to use blood doping and Sastre must, according to Riis, have misunderstood this and taken it as an encouragement.

According to Bjarne Riis, Sastre had understood *"I guess you could still use small blood bags"* as intended on him personally and not in the sense that Bjarne Riis meant it, namely that *"I believe/guess that one could still use small blood bags"* – hence as a general view not intended specifically for Sastre.

Furthermore, Riis has explained to the investigative group that he only realized that Sastre must have misunderstood him when several months later he talked to him during the race Vuelta a España in the autumn of 2008. This was when Sastre told him that he thought Riis had encouraged him to take blood doping. Riis has explained that he told Sastre that he had misunderstood him, but he does not know if Sastre accepted the course of events as a misunderstanding. Riis underlined at the same time that he has no problem with Sastre today.

#### *Conclusion:*

The events outlined above have occurred within the statute of limitations in the anti-doping rules. However, it is the assessment of the investigative group that there is no evidential basis for proving an anti-doping rule violation, and that ADD consequently cannot prosecute a case against Bjarne Riis for the circumstances mentioned above.

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### 5.1.11 FRANK SCHLECK'S RELATION TO FUENTES (2006)

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Shortly before the end of Tour de France 2008 (25 July 2008), Süddeutscher Zeitung brought an article of a connection between Frank Schleck and Dr. Fuentes. On 26 September 2008, the newspaper followed up the story by an in-debt article that Schleck in March 2006 had allegedly transferred EUR 6,691 (approximately DKK 50,000) to Fuentes' account in the company "Codes Holding". The account to which Schleck had transferred the money was the same as the one Jörg Jaksche and Jan Ullrich had used, when they paid for their services at Fuentes. The transfer took place at a time when Frank Schleck had Kim Andersen and Bjarne Riis as coaches at Team CSC.

The evidence of Süddeutsche Zeitung was afterwards confirmed by the Luxembourg anti-doping authorities, and on 3 October 2008 Schleck admitted to have made the money transfer, but denied at the same time to have met Fuentes. According to Schleck, the money was transferred as payment for training advice. On the same day, Bjarne Riis suspended Schleck from Team CSC, awaiting clarification on the matter.

Bjarne Riis has informed the investigative group that he had no reason to fire Frank Schleck when the story broke in 2008 due to the lack of evidence. He chose to accept Frank Schleck's explanation, that it was only a money transfer for training advice and decided to await the outcome of the investigation, which was launched by the anti-doping agency in Luxembourg.

On 8 December 2008, the anti-doping agency in Luxembourg declared the investigation for concluded as no evidence was found for anti-doping rule violations.

The investigative group asked the riders who rode on the team in 2008 how the team handled the information of Frank Schleck's association with Fuentes. Several of the riders told the investigative group that they were not informed about the case, but that they were of the impression that riders were not permitted to enter into business with anyone else besides the team's own coaches and doctors.

On the question of whether they asked about Frank Schleck's association with Fuentes in order to clarify the truth of the matter, several riders told the investigative group, that they were reluctant to interfere in the case. As one of the riders formulated it: "*The fact that some riders have been with Fuentes is the reason that I have a job*".

#### *Conclusion:*

The investigative group finds that in 2008 it was common knowledge that Dr. Fuentes had been instrumental in the blood doping of a number of riders and other athletes. On the contrary, Fuentes has never been known for acting as a coach or providing training advice. Despite this, Bjarne Riis and Team CSC accepted Schleck's explanation that the money transfer took place as payment for training advice. Neither Schleck's nor Riis' explanations are considered to be probable by the investigative group. The investigative group does not find, however, that the available information provides the grounds for ADD to bring a doping case against Bjarne Riis.

## 5.2 THE INVESTIGATIVE GROUP'S RECAPITULATIONS AND CONCLUSIONS

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### 5.2.1 ASSESSMENT OF THE CREDIBILITY OF THE INTERVIEWEES

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The assessment of the conditions at Team CSC and the management's knowledge of and/or complicity in the use of doping is based exclusively on testimony from the interviewees. There is no technical evidence in the form of positive doping samples or the like. However, it is important to emphasise that witness statements are also evidence, as was the case in the US Postal case where USADA in its reasoned decision relied heavily on the witness statements received from a number of interviews. The WADA code and hence national anti-doping rules also state that *"facts on violations of anti-doping rules can be obtained by the aid of all reliable means including confessions."* Consequently, during the entire investigation, the investigative group has been very aware of the fact that it is important to assess the credibility of each individual interviewee.

Statements from a number of persons about various conditions at Team CSC during the period from the end of the 1990s until today are not included in this report. This is either because the statements are solely based on second hand knowledge, the stories are of a general nature, or because the allegations are not supported partly or fully by other interviewees.

Similarly, the investigative group is aware of the fact that interviewees may have had personal motives to give fully or partly untrue information to the investigative group. Persons who accuse Bjarne Riis or other CSC leaders of violations can have a personal grudge against them and therefore deliberately or unconsciously give untrue or distorted stories. On the opposite, persons who defend Riis or other CSC leaders against allegations of knowledge and/or complicity in the use of doping, could be in a state of dependence to Riis or the established cycling world as such, which entails that they out of fear of losing their job or position, have given the investigative group a false version or concealed matters of interest for the investigation.

In this connection, the investigative group notes its opinion that the latter type of personal motives –dependence on Team CSC /Riis or the cycling world as a whole – have been of greater hindrance for the endeavour of the investigation to find the truth of the use of doping at Team CSC, than personal motives for revenge, which could be traced in some persons' statements. Thus, a number of current and former riders and leaders at Team CSC have had an astoundingly bad memory regarding the circumstances at Team CSC, or they came across as very unwilling to talk about the circumstances during the interviews with the investigative group. A few riders and leaders either informed the investigative group that they did not want to assist or it was impossible to get in contact with them or get an answer from them as to whether they would accept to meet with the investigative group.

Some persons' relations to Team CSC/Riis and/or the cycling world as a whole caused them to feel compelled to request to appear anonymously in this report. In each instance, the investigative group attempted to convince the persons to appear in the report by their name as it, other things equal, would strengthen their statement. However, the investigative group had to respect the wish for anonymity. The investigative group is of course aware of the identity of these anonymous persons, and the anonymous persons have been subject to comprehensive interviews, in order to convince the investigative group of the credibility of their statements.

A number of persons did not hide that they felt Bjarne Riis had treated them badly at a time in their career, and these persons may bear a grudge or have a revenge motive which could induce them to make untrue allegations. This is especially applicable to Bo Hamburger, who felt he was let down by Riis, but also to a certain degree Michael Rasmussen, Jörg Jaksche and Tyler Hamilton who all expressed that at times in their career, they felt Riis was hypocritical as he disassociated

himself from them, even though he had been aware of and/or assisted in their use of doping. However, it applies to all four persons that they do not stand alone with their allegations, but are supported by statements from other persons. Furthermore, their statements are detailed and coherent which strengthen the credibility.

Furthermore, it must be noted that Hamilton has given evidence under oath about Riis, among other things, in to an Italian court of law in the case against Fuentes. Jörg Jaksche has given evidence in the case against the University Clinic in Freiburg as well as to the Italian police. Rasmussen has entered into an agreement with Anti Doping Denmark, DIF, and WADA which for which he received a reduction of his sanction under the condition that he gave complete and truthful testimony to Anti Doping Denmark and DIF. If it is discovered that Rasmussen has hidden substantial facts or has lied, he can be brought before DIF's Doping Tribunal on a charge to have the reduction of his sanction revoked. Furthermore, Rasmussen has given evidence under oath in the case against Geert Leinders, the doctor at the Rabobank team, where the American doping authority AAA found his testimony credible.

Therefore, on balance the investigative group has assessed that the four former Team CSC riders – Hamburger, Rasmussen, Hamilton and Jaksche – have given credible information.

In this connection, the investigative group notes that it is only natural that some persons could have difficulties in remembering precise times, places and other details on matters, which took place a number of years ago. However, it is less understandable if interviewees do not remember important events in their lives, which the investigative group experienced during several interviews.

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## 5.2.2 COULD A DOPING CASE BE BROUGHT AGAINST BJARNE RIIS?

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According to the national anti-doping rules, article 3, ADD has the responsibility to prove that a violation of the anti-doping rules have occurred. The burden of proof is that ADD must prove a violation of the anti-doping rules in such a manner that it satisfies DIF's Doping Tribunal, when the seriousness of the accusation is taken into consideration. In all cases of doping the evidence base must be more than reasonable probability, but it is not required that all doubts have been eliminated.

It is the assessment of the investigative group, that without statute of limitations in the anti-doping rules there would have been grounds for ADD to bring a doping case against Bjarne Riis for violation of DIF's doping Regulation § 6 point 8 in force at that time covering a person who "*aids and abets a person in using doping*". Presently, the rule exists in the national anti-doping rules art. 2.9 covering "complicity", according to which the following actions are prohibited "Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation".

This assessment is among other things based on the following evidence:

- Bjarne Riis has admitted that as team owner and leading sports director, while Tyler Hamilton was employed at his team, he knew that Tyler Hamilton was working with Fuentes about the use of blood doping, and in addition, Riis has admitted that in his own career as a rider, he tried blood doping and thus had knowledge of the mechanisms of blood doping.

These matters are admitted by Bjarne Riis.

- Bjarne Riis requested Bo Hamburger to provide EPO to Jörg Jaksche.

This assessment is based on the fact that Bo Hamburger's allegation regarding this has been confirmed by Jörg Jaksche, who states that he overheard Riis' request.

- A comprehensive use of cortisone without valid medical justification took place at Riis' team.

A number of named or unnamed riders and sports directors have informed the investigative group about a widespread illegal misuse of cortisone for performance enhancement in cycling in general and concretely at Riis' team. Michael Rasmussen, Tyler Hamilton, Jörg Jaksche and Alex Pedersen have all told the investigative group that cortisone was used without medical justification at Riis' team.

- In his capacity as team owner and leading sports director, Bjarne Riis was aware that also other riders at the team in addition to Tyler Hamilton used doping.

This assessment is based on the fact that three other riders in addition to Hamilton – Bo Hamburger, Michael Rasmussen and Jörg Jaksche – have informed the investigative group that Riis knew of their use of doping.

Furthermore, the statements from the three riders to the investigative group are supported by statements from other interviewees:

Hamburger's allegation is supported by Alex Pedersen who was present during a concrete conversation between himself, Hamburger and Riis, which demonstrates Riis' knowledge of Hamburger's use of EPO before the result of Hamburger's doping sample was available.

Johnny Weltz, who was involved in the incident relating to Michael Rasmussen's high hematocrit value due to use of EPO, and who had concrete conversations with Riis about the high value, supports Michael Rasmussen's allegation of Riis' knowledge of Rasmussen's use of EPO. Weltz has informed the investigative group that he is convinced that Bjarne Riis knew that Rasmussen took EPO, although this is a general observation and not a reflection of a concrete conversation or episode.

Finally, Tyler Hamilton confirms that he had conversations with Jörg Jaksche in 2007, in which Jaksche and Hamilton exchanged experiences from their time with Riis and agreed that Riis behaved hypocritically by publicly distancing himself from them after their doping sanctions. However, Hamilton's statement that Riis was aware of Jaksche's use of doping is second-hand knowledge, as it stems from Jaksche himself.

The investigative group finds that actual knowledge of anti-doping rule violations gives a leader an obligation to act, which Bjarne Riis has not lived up to. On the contrary, as a minimum he has silently accepted the use of doping and - according to the opinion of the investigative group - such silent acceptance from a team leader is a case of prohibited complicity which is a violation of the anti-doping rules which, among other things, comprises the covering up of violations of anti-doping rules. It is the opinion of the investigative group, that the same apply to Johnny Weltz and Alex Pedersen, but as a team owner and leading sports director, Riis had a greater responsibility than the others, as he in his role as chief executive was able to take the decisive decisions to suspend doping users and report them to the anti-doping authorities.

At the same time the investigative group assesses that the statute of limitations in the WADA Code and in the Danish Anti-Doping Rules which was eight years until 31 December 2014 and ten years from 1 January 2015 - prevents that ADD can bring a doping case against Bjarne Riis at this point.

On the grounds outlined above, the investigative group finds that there is an urgent need to increase responsibility of team managements within professional cycling and has therefore drafted a number of recommendations to prevent these management failures cf. section 8.

## 6 THE ANTI-DOPING EFFORTS

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A substantial development in the anti-doping efforts has occurred during the period covered by the investigation – both regarding analysis methods and doping controls, not least after the international anti-doping agency WADA was established in November 1999.

The number of doping samples conducted both in- and out-of-competition have increased steadily both in Denmark and internationally, and the analysis methods and thus the ability to detect substances produced by the body itself including EPO, growth hormone and testosterone, have undergone a clear improvement. However, in spite of both the increase in the number of tests and the development of advanced analyses, this is not reflected in a substantial relative increase in the number of positive samples since 1985. The reasons why the efforts have not been sufficient could be numerous in a complex interaction between systemic and organizational causes and in human and political factors.

Something has not been as effective as intended. Either the system has been full of holes or too palpable or the analysis methods insufficient. Most likely, it is a combination of these factors.

The organised and targeted anti-doping work has not been in business for long. The shortcomings over the years in the doping control effort by Union Cycliste Internationale (UCI) has been described in detail in the CIRC report and will not be discussed in detail in this report. The worldwide anti-doping agency WADA was, as mentioned, only established in 1999, and the first WADA Code, which was the common set of rules for national sports organisations, governments and international sports organisations, came into force in 2003. Independent national anti-doping organisations (NADO's) have gradually been established with Anti Doping Denmark as one of the first with start in 2005. Even large sports nations as Spain only recently followed with the establishment of the Spanish NADO in 2012 followed by legislation in the area, which came into force in 2013. This has meant that focus and co-operation in the anti-doping area has not been optimal, and was only increased in the middle of the 2000s.

One would hope that continuous use of the well-known doping substances such as EPO or anabolic steroids sooner or later would result in a positive doping sample, if doping controls are conducted regularly. However, there are examples of athletes who doped and who had many samples collected without testing positive. Two of the most well-known are Lance Armstrong and Marion Jones. *“I have given more than 500 doping tests during my career and I never tested positive”*, Lance Armstrong said and similarly Marion Jones said *“I have not tested positive in one single doping test. I have given more than 160 doping tests, and I have never tested positive”*.

Michael Rasmussen was tested regularly from 1998 – 2010 where he doped without returning a positive sample. Similarly, a number of former riders told the investigative group that they used EPO and in some instances e.g. growth hormone and testosterone in the 1990s and up to approximately 2003, and that they were tested several times in the period by both DIF/Team Denmark's Doping Commission, UCI and Pro Tour organisers in Italy, France and Spain with none of the samples returning a positive result. This is partly due to the fact that a test for EPO was only introduced in 2000 and for growth hormone only in 2008, but at the same time, a number of interviews by the investigative group show that the EPO test did not deter the riders from using EPO.

Several crucial factors influence the effectiveness of the doping control work. The planning and execution of doping controls as well as the analysis methods play a critical role, but also other factors such as the development of medical products can play an important role. In the following sections, the investigative group will assess these areas in the light of the conducted interviews and other accessible knowledge.

## 6.1 DOPING CONTROL ACTIVITIES

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Doping controls are only part of a successful anti-doping work, but nevertheless it is a very important part and it must be as effective as possible. As the CIRC concluded, the investigative group has found that doping controls in cycling have not been very effective – particularly not in the 1990s and 2000s.

From the many interviews conducted, the investigative group can conclude that in general, the decisive parameter for an effective doping control is the risk of being detected. However, through a number of statements from former riders, the investigative group can establish, that with some cautiousness, it has been possible to cheat with only a minimal risk of detection.

Due to limited available resources combined with the very large costs in relation to doping control activities (salaries, transport, and analysis), many doping controls have been planned from a cost-effective perspective. As a starting point, this may make good sense when anti-doping organisations need to maximize the use of the few means available.

In Denmark for instance, this means that riders living abroad have often been tested when they visited Denmark or when several riders were gathered at a hotel and/or in proximity of major cities. In this way, samples have been collected from several riders simultaneously by the same testing team and doping samples could be sent to the laboratory in bulk numbers. This practice has also been widely used in other countries and by the UCI. Several professional riders who were interviewed by the investigative group are of the opinion that they were tested too often when they were in Denmark; instead they should have been tested more often in connection with training activities abroad.

Similarly, several of the interviewees pointed out that the timing of the control was easy to figure out for the observant athletes, coaches and leaders. Often it was the same doping control officers who were used and they had established different routines in relation to their work. Doping control officers have not been appropriately discrete – probably due to the perception that they were not recognized by the cycling environment and that it was not a problem if the teams could figure out that there would be a control in the morning. Often this meant that the doping control officers arrived at the same hotel, or a hotel close to where the riders were accommodated.

The interviewees told the investigative group that it did not require much observation for a rider or team to know that doping control officers had arrived, and that the control would consequently be carried out the next morning. This was sufficient time for riders to either refrain from the use of substances in the evening or to ensure to manipulate the blood by adding plasma or even to check out of the hotel claiming an injury as a justification.

Some interviewees went so far as to say that they could almost *“set the clock after the doping control officers”*, for instance when their whereabouts showed that they had returned to Denmark after a stay abroad. It goes without saying, that a doping control system where athletes to a certain extent could figure out when they would be tested, is not sufficiently effective. Several of the interviewees, who are current riders, told the investigative group that doping controls in Italy are also predictable, as riders living in the same area typically are tested at the same time, when either UCI or ADD sends out doping control officers. In this way, it has been possible for riders to notify each other when doping officials have appeared in the area. Thus, there are indications that the anti-doping authorities in their test planning have been too naive in relation to the massive cheating they faced.

Doping controls out-of-competition are a crucial means to make the fight against doping more effective, but before 2005 riders were only seldom tested out-of-competition. In Denmark and certain other countries this was done, but normally not by the UCI. With some thoughtfulness, the

rider who wanted to cheat could therefore use doping during training and make sure that the substance was cleared out of the body at the time of competition.

The effectiveness of doping controls out-of-competition was further strengthened by the introduction of rules obliging athletes to provide information of their whereabouts and with serious consequences for violation of the rules. The whereabouts rules were introduced with the implementation of the WADA Code in 2003 where the first guidelines were described. In 2005 WADA launched the pilot application of its online system which is used for reports of whereabouts today. The system was named ADAMS (Anti-Doping Administration & Management System), and is used today by athletes, NADO's, international federations and laboratories .

The whereabouts rules which are applicable today were introduced in the 2009 version of the WADA Code and applicable standards. Here it is specified that athletes, who are selected for a registered testing pool have an obligation to provide information with at least one location point of 60 minutes every 24 hours, so that they can be localised for an unannounced doping control out-of-competition. Several riders told the investigative group that the introduction of the whereabouts system and the increase in doping controls out-of-competition did indeed make it more difficult to use doping without being detected, but the riders also acknowledged, that the whereabouts system does not constitute the entire solution to doping because it is still too predictable when doping tests will be carried out.

## 6.2 ANALYSES AND METHODS

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During the last half of the 1960s a number of international sports federations started to initiate doping tests at World Championships. At that time and in the following decades the testing was relatively simple. The analyses were limited to stimulants and substances which were primarily used during competition.

An analysis for a number of artificial anabolic steroids was in place in 1974, but it was more difficult to detect those substances which is produced naturally the body in various amounts such as EPO, testosterone and growth hormone. For those substances, the biggest challenge is to separate the substances taken as doping from those produced by the body itself, as there are only minimal differences in the structure of these substances. Until the present day, work has been carried out to develop a sufficiently valid test for e.g. growth hormones.

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### 6.2.1 EPO

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*"I experienced EPO as a condition of competition in the 1990s, but for me EPO destroyed some of the fundamentals in cycling, namely that the most serious riders improved their performances. With EPO all riders improved performances."*

This is how a former Danish top rider expressed himself to the investigative group. He added that with the introduction of EPO in cycling, the mental limit for victory shifted in the sense that those riders who did not use doping were excluded beforehand. No one believed that winning was possible without EPO.

EPO is a very potent substance, which can give a considerable improvement of performance, and there is no doubt that the use was so widespread that one almost can say that EPO revolutionised cycling during the years from the beginning of the 1990s.

Artificial EPO was developed in the last half of the 1980s and was approved for medical treatment of humans in 1989. EPO was prohibited according the doping rules, but laboratories only had an

analysis for EPO by 2000. However, the analysis could (and can) only trace EPO for a few days after the use. This meant that over many years it was practically possible to use EPO as doping without any risk. Due to the short detection time, control of EPO was only effective with a system of whereabouts from 2005 and comprehensive control out-of-competition.

Before as well as after the introduction of the EPO analysis, numerous riders who were using EPO tested negative and on this basis cycling and the individual riders achieved an unwarranted shine of cleanness. Anti-Doping Norway writes in a report (2014) that there was almost an attitude among riders that those substances which could not be detected were not considered as doping which in reality was a *"cultural legalization of doping"* in the peloton.

A former Danish rider has informed the investigative group how rumours of the "miracle effect" of EPO spread in the peloton in the beginning of the 1990s, and how a rider could go to the pharmacy in for instance Italy and buy the substance, possibly with the aid and guidance from well-known "doping doctors".

According to a former rider interviewed by the investigative group, 1996 can be considered as the last year where EPO could be used "freely" in cycling. At the UCI's congress in Geneva in 1997, a hematocrit limit of 50% was introduced for "health reasons", which the investigative group understands as an indication that UCI knew what was going on, and wanted to prevent that riders died as a consequence of the use of EPO etc. after a number of deaths among riders in Belgium were linked to possible use of EPO.

A former top manager at a professional cycling team informed the investigative group that he had discussed with a former team doctor, why he had previously assisted in the administration of EPO amongst riders. The answer he had received was that this was to prevent riders killing themselves by using EPO without medical advice.

A number of former riders have described their use of EPO during interviews with the investigative group. Several riders have thus described how they bought and used EPO after initial guidance from a doctor. Furthermore, the investigative group has heard that because EPO needs to be kept cool, riders who used EPO typically travelled with mini cool boxes. One rider explained how EPO was easily obtainable in Belgium, but the riders did not speak directly to each other about it. It was almost perceived as trade secrets.

A former rider informed the investigative group that the use of EPO in cycling, in his view, peaked in the years 1992 – 1998. The substance was typically used in connection with intensive training in February prior to the new season as well as 4 – 6 weeks before major races including the Tour de France. Contrary, other statements show that the Festina scandal in 1998 was almost a comprehensive PR campaign for EPO and that the use almost exploded in the following years.

The subsequent use of EPO is also apparent from many interviewees, who have described to the investigative group, how it was common practice, subsequent to the introduction of the hematocrit limit of 50% in 1997, for both professional cycling teams and individual riders to bring along centrifuges to measure hematocrit values in order make sure that the no rider exceeded the limit of 50%. Thus, several riders have explained to the investigative group that they became more nervous of using EPO after the introduction of the hematocrit limit and on this basis bought their own centrifuges to be able to monitor their hematocrit value.

Similarly, former riders at Team CSC have explained that on Team CSC as well as on other teams measurement of the riders' hematocrit value prior to a race was a standard procedure. Team CSC introduced a standard hematocrit measurement after the Danish champion Nicolai Bo Larsen's hematocrit value was measured to 51% at the Tour of Flanders in 2000. This internal measuring continued until the introduction of the internal anti-doping programme in December 2006 under

Bispebjerg Hospital. The investigative group perceives this as an example of the fact that the responsible leaders and doctors at the team very well knew that the riders at the team used EPO, and that this in itself was not the problem – the problem was to avoid that the riders tested positive or were measured with a too high hematocrit value.

An example of this is Jörg Jaksche's witness statement to USADA in the US Postal case in which he stated that he had seen a list written by Team CSC's doctors with a name of a CSC rider who in an internal measurement in the 2004 season had a hematocrit value above 50.

The investigative group received information on a rider's use of a saline solution of 500 ml prior to hematocrit controls. The saline solution was attached to a hook on the wall in the rider's hotel room. This could temporarily reduce a rider's hematocrit value with a few percent.

If EPO was not known in the public, this changed with the Festina scandal in the Tour de France in 1998, and in Denmark EPO became widely known when the Danish Broadcasting Corporation (DR) in 1999 showed the two programmes on the use of doping in cycling ("*The price of silence 1-3*" and "*the Danish doctor 1-2*") which revealed widespread use of EPO.

The EPO analysis was introduced prior to the Olympic Games in Sidney in 2000, although Bo Hamburger's EPO case from 2001 showed that the analysis still had some weaknesses. A former rider has described to the investigation team, that he personally experienced the introduction of the EPO analysis in 2000 as a "mental barrier" which made him stop using EPO. However, the rider experienced, that other riders believed that they were "ahead of doping controls", and therefore continued to use EPO and the rider subsequently experienced that it was difficult for him to compete in the major stage races in 2001 and 2002.

Other former riders told the investigative group that they stopped using EPO in 2003, when the analysis method had been improved enough to decrease the use of EPO due to the fear among riders of being detected. At the same time several of the interviewees has informed the investigative group, that in the years around 2003, EPO became much more difficult to obtain in Italy where many of the Danish riders lived (However, according to information received by the investigative group, EPO was still easily available in for instance Spain and Switzerland). Several of the interviewees informed the investigative group that fear of detection and difficulties in obtaining EPO did not necessarily deter riders from using EPO but in some instances, the use was decreased.

When the EPO analysis was implemented, it resulted in athletes often "disappearing" for periods up to important races in order to prepare themselves with EPO without having to fear doping control. However, during these years, an improvement of the control system was achieved by the introduction of controls out-of-competition and later the introduction of the whereabouts system in 2005. This meant that it was much more difficult to hide from the doping control, which Michael Rasmussen's whereabouts case from 2007 showed. After introduction of blood profiles by UCI in 2008, it became even more difficult to hide suspicious fluctuations of blood values. However, a current rider told the investigative group that there are still examples of riders training in the mountains in neutral clothes.

At present where the biological passport continuously monitor the blood values at the professional teams, there are no longer the same internal control of blood values at the teams as far as the investigative group has been informed.

However, EPO has never completely disappeared from cycling. There are still riders who test positive for EPO and there are continuously rumours that certain riders by means of fixed micro doses of EPO, cheat UCI's biological passport to show elevated but stabile hematocrit values which do not raise suspicion. During its interviews, the investigative group attempted to collect

information on this form of doping, but besides a few interviewees expressing suspicion that this happens, it has not been possible to get more information on this during this investigation.

However, the investigative group finds that the whereabouts system as it appeared until 2015 has “protected” the athlete in the period of time from 23:00 to 06:00, thus 7 hours which could possibly be sufficient time to secure that a minor dose of EPO cannot be detected in a sample collected in the morning.

In order to account for this, WADA has specified in the 2015 version of the WADA Code and the International Standard for Testing and Intelligence that anti-doping organisations as a general rule should carry out doping control in the period of time between 06:00 – 23:00, but tests may be carried out during night hours if there is a substantiated suspicion that the rider in question use doping cf. the comment to WADC 2015 art. 5.2. In the investigative group’s view it is important that this provision is used in relevant cases.

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## 6.2.2 GLUCOCORTICOIDS (CORTISONE)

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Glucocorticoids, e.g. in the form of cortisone, has been included on the doping list since the beginning of the fight against doping, although with certain exceptions and dispensation possibilities. Glucocorticoids reduce inflammation and is therefore well suited in the treatment of inflammation and tendon injuries such as tendonitis.

It has been the general opinion among the interviewees that the use of glucocorticoids in the form of cortisone was extremely widespread in cycling for many years and that the applicable rules have been abused.

The former Director of DCU, Jesper Worre, who for many years pointed out the problems with the use of cortisone in cycling to ADD, informed the investigative group: *“There is a reason why riders take cortisone. It is performance enhancing. It is real doping”.*

Many riders also told the investigative group how they felt a performance enhancing effect of cortisone, primarily through increased weight loss and pain relief and by this increased endurance during competition.

However, other riders said that they did not feel any effect. A current rider explained: *“Some fly when they take cortisone, others do not. I did not feel any particular effect.”*

The problems with glucocorticoids are closely related to the difficulties for laboratories to determine how the substance has been administered. This is a problem because an athlete will be able to assert to have used the substance through a permitted administration form even though it he actually used it via in a prohibited form.

Use of glucocorticoids for treatment of injuries may be permitted under certain circumstances, but the rules differ according to the route of administration. Oral and rectal use as well as intravenous or intramuscular use are prohibited in competition and requires a TUE (therapeutic use exemption) from the UCI or ADD according to the competition level of the rider. Intra-articular use in joints etc. is permitted today (with a subsequent obligatory competition pause of 8 days in cycling), but required a TUE during the years 2006 – 2008. During the years 2009 – 2010 there was a requirement to submit a declaration on the use or give information at a doping control of possible intra-articular use of cortisone. Since 2011, intra-articular use in the form of blockades has been permitted.

When a substance has a performance enhancing effect, at least for some riders, and the substance may be used legitimately under certain circumstances, a wish will naturally arise from those riders to be able to use the substance as performance enhancing doping, without having an injury and without risks.

Several of the riders interviewed by the investigative group have explained that over the years the TUE-system has been abused with regards to cortisone.

Throughout the years, UCI has had varying rules for the use of glucocorticoid. Through a number of years, the team's doctor were required to enter the use in the rider's UCI-health booklet including information of the diagnosis requiring the treatment which would be sufficient if the substance was detected in a doping sample.

Based on a number of statements from interviewees, it is the opinion of the investigative group that this system was abused to a large extent in the 2000s and gave the riders a possibility to dope themselves with cortisone preparations without the risk of a doping case. Many interviewees explained that it was quite normal and accepted to have “cross in the booklet”, i.e. have the doctor’s confirmation in the UCI health booklet to have received cortisone treatment. According to the riders, it was easy to get a cortisone treatment by claiming a joint injury to the team doctor. However, the attention of the investigative group has been drawn to situations where the team doctor mentioned a ligament injury in the rider’s knee in the health booklet and instead gave the rider an injection with cortisone in the shoulder or another effective place. A former rider expressed that certain team doctors “*were not afraid of giving full gas*” when it came to reporting the use of cortisone in the health booklets.

With this “cross” in the health booklet the riders had the possibility to claim to doping officials to have a legitimate explanation for the use of cortisone without having a real valid reason.

The association of professional cycling teams, Mouvement Pour un Cyclisme Crédible (Movement for Credible Cycling - MPCC), in which a number of World Tour and Pro-Continental teams are members has introduced specific rules for the use of cortisone, which all member teams are obliged to respect.

From the 2008-season, MPCC introduced a 15 days’ competition pause for riders after intra-articular treatment with cortisone. In 2010 this competition pause was reduced to 8 days.

In 2010, MPCC further introduced a cortisol test for riders at member teams. In case of a low cortisol value (which could be caused by the use of cortisone preparations) a competition pause of 8 days was introduced for the rider who can only return to competition subsequent to a new cortisol measurement which must show normalised cortisol value.

In 2014, MPCC extended the rules to also comprise an 8 days’ “rest period” after cortisone treatment given systemic (i.e. either orally, rectally, intra muscular or intravenously).

Participation in races after systemic or intra-articular treatment (blockade) can thus only be resumed after 8 days’ break and new measurement of normal cortisol level - according to MPCC rules.

As mentioned, MPCC rules only apply riders employed by member teams of the association. Teams which are not a member of MPCC are exclusively subject to the UCI rules. During the period 2008 – 2010 these rules did not contain a requirement for a competition pause subsequent to the use of cortisone, but in 2011 the UCI introduced its “no-needle policy” including a two days’ rest period after an intra-articular injection (blockade) with cortisone. In February 2013, the rest period was extended from 2 to 8 days. Unlike the MPCC rules, the UCI rules do not include an obligatory rest period subsequent to systemic use of cortisone, and unlike the MPCC, the UCI does not require a new blood sample in order to measure normal cortisol level prior to resumption of competition activity.

Several of the riders interviewed by the investigative group, informed that MPCC’s rules on the use of cortisone have been effective, and that it is only after the introduction of a competition pause subsequent to cortisone treatment that the use of the substance has been minimised in the peloton.

A person, who was interviewed as support personnel for Team CSC informed the investigative group that in his view the use of cortisone in the peloton has been reduced to next to nothing due to MPCC’s rules.

The Danish Team CSC was not a member of MPCC during the period covered by the investigation, and thus the riders at the team were not subject to MPCC's rules covering the use of cortisone.

The investigative group sought to examine Team CSC's use of glucocorticoids through data from UCI. However, it was only possible for the investigative group to see data from 2004 and onwards, and it appeared that UCI only had sporadic accounts of which riders has used glucocorticoids and which doctors approved the use of the substance and for which reasons.

Therefore, it has not been possible to account for a possible pattern for instance to see whether the use of the substance was more widespread at the Danish team compared with that of other teams. The investigative group could demonstrate, however, that several riders received repeated treatments for "tendonitis" (inflammation of a ligament) typically with the substance betamethasone, but it has not been possible to conclude if use has been particularly frequent in comparison to that of other teams.

The investigative group assesses that MPCC's rules in this area have been affecting the use of glucocorticoids during competition and recommends that UCI considers to implement similar provisions for a rest period after systemic use and not as presently only after intra-articular use. Furthermore, UCI should consider to introduce follow-up measurements prior to the resumption of competition activity in order to have uniform rules for all teams and to prevent that riders on teams outside MPCC get an advantage of cortisone treatment during competition.

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### 6.2.3 BLOOD DOPING AND OTHER DOPING SUBSTANCES

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As it became increasingly difficult to use EPO doping during the years 2000 – 2003, as mentioned in section 6.2.1, riders who doped needed to turn to other performance enhancing means which could not be detected in a doping control. Blood doping became the solution for some riders.

The Fuentes scandal in 2006 resulted in an increased focus on blood doping. At a house search of the Spanish Doctor Eufemiano Fuentes' clinic, the Spanish authorities seized bags of blood, documents and equipment, which was likely to be used for blood doping. Among the seized documents was a list of names of the doctor's clients. The list was coded, but it was believed that several of the names could be traced back to high-profile profiled riders and other athletes. Several of the favourite riders in Tour de France 2006, including Team CSC's Ivan Basso, did not get permission to start.

From the interviews conducted during the investigation as well as information from various doping cases including US Postal, and various literature, it is easy to get the impression that more or less all leading professional riders were using EPO at the end of the 1990s and far into the 2000s, but also that in order to achieve victory in the most exhausting stages, the major one day races and classification in the grand tours the rider needed to do the best blood doping program.

The investigative group has no evidence to conclude whether this is a correct generalisation. The fact is, however, that the public has only seen the top of the iceberg of the Fuentes scandal, as a result of the handling of the case by the Spanish authorities, who did not allow anti-doping authorities to gain access to the lists of names, bags of blood and other evidence etc.. Riders such as Ivan Basso, who was sanctioned due to his co-operation with Fuentes, have been reluctant to describe the content of the co-operation. Tyler Hamilton is one of the few riders who has described his co-operation with Fuentes in detail.

Michael Rasmussen who did not use Fuentes' services, described in detail to the investigative group how he organised his own blood doping in co-operation with the Austrian Stefan Matschiner.

In 2007, when Bjarne Riis admitted to have doped in his active career he did not mention on that occasion, as previously mentioned, that he had also used blood doping.

A former Danish top rider told the investigative group that he used EPO during his career, but that he did not dare to use blood doping as he felt it was too much. The rider explained that in his career he never asked anyone about blood doping and never had questions about it.

It is essential to note the fact that whereas EPO during long periods was available to everyone, blood doping was only possible for top riders. Several riders have described to the investigative group how the individual rider could normally administrate the use of EPO on his own, whereas blood doping was not only expensive, it was also risky and required guidance, collaborators and complex equipment.

During the conducted interviews, the investigative group has sought to acquire knowledge about the extent of blood doping today. This has been difficult. A present rider expressed his presumption that certain riders use blood doping with own blood in small bags possibly combined with altitude training camps in order to have a justification for possible fluctuations in the blood profile.

Thus, certain current riders may use blood doping as a way of circumventing the existing test regime, which involves out-of-competition tests, rules for whereabouts as well as a biological passport. However, it is difficult for the investigative group (as well as WADA etc.) to estimate how widespread blood doping is, as it is very difficult to prove blood doping with own blood.

Several riders told the investigative group that they used different forms of altitude tents in which they slept during the night as an alternative to EPO and blood doping. However, this was not without problems – partly because the riders' partners were not always happy with this arrangement and partly because the use of altitude tents was prohibited in Italy.

During the investigation, the investigative group primarily focused on EPO, blood doping and cortisone and has paid less attention to the use of other doping substances as growth hormone, testosterone and other anabolic steroids. However, it ought to be mentioned that several riders has mentioned to the investigative group or in a public context that they used growth hormone as performance enhancing doping. Growth hormone could be used without fear of detection, as no test was in place for the substance until 2008.

Besides Michael Rasmussen's statements, the investigative group only received few direct statements on the use of testosterone and other anabolic steroids, but according to Tyler Hamilton's book these substances were widespread in the peloton. However, such substances are easier to detect in a doping control, for which reason it is questionable how widespread the use of these substances have been.

During interviews of active riders, the investigative group naturally asked about a possible use of new sophisticated doping substances and other forms of inappropriate use of medicine. None of the interviewees had knowledge of new substances, which are not already widely mentioned or included on the Prohibited List. No one knew of any rumours of such substances either. The investigative group has no evidence and cannot comment on whether abuse of such substances takes place today.

However, one rider mentioned the gas Xenon, which according to the rider should be a wonder 'drug', but which is difficult to get a hold of. Xenon is a gas, which can increase the body's natural production of EPO, and the substance has been used in Russian elite sport for a number of years, under approval from the Russian Olympic Committee. As per 1. September 2014, WADA has prohibited the inhalation of Xenon in connection with sport.

It is commonly known that the pain reliever Tramadol has been widely used in professional cycling through a number of years. From WADA's statistics for 2014 for substances on the so-called Monitoring Program, it appears that cycling is the sport with the highest number of findings of Tramadol, which documents that the substance is used in cycling. Out of 943 samples, which showed traces of Tramadol in 2014, 675 were collected in cycling, equivalent to 71%. Tramadol is not on WADA's Prohibited List, but on the so-called Monitoring Program for 2015. Previously ADD has recommended to WADA to include the substance on the Prohibited List, and it is also the opinion of the investigative group that the substance should be prohibited.

## 6.3 THE NEW TOOLS

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The fact that it is difficult to develop analysis methods sufficiently quickly to detect new products on the market (legitimate as well as counterfeit), and due to the difficulties for analyses to distinguish an exogenous substance from an endogenous, WADA and other anti-doping organisations have worked continuously to develop new tools and methods within the anti-doping work.

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### 6.3.1 THE BIOLOGICAL PASSPORT

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In 2008, the UCI initiated a structured collection of blood samples from professional riders to establish blood profiles. By the longitudinal collection of blood samples from an individual rider, the rider's blood profile is developed.

By repeated measurements it is possible to see if there are values which deviate from the previous ones. In this way, the use of doping can be detected on the basis of the effect of the doping substance on the blood profile and at the same time the blood profile can be used to target sample collection and specific analysis of samples.

A fluctuation in a profile does not necessarily show which substance or which method a rider might have used, but can indicate if the fluctuations are caused by doping for example the use of EPO. As there is no direct test to reveal blood doping with own blood, one of the biggest advantages of blood profiles is precisely that they make it possible to show that blood has been manipulated, without having to catch the rider with the needle in the arm so to speak. Thus, a blood profile gives a possibility to discover blood doping without developing a specific analysis for detection.

Along the same principles as the ones introduced by the UCI, WADA developed a concept for a biological passport (ABP) in 2009 which was approved on 2 December 2009. The first version contained a standardised procedure for the establishment of blood profiles. Since then, WADA's guidelines were developed further and the use of biological passports has been integrated in the anti-doping strategies by a significant number of international federations and national anti-doping organisations (NADO's).

The fourth version of WADA's guidelines for ABP came into force in January 2014, and in this, the steroid module was simultaneously introduced. With this module, it is possible over time to monitor selected steroid parameters in urine in order to disclose steroid doping. Work is in progress to include profiles of for instance growth hormone.

Today the ABP is used with two aims, partly to identify and target specific sample collection and analysis by the monitoring and evaluation of the ABP data from an individual athlete, and partly to pursue possible anti-doping rule violations based on atypical data in the passport according to the WADA Code art. 2.2. Until now, the number of doping cases based on suspicious fluctuations in the biological passport is limited, which is primarily due to the fact that it is difficult to establish the burden of proof required to prove a doping scenario.

The biological passport has its strengths as an indirect method, but there are also some weaknesses related to this form of indirect evidence, which requires interpretation. Different variables such as altitude training and repeated hard physical activity may possibly lead to fluctuations, which are difficult to distinguish from fluctuations caused by doping. Therefore, it often requires a longitudinal monitoring of the biological passport by several experts before a case can be prosecuted.

During its interviews, the investigative group has deliberately asked current riders about their assessment of the effectiveness of the biological passport, particularly the blood pass, as one of the most recent initiatives in the fight against doping. Many riders have replied that this is the right way forward, and that they want even more blood samples to be conducted.

However, some riders expressed scepticism. One rider went so far as to say "*blood profiles are unimportant if you know what to do*". Another rider says "*it is suspicious when riders are suddenly absent from a camp for a couple of days*", implicitly indicating that this is a possible way to use micro doses, which would not give abnormal fluctuations in the blood profile. Several riders pointed to the widespread use of altitude training as a method to "cheat" the blood profile, because possible fluctuations caused by micro doses of blood or EPO may be explained by claiming to have been in altitude training. The mountain Teide at the island of Tenerife and Livigno in Italy are mentioned by several riders as popular places for altitude training.

Recently, doubt has been raised if athletes can use their blood profile to adjust their use of doping. As it is today, athletes have access to their measured blood values in the Anti-Doping Administration & Management System (ADAMS). There is a risk that this information can be used to adjust doping for instance by using micro doses of EPO. In the opinion of the investigative group, WADA should consider the introduction of new procedures where access to blood values are delayed for athletes or completely withheld. The challenge in any such deliberations, is the question whether blood values should be considered to be medical information (which the athlete must have access to) or investigation related information (which the athlete not necessarily should have access to). WADA should clarify this as soon as possible.

Overall, the investigative group finds that the biological passport does not prevent the use of doping, but that it contributes to limit the use of EPO and blood doping to small amounts which give a correspondingly limited performance enhancing effect for those who might attempt to cheat.

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### 6.3.2 INTELLIGENCE AND INVESTIGATION

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As mentioned in section 1.1 the basis for USADA's doping case against Lance Armstrong and the other US Postal riders were confessions and witness statements which mapped out Armstrong's and the other riders' use of doping, and how this was organised with the aid of support personnel and doctors associated with the team. This case is one of the primary examples of a new era in the fight against doping where doping cases based on investigations and witness statements will be more common, as well as cases based on intelligent and targeted testing and an extended follow-up of a positive analysis result in order to reveal possible assistants, distributions channels etc.

In the 2015 edition of the WADA Code, new obligations were introduced for anti-doping organisations in relation to intelligence and investigation in the anti-doping area. The anti-doping organisations, whether it is international federations as UCI or national anti-doping organisations as ADD, shall pursue all possible anti-doping rule violations and in doing so they must engage in the collection of intelligence and investigate if athletes, support personnel or other persons have been involved in anti-doping rule violations.

Investigations shall be carried out in relation to atypical results, atypical ABP results and positive ABP results, and intelligence or evidence (including analytical evidence) shall be collected to decide if an anti-doping rule violation has been committed.

According to the rules, ADD may in this way collect and process anti-doping intelligence from all available sources to support an effective and intelligent test distribution plan, planning of targeted sample collection and analysis and/or to form the basis of an investigation of possible anti-doping rule violations.

The sanction provisions of the WADA Code also supports that persons inform the anti-doping authorities of own and other persons' violations. According to the rules, the eligibility period may be reduced by one half if the person immediately admits his own violation, and to one fourth if the person also provides information on violations committed by other persons.

At its general assembly in 2014 and in order to support the investigative work, DIF introduced, as stated in section 3.1, rules on the obligation of giving truthful evidence for its members in relation to doping cases. In practice, this means that all members of DIF's federations are obliged to participate in an interview with ADD in relation to investigations into possible anti-doping rule violations and to provide truthful witness testimony. In a straight forward doping case, the person furthermore has an obligation to give a statement which might incriminate himself as the ban on self-incrimination only applies with regard to a criminal case i.e. a person is not obliged to give evidence against himself in cases, which may result in a criminal case according to Danish Law.

Any person who does not co-operate in an investigation or who is discovered to have given untruthful testimony, is subject to a sanction by DIF's Doping Tribunal with ineligibility for a specified period or indefinitely from any activity or specific activities within some or all of DIF's jurisdiction.

The investigative group expects that the obligation to give truthful witness testimony will be beneficial for investigations in the doping area in the future and, therefore, the investigative group recommends the UCI to introduce similar rules within its jurisdiction.

It should be mentioned that Michael Rasmussen's doping case and this investigation in reality is the first example of systematic collection and processing of anti-doping intelligence in Denmark where statements from one person leads to new or follow-up interviews of other persons.

The investigative group expects that in the future there will be more cases, where interviews based in the witness obligation will be part of the evidence. For example, the case mentioned under section 5.1.2 on the “doping arrangement in Luxembourg” would undoubtedly have resulted in such an investigation in order to initiate proceedings, if the cases had not been barred by statute of limitations in the anti-doping rules.

In this aspect, it is emphasised that the possibility to exchange relevant information between for instance anti-doping authorities, sports organisations, police and other authorities can be decisive for the efficiency of the use of intelligence and investigation in doping cases. Therefore, it is important that a possibility is secured for such an exchange of information, within the framework of current and future data protection rules.

## 7 STRUCTURE AND CULTURE IN CYCLING

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### 7.1 PARTICULAR STRUCTURAL AND CULTURAL CHARACTERISTICS OF CYCLING

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The investigative group finds that there are a number of characteristics which differentiate cycling from most other sports, and which can make it both attractive and possible to use doping to enhance the performance for riders and teams. Some of these conditions have been outlined in the report of the independent investigative group CIRC to the UCI, which were published in March 2015. Only the following should be mentioned here:

In the structure of cycling *stamina* plays a crucial role. Training and the organisation of life as such, including nutrition, sleep etc. will aim to improve stamina. Other methods to improve stamina will be tested and the availability of prohibited substances or methods might perhaps be tempting.

A characteristic of cycling, which has been described by all interviewees, is the high degree of *individual training* a professional rider has in the course of a season away from the team. Even though professional cycling in many ways is organised as a team sport, the riders train by themselves during large parts of the year in the periods outside competition and training camps.

During these individual training periods, where the rider is not under supervision of the team's coaches and sports directors, the individual rider might have both the time and the possibility to buy and use doping either alone or together with selected training partners.

Another essential characteristic is *the race structure*. The number of races as well as the toughness of especially the long stage races subject the riders' physique to such immense demands, that from a human perspective, one can have a certain understanding that it can be tempting to do whatever it takes to be able to endure the hardship and to do even more to win.

*The structure and culture* of a certain sport can contribute to or discourage from the use of doping and other forms of cheating. The investigative group can establish a number of structural and cultural conditions in cycling which made it particularly vulnerable to doping.

As it is also mentioned in CIRC's report, cycling has a long tradition for riders using different forms of stimulants in order to endure the hardship during races. The introduction of a prohibition against doping in the form of a list of substances, which is prohibited to use as well as the introduction of control mechanisms to secure that these rules are abided by, should be seen in the context of the starting point of a long tradition in which it was accepted to prepare oneself for the races with all available means.

With the introduction of the prohibition against doping and the introduction of doping control, an ethical foundation needed to be established, which did not exist previously. Where the introduction of rules often constitutes a codification of already acknowledged ethical principles, this has hardly been the case in cycling.

Even in a culture where there is a broadly founded ethical attitude that something – in this instance the use of doping – is wrong and should be opposed, there will always be individuals who violate the rules. But if the culture to a large extent finds the use of doping ethically acceptable, the rules will as a starting point be seen as an evil, which it is ethically acceptable to circumvent. This is a question, which has been asked in all interviews and it will be described in more detail in the following.

Another cultural challenge in the fight against doping in cycling is the existence of the concept of *omertà* – the Sicilian expression of silence towards authorities. This entails a total distancing from all forms of denunciation of even one's worst enemy, and an attitude of not allowing the authorities to solve one's problems. Throughout the years, the *omertà* has been seen as an essential hindrance for the possibilities of the anti-doping authorities to obtain information on the use of doping by means other than doping controls.

In order to counteract this "*code of silence*", WADA has introduced in the World Anti-Doping Code encouragements such as reduction of a sanction for a person, who voluntarily admits own use of doping and additional reduction for a person who gives information to the anti-doping authorities, which discloses other anti-doping rule violations.

Michael Rasmussen and a number of witnesses in the US Postal case benefitted from this latter rule. By and large, these cases as well as a number of admissions in book and media articles during the recent years must be taken as evidence that at least a small piece of the *omertà* has been broken.

As mentioned in section 3.1 about the interview method, the investigative group has not experienced a tendency that interviewees gladly spoke about whoever and whatever. On the contrary, the investigative group experienced during the interviews that many are still highly reluctant to tell what they know of own and particularly other persons' use of doping.

There is, of course, also a difference between speaking of what you know and what you think you know. From a number of interviews, the group got the general impression that many riders and sports directors did not want to know too much about other's use of doping. Some would not speak to others about doping, others spoke about doping, but mostly in the form of "*this rider is riding unnaturally fast*". That is to say, as rumours. Some interviewees directly expressed an irritation towards the (few) persons who wanted to speak concretely about the use of doping. This was something they ought to keep to themselves.

The benefit of knowing as little as possible is, of course, that one could honestly say "*I do not know anything about that*". And riders are not telling gossip or rumours, even though they have a suspicion, if they cannot document their suspicion. As a sports director with over 15 years of experience at Pro Tour teams said to the investigative group on the question if he knew of the use of doping in cycling: "*You probably think that I am lying, but I have never seen anybody use either EPO or blood doping*". It may be true that he did not see anyone use doping, but it would be peculiar, if he did not hear of someone using EPO or blood doping. However, he did not tell about that.

The investigative group also posed a number of questions regarding *the role of sponsors* in cycling. A professional cycling team only exists due to its sponsors. The teams do not appear under club names, but are named after the team's actual main sponsor(s). At the same time, the teams' revenue base is by and large tied to the sponsor contract as there is not – as opposed to for instance football – large revenues from spectators or TV rights to finance the operations.

Moreover, to a great extent it is only short term contracts, which mean that the teams are under constant pressure to achieve results in order to renew existing contracts and try to sign new sponsor contracts. If results e.g. in the spring races have been poor, the pressure increases for results in the stage races during the summer time. These circumstances could especially in earlier years lead team managements to turn a blind eye to doping at the team – or even encourage or organise doping. One of the riders interviewed expressed his impression of the sponsors very precisely: "*Your work is what worries you, and the sponsor needs to be happy*".

It is the opinion of the investigative group that the role of sponsors in the general picture should not be underestimated. In a sport which is so dependent on sponsors, these have, of course, a very big responsibility for how the sport is performed.

There is the potential paradox that the teams' sponsors on the one hand wish that the team achieves results, and on the other hand wish that the team must be clean. Combining the two can be difficult if the competitors use doping. Even in instances, where the sponsor both externally and internally demands a doping free team as a condition for the sponsorship, the team owner is dependent on the sponsor's financing and the financing will typically be dependent on the performance results.

Jonathan Vaughters who is the Team Manager at Cannondale-Garmin, explained at the conference "Tackling Doping in Sport" in London on 18 March 2015, how lack of results at the team during a period made him draft an e-mail to the team's riders telling them to sharpen up and start delivering some results. However, he did not send the mail, as he realized after closer reflection that such an e-mail could be seen as an indirect encouragement for doping.

An interviewee expressed his opinion that for a sponsor who wants to use his sponsorship for customer care and other B2B activities, the team's image as a doping free team could be more important than the results. However, it is not clear to the investigative group if this is a general understanding among sponsors or if a team's results can lead a sponsor who is officially against doping to disregard the possibility that the results are due to doping.

Would it have been possible to keep doping out of the sport, if all sponsors had emphasized the crucial importance of a doping free image and had imposed serious internal consequences in case of doping? It is difficult to answer this question, but in all circumstances, none of the interviewees indicated that sponsors in general have been particularly interested in the question of doping. At the same time, the investigative group sees the sponsors as one of the keys for a doping free future for cycling.

The rhetoric of doping among the riders and others has also been a subject in the investigative group's interviews. It is interesting to note that persons who have been in cycling in the 1990s and first part of 2000s only rarely used the word "*cheating*" about doping. Instead paraphrasing is used such as "*doing something stupid*", "*have the fingers in the cookie jar*". etc.

To "*do something stupid*" could also mean to take doping, but in some instances it could also mean to take doping in such a stupid way that it would be detected for instance with a high hematocrit value or by bringing the doping substances to a race, so that it might be found by a possible police investigation. If a rider or a team was "*not professional enough*" or "*lacked petrol*" as Team Home Jack & Jones was described in the first years, it was because they did not organise the use of doping directed at the big races.

Similarly, if a sports director did not "*trust*" a rider, this would mean in all probability that the sports director either knew or was convinced that the rider used doping for instance due to fluctuations in the hematocrit values or the results. Then the rider could be seen as "*dangerous*" in relation to getting a doping case against him.

In contrast to this, in a large number of interviews with current riders, doping is simply mentioned as "*cheating*". Although one should be careful not to draw far-reaching conclusions from this, at least the investigative group finds that in cycling today, it is legitimate to mention doping as "*cheating*", which was almost inconceivable 10-15 years ago. This is in line with the information from current riders to the investigative group showing that today it is "*in*" to have an image as a clean rider just as it is "*in*" among the teams to have an image as a clean team. A very senior sports

director, who in his active career was heavily involved in doping, stated to the investigative group that *"the general attitude in the peloton today is that it is wrong to use doping"*.

Considering the massive use of doping which Michael Rasmussen admitted in 2013, it seems unlikely if there was no knowledge of or at least talk of doping internally in cycling, when Rasmussen won the polka dot jersey in Tour de France in 2005 and 2006, and when he was in the lead of the race in 2007, until he was taken out by his team Rabobank.

The investigative group can establish that the notorious omertà had the effect that no one from cycling in the years 2005-2007 started an outcry in the public about the background of Rasmussen's results. But what did they talk about among themselves? The investigative group asked several of the interviewees about this. *"Everyone at Team CSC was convinced that Michael Rasmussen was 'light blue' of doping these years"*, is a typical answer from a former rider. Despite this, no rider talked about this publicly not even afterwards when articles were written and books published about the events in 2007.

*"Talk of suspicious people will always take place"*, as a Danish rider replied to the question how riders of today speak with each other about doping. A young Danish rider, who is riding for a continental team said: *"We may have a suspicion that doping is still used at the Pro Teams, but there is quite a distance from us to them, and we do not know anything"*.

The investigative group questioned both former and current riders how they experienced competing against riders who used doping. Whereas former domestiques shrugged their shoulders and viewed their careers as jobs which should be carried out, but where they very well knew that they could not compete for the top positions, a current rider expressed it very clearly to the investigative group: *"I would go insane by riding with a suspicion that my competitors were doped. I have to believe that the other riders do not cheat, and if they do that, you (ADD) better do your job properly and catch them"*.

It is the conclusion of the investigative group that there is a need for a higher degree of openness about doping among riders and others associated with cycling, a higher degree of attention of the ethical aspects of the prohibition of doping, and a continuous confrontation with the omertà in cycling.

## 7.2 THE TEAM'S EXPECTATIONS OF THE RIDERS

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All interviews conducted by the investigative group with riders and others from different teams paint a picture of a culture in relation to doping in the 1990s and the beginning of 2000s, which in many ways can be described as hypocritical and which showed double standards.

As other investigations and books on cycling have pointed out, there is no doubt that previously in a number of pro-teams, doping was organised in a system where management, doctors and riders all knew what was going on and assisted actively both practically and financially. US Postal and Rabobank are well-known examples of this. As described in section 5, the investigative group has attempted to investigate the conditions at the largest Danish cycling team, Team CSC, in relation to the use of doping. Also here the development seems to have gone from a more or less organised use of doping, cf. section 5.1.2 on the "Doping arrangement in Luxembourg", where management at least had knowledge of the use of doping, to a more individually organised use of doping, possibly with knowledge shared between management and top riders.

The investigative group received a large number of statements showing that the use of doping from the Festina scandal in 1998 and into the beginning of the 2000s generally changed from being organised by the large teams to being an individual matter for the individual rider. What Tyler Hamilton in his book "*The Secret Race*" calls the transition from "Plan A" (doping organised and financed by the teams through the team doctors) to "Plan B" (individually organised and financed, but monitored or controlled by the team doctors with hematocrit measurements etc.).

How could the riders take over the responsibility of their own doping, also financially? A possible reason is apparently the long tradition that prize money is not a part of the teams' accounts, but is paid directly to the rider for, among other things, tax reasons and in many instances they are pooled into an account. Hereby, the riders can dispose of the income from cycling, which can be used to purchase doping without this appearing in any accounts.

It is the impression of the investigative group, that from the beginning of the 2000s doping was often something one did not talk about - not even to one's closest training buddies. There was probably conversation about riders who rode unnaturally fast, but conversations did not specifically mention the use of doping, where to buy it, etc.

Under point 7.1, it is mentioned that teams are under constant pressure to achieve results as a basis for securing sponsor contracts. Especially previously, this might have led team managements to turn a blind eye to doping at the team - or to even encourage or organise doping.

A number of interviewees informed the investigative group that there was a clear expectation from team management and others to riders who were employed with large salaries to provide results in stage races and one day races, that they were "prepared" and capable of delivering results at competition time. Even if this entailed the use of doping. However, management did not wish to know anything specifically about it. In this way, team management could "wash their hands" and tell the media and sponsors that they were barking up the wrong tree, if a rider was caught in taking doping. The rider was left to deal with his doping case on his own and in many cases a dismissal from the team - as it for instance happened for Bo Hamburger who was tested positive for EPO at Team CSC in 2001 and for Michael Rasmussen's whereabouts case at Rabobank in 2007.

From several interviewees, the investigative group heard statements that riders on a professional cycling team in the 2000s by and large could be divided into three categories: 1) top riders who were expected to deliver results even though this entailed individual use of doping, 2) the experienced domestiques who knew what was going on and who had to consider, if they could carry

out their tasks with or without the use of doping, and 3) the young riders, who were not yet in a situation where the use of doping was an option.

In an interview with the investigative group, a former domestique expressed it like this: *"We were all happy when one of the stars at the team won. Both riders, management and sponsors. And we did not question whether he was assisted by the use of doping. Sometimes we had the feeling, but it was not something we spoke about"*.

Similarly, if one of the stars at the team got a doping case, as it happened for Ivan Basso at Team CSC in 2006. The other riders were mostly concerned whether *"they would be unemployed tomorrow"*, because the sponsors might want to close the team. It was not a big surprise to them, however, that a top rider had used prohibited means.

### 7.3 PROACTIVITY IN RELATION TO THE FIGHT AGAINST DOPING

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By and large all the interviewees were asked by the investigative group what proactive actions their team took to inform the riders about doping, the risk of unintentional doping by use of a dietary supplement, procedures relating to doping controls etc. and what the teams otherwise did to keep doping out of the team. The overall picture for the investigative group is that information to the riders from the teams was surprisingly inadequate, considering the great focus from the outside world on doping in cycling.

A number of current and former riders have informed that the subject was mentioned – often briefly – typically at a meeting for riders before the start of the season, but otherwise it was not spoken of in official contexts at the teams. It is the impression of the investigative group that the same applies to Danish continental teams.

An exception to this main rule was the internal anti-doping project at Team CSC managed by Bispebjerg Hospital, Denmark. This project is mentioned above in section 5.1.9.

Contrary to many other sports, there is a tradition in professional cycling teams to have doctors permanently associated with the teams. Therefore, with some justice it could be expected that team doctors for ethical and health reasons would be the first to distance themselves from doping, warn the riders against the use of doping and promote the fight against doping in cycling in general.

However, history has shown that this is far from the case. Through its interviews, the investigative group tried to examine the role played by team doctors - and other medical personnel – in relation to the use of doping by riders.

One rider who admitted to the investigative group to have used EPO and other doping substances such as testosterone, growth hormone and cortisone between 1999 and 2003 explained that he never used the doctors to assist him. He bought the substances from others, but does not remember who and he administered the doping by himself.

However, on the basis of the conducted interviews, the investigative group is convinced that Team CSC's doctors since the beginning of 1998 both knew and assisted in the use of doping at the team, among other things, by circumventing the rules for the use of cortisone and by monitoring the abuse of EPO with own hematocrit measurements. In 2012 the former Team CSC and present Astana doctor, Joost de Maeseneer, publicly repudiated to have assisted in doping. However, it is a fact that on Team CSC as on other teams, there was an established practice for internal measurements of hematocrit values up to the introduction of the internal test programme under Bispebjerg Hospital in December 2006, where measurement of the riders' blood values etc. were systematized. When in 2002, Michael Rasmussen in the internal control was measured to have a high value of the UCI limit of 50, he was taken out of the race under the excuse of an injury which is mentioned previously in the report.

In general, the investigative group can conclude that the doctors at cycling teams from the beginning of 2000s and onwards first and foremost were there partly to secure the riders' health in connection with the extremely demanding physical strains the riders were exposed to, and partly to prevent that the riders got involved in a doping case.

As an example, Bo Hamburger explained to the investigative group that he started training under guidance of an Italian doctor and coach in April-May 1996. According to Hamburger, the doctor had knowledge of Hamburger's use of EPO. According to Hamburger, he and the doctor looked at the blood values etc. together, but the doctor did not distribute EPO to Hamburger. Hamburger has

said that prior to his positive test in 2001, the doctor had warned him against bringing EPO to the races, as this was too risky.

## 7.4 THE ROLE OF THE DANISH CYCLING UNION

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During its investigation, the investigative group also looked at the role played by the Danish Cycling Union (DCU) during the examined period and in this connection, several persons with present or former association to DCU have been interviewed.

During the period 1998 – 2000 much media focus has highlighted the doping problem in cycling, both internationally, among other things, as a result of the Festina scandal in Tour de France, and nationally, among other things, as a result of programmes from the Danish Broadcasting Corporation (DR) “The price of silence 1 – 3” and “The Danish doctor 1-2”.

DCU, headed by the Chairman Peder Pedersen and Director Jesper Worre, decided to launch a doping investigation in the spring of 1999, which was publized in June 1999, incidentally shortly before the Danish Ministry of Culture published its white paper on doping in August 1999. The investigation by DCU comprised 1,038 licensed riders at all levels and showed, among other things, that 10% confirmed they had used doping and that almost one third knew how to get a hold of potent doping substances such as steroids and EPO.

In 2000, DCU followed-up the investigation by the development of an action plan for more control, exclusions from national teams in case of doping etc. and by this took an active stand point in the fight against doping in cycling. This included the campaign “Clean Results”, which was particularly targeted towards young Danish riders with the aim of creating a change in attitude in cycling.

At the World Championship in 1999, Nicolaj Bo Larsen was measured with a high hematocrit value. DCU did not select Larsen to the national team after this incident, but in the situation, DCU chose not to pass on the information to those responsible for the fight against doping in Denmark. As previously mentioned, this was not even considered, according to the statement from DCU’s Director at that time, Jesper Worre, to the investigative group. DCU was not obliged to pass on the information, and even if this had happened, the Danish Doping Commission could not have used the information for anything. The situation is a clear indication of the attitude prevalent at that time, that you were only doped if you had tested positive, whereas the same information today, probably would have initiated further analysis and investigation according to present anti-doping rules.

In 2001, DCU chose to exclude Bo Hamburger from the national team after his EPO case arguing that Hamburger had violated DCU’s ethical guidelines, which all professional Danish riders were obliged to sign. This happened despite Hamburger’s acquittal at DIF’s Doping Tribunal and later at CAS. Hamburger appealed DCU’s decision to DIF’s Appeal Commission, which rendered its decision in January 2003, which ruled DCU’s exclusion of Hamburger invalid. The Appeal Commission concluded, that DCU could not exclude Hamburger from the national team, with reference to use of doping, as he was not sanctioned for abuse of doping. DCU accepted the decision.

In 2004, the DCU decided not to nominate Hamburger for selection to the Olympic Games in Athens. This decision was taken in the wake of an article in the Danish newspaper Jyllands-Posten in May 2004, alleging that Bo Hamburger at the World Championship in Canada in 2003, had been called in for an extra EPO test after a blood test showed a hematocrit value close to the limit of the permitted value, without this, however, ever resulting in a doping case. Despite of the lack of a nomination from DCU, DIF selected Hamburger for the Olympic Games with reference to applicable selection requirements for the Olympic Games.

Similarly, DCU decided at a Board Meeting on 22 June 2007 to exclude Michael Rasmussen from the national team with reference to the ethical guidelines. This was shortly before the start of Tour de France, which resulted in Michael Rasmussen’s dismissal from the race at a time where he was wearing the yellow jersey. This decision to exclude Rasmussen from the national team applied

also for the Olympic Games in Beijing in 2008. Director of DCU, Jesper Worre, explained the reasons for the decision to the Danish newspaper, Politikken, (19 July 2007) in this way: "*We hold information that Michael Rasmussen does not fulfil our internal ethical set of rules and thus the Board of Directors, at its meeting on 22 June decided, that Michael will not be considered for the national team*".

As a whole, it is the opinion of the investigative group that DCU in the course of time, did what could reasonably be expected regarding an active involvement against doping in cycling, but on several occasions both DCU and ADD lacked the necessary tools, as for instance when it concerned the abuse of cortisone.

Due to the lack of legal opportunities, DCU had to use ethical guidelines as it happened in relation to Hamburger (where DCU was convinced that Hamburger had used EPO) only to be heavily criticized both legally and in the media because of this. It is the opinion of the investigative group that DCU deserves credit for its firm stand in these situations.

Relating to information and attitude changing activities, DCU can primarily target Danish cycling clubs and pro-teams, whereas DCU's direct contact with individual riders are limited to the Federation's national team for track cycling and road racing. While the national team for track cycling are subject to supervision by DCU's national coach during large parts of the season, DCU's responsibility for the national road racing teams primarily relate to World Championships and Youth Championships. DCU's possibilities to directly influence the attitudes of the individual road riders in everyday life, is therefore limited. Nevertheless, the investigative group raises the question whether DCU could and should have done more to prevent the use of doping among the Danish professional teams for instance by closer contact and dialogue with the professional teams at training sessions etc.

In 2013, the DCU introduced the Fair Cycling campaign, which include a club declaration to be signed by the individual clubs under the Danish Cycling Federation in order to be part of the campaign. In the declaration the Danish cycling clubs, among other things, oblige themselves to promote a fair cycling sport by spreading and disseminating the message that the club distances itself from any use of doping and encouraging all club members to acquaint themselves with the anti-doping rules.

With effect from 2015, DCU in co-operation with ADD developed a comprehensive anti-doping project. This comprises, among other things, the following:

- A new anti-doping policy, which includes riders, coaches, leaders, support personnel, volunteers, employees as well as other members of the DCU. Through awareness, education, dialogue, inclusion and information, the DCU will promote a clean cycling sport. DCU acknowledges that the entourage may also have an impact on the use of doping, and on this basis the anti-doping policy also has a focus on the environment including support personnel, parents etc.
- According to the anti-doping policy, DCU shall promote and maintain a trust towards the organisation to ensure that the clean rider is not excluded from the community or lack support, when the rider says no to doping. DCU shall implement measures to enhance transparency and openness in rider environments to highlight risk behaviour and risk motivation for riders in the riders' environment. Furthermore, the DCU shall contribute to ensuring that doping networks can be interrupted and brought to light, and DCU will support the anti-doping efforts in all parts of the organisation through dialogue, information and prevention activities and actively co-operate with national and international anti-doping authorities.
- Concretely, the anti-doping policy of the DCU shall be implemented in a number of strategic action areas. In 2015 – 2016 DCU will prioritise the following two action areas: A strong

anti-doping effort in selected organisational units and a strong and pro-active communication in the anti-doping area, which among other things is directed towards young riders at the national teams.

The investigative group finds that the DCU's new anti-doping policy is an important step in the right direction and in section 8, the investigative group gives additional recommendations for possible future anti-doping initiatives for the DCU.

## 7.5 ASSESSMENT OF THE SITUATION TODAY

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Is the sport of cycling clean today? It would be naïve to believe, but there are reasons to believe that it is cleaner than previously. This is the overall impression of the investigative group from statements from the many current and former riders interviewed and others with association to cycling.

During the interviews, current riders have expressed the impression that doping in cycling also takes place today. This is mentioned in a remark such as "*Our team will not have Spaniards on the team*", "*New riders have come from Eastern Europe and they ride unrealistically fast*" and so on.

The investigative group asked a number of riders and others about their suggestions as to how it would be possible to cheat the system today. The riders only provided very few suggestions. One answer was blood doping with own blood in small quantities, and another was the regular use of micro doses of EPO, both possibly to be carried out in combination with altitude training with the aim of circumventing fluctuations in the blood profile.

The investigative group examined how and why changes occurred in the use of doping and the attitudes to doping during the period from 1998 until today.

The results are far from clear, but can be described as a combination of different factors:

- Reduced availability of doping substances,
- Introduction of improved analysis methods (for EPO etc.),
- Introduction of doping controls out-of-competition,
- Introduction of rules for whereabouts,
- Introduction of UCI blood profiles,
- Better education of young riders,
- Dislike of secrecy and negative comments,
- Overall change of culture within cycling.

The main impression of the investigative group is that in particular an improved control system has led to a decrease in the use of doping in cycling. However, an experienced leader in cycling stated to the investigative group that in his opinion it is more a change of culture amongst the younger riders, than an improved control system which has reduced the use of doping. To the investigative group riders expressed their discomfort of people shouting "*EPO bastard*" and similar after them when they train on the road. Nevertheless, the investigative group can establish that relatively few of the riders take a strong opinion against doping publicly. Additionally, riders only seldom give suggestions as to how the anti-doping organisations can improve the test systems.

According to the opinion of the investigative group, a paradigm shift is necessary in cycling, preferably with a starting point in the international mantra of “protecting the clean athletes”. If the anti-doping work is going to be effective, it is necessary with an effective co-operation, in which all parties commit themselves to do what it takes. It would be beneficial, if riders to a greater extent publicly express themselves against doping as it is seen in several other sports.

Naturally, the UCI must play a central role in such a process. The investigative group notes that since September 2013, the new management of UCI under the Presidency of Mr. Brian Cookson has worked deliberately to improve the conditions in the anti-doping area of cycling, among other things by establishing CIRC (Cycling Independent Reform Commission), which presented its report in March 2015 and by prioritising the follow up of recommendations from CIRC.

In this connection, the investigative group applauds the fact that UCI has introduced a centralized tribunal for doping cases as replacement of the old system, where doping cases were deferred to the national cycling federation in the country where the rider had his license. This initiative will potentially increase professionalism and harmonisation of results management and secure objectivity and independence in the process so that national favouritism may be avoided.

In the media certain commentators have expressed the view that inevitably a substantial use of doping still takes place as the average time in Tour de France today is just as fast as during the heydays of doping. The speed and the importance of doping for this is a controversial subject and the statements received by the investigative group received are ambiguous.

A current rider stated to the investigative group that today it is possible to ride fast without doping due to improved training methods. He said: *“If the doped riders 10 years ago trained just as much as we do today they would have ridden faster than it is possible for us today.”*

An international leader in cycling stated to the investigative group that new scientifically based training methods and not least an improved knowledge of nutrition, restitution etc. have made it possible to achieve top results without use of doping, but he is of the opinion, however, that today riders ride at the same level as when doping was at its highest. *“Today no one can tread a chain wheel of 56, today they all ride with a standard chain wheel of 53”*, he explained. The leader does not believe that current riders would be able to carry out the same training programmes in the Italian mountains and at Tenerife which the EPO-doped riders could in the past. He also mentions that in recent years we have not seen the wild performances at the mountain stages, which previously was only possible due to doping.

At the conference *“Tackling Doping in Sport”* in London on 18 March 2015, Jonathan Vaughters, former top rider and admitted doping user and presently head of the professional team Cannondale-Garmin, stated that the health aspect of doping is (still) irrelevant for the elite athlete as a professional rider. The fearlessness which makes a rider ride down a mountain with 100 km per hour, is also applicable in relation to the health risk of doping. According to Vaughters, the social consequence of a doping sanction is much worse today than previously due to greater media attention on doping cases and a general opinion against doping.

However, several Danish riders stated to the investigative group that they experience the social consequence of a doping sanction as much more serious in Northern Europe than in Southern Europe.

According to Vaughters, sponsors do not want more doping scandals, and therefore, as a responsible sports director one must be careful not to put too much pressure on the riders if the team in periods does not achieve satisfactory results, as there is a risk that riders will succumb to the temptation to use doping in order to achieve results. However, as late as spring 2015 the

investigative group could see that there are team owners who publicly criticise their riders for lack of results and demand improved performances.

## 8 CONCLUSIONS AND RECOMMENDATIONS

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### 8.1 THE EXTENT OF DOPING AND THE NECESSITY OF DOPING CONTROL

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On the background of the large number of interviews of former and current riders and leaders in cycling, the investigative group concludes that the extent and the organization of doping use among professional Danish riders have varied within the last 20 years.

From the beginning of the 1990s until the beginning of the 2000s, doping was widespread in international cycling and often involved the active participation and organisation of teams and leaders. EPO was introduced as a new and potent substance which only became detectable in 2000. Therefore, it was rather risk-free to cheat. A culture existed among riders and leaders where it was commonly accepted to cheat as long as you did not get caught. The Danish riders knew very well that it was wrong, but did not feel that they cheated by using doping, as they saw it as a competition requirement of the time. Some of the Danish riders used doping to such an extent, where they did not only “keep up with” their competitors, but achieved a number of impressive results.

From the beginning of the 2000s and until the middle of the 2000s, the use of doping was still widespread in international cycling and among the Danish professional riders, but a shift occurred in the organisation of the use of doping. As it became possible to detect EPO, it was more risky to cheat. Therefore, the teams and the leading personnel left it to the riders’ own responsibility to use doping. The teams no longer actively assisted in organising doping for the majority of the team’s riders, except for cortisone, but they knew what was going on. Furthermore, there appears to have been a particular focus on the teams’ top riders, in Denmark illustrated by Team CSC’s owner Bjarne Riis’ knowledge of the star rider Tyler Hamilton’s blood doping. Precisely blood doping was a “miracle method” for cheating relatively free of risk. However, the blood doping method required a distinctively different economy and a completely different backup from leading support personnel compared to the use of EPO, which was simply “common property”. Therefore, the period was marked by continued use of EPO among the more common (Danish) riders and an increased use of blood doping primarily among top riders.

From the middle of 2000s and up until today, the investigative group concludes that the use of doping in international cycling and among the Danish professional riders gradually decreased. The Fuentes scandal in 2006, the introduction of the whereabouts rule and the biological passport as well as more targeted testing have made it considerably more difficult to cheat. However, it is the opinion of the investigative group that the use of doping is likely to still take place among some riders (not necessarily Danish riders) primarily in the form of micro doses of EPO and the use of small portions of blood.

Even though in recent years there seems to be a change in the Danish riders’ (and leaders’) attitude to doping so that today, it is not as acceptable to cheat as previously, it is, however, the opinion of the investigative group, that it is first and foremost the increased risk of being detected, which led to a decrease in the use of doping in recent years, and not only a fundamental change of culture.

It is worth noting, that even though Danish riders received a good education in their younger years in the Danish sports system with an emphasis on fair play and sporting values, this education did not prevent a number of Danish riders from succumbing to the temptation of doping when they became professional. The nature of competitive sport with the aim of winning (and maybe at all cost) combined with the particular structural characteristics of cycling seem to have been too strong.

Therefore, the investigative group generally recommends that WADA, UCI and national anti-doping organisations continuously prioritize the improvement of doping control in a broad sense i.e. to improve the analysis methods, to strengthen the targeted and intelligent testing, to strengthen the investigation activities etc. The interviews of riders and leaders clearly showed that it is primarily the increased risk of detection, which prevents riders from using doping – whereas neither worries of long and short term health effects from the use of doping nor a better morale seem to have been the cause of the diminished use of doping.

More concretely, the investigative group has the following recommendations to WADA and other anti-doping organisations:

- Continued work needs to be conducted to develop improved methods to monitor the whereabouts and biological profiles of the riders.
- Anti-doping organisations make use of the possibility to conduct doping controls during night hours in situations where there is a justified suspicion of the use of doping, particularly in order target the use of micro doses of EPO or blood.
- Anti-doping organisations make use of long term storage of selected doping samples for re-analysis at a point in time when analysis methods have been improved or new analysis are developed.
- WADA introduces rules and procedures to delay or even withhold athlete access to blood values in ADAMS, as access to such values could be misused by those riders who intend to cheat with their biological passport.
- WADA and others strengthen the development of analysis methods and the development of other methods for detection of doping, including improved possibilities for intelligence work and investigations. In this connection, the possibilities and limitations of data protection rules should be examined, so that the possibility of exchanging relevant information between anti-doping authorities, sports organisations, police and other authorities is secured.
- UCI should implement rules for the use of glucocorticoids equivalent to the rules at the Movement of Credible Cycling MPCC (Mouvement Pour un Cyclisme Crédible).

At the same time, the investigative group encourages riders, leaders and other persons within cycling to assist to a greater extent with proposals and recommendations in order to make the doping control system more effective. According to the view of the investigative group, the lack of proposals from interviewees in this investigation has been depressing, despite the fact that they should have first hand knowledge of effective means to deter potential doping users, and thus strengthen the fight against doping.

## 8.2 THE NEED FOR STRUCTURAL CHANGES

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It is concluded that international cycling has special characteristics, which distinguishes cycling from other sports and makes it more vulnerable to attempts to cheat by the use of doping:

- There is a long tradition for taking performance enhancing and pain killing substances due to the toughness of the sport and the high demands for endurance.
- Particularly the major stage races and their almost inhuman requirements separate cycling from other endurance sports, where doping is also widespread, although possibly not to same extent.
- There is substantial amounts of money in professional cycling, but as opposed to other financially strong sports as for instance football, basketball, tennis and golf etc., cycling is dependent of one single source of finance – sponsors – which often operate with short term contracts.
- Even though professional cycling is organised as a team sport, the riders are left to themselves most of the time, which minimises the teams' possibility to keep track of the team and/or makes it convenient for the teams to renounce responsibility for the actions of their employees.

Therefore, the investigative group recommends that UCI initiates actions which make international professional cycling less vulnerable to these structural characteristics. Consequently, the group proposes the following recommendations to UCI:

- The sport of cycling work to make professional cycling teams less dependent of individual sponsors, for instance by strengthening the teams' possibilities to get a share of the income from TV-rights.
- To introduce rules for good governance for the professional cycling teams in order to give the teams an increased responsibility for managing their employees, cf. later.

At the same time, the investigative group recommends that cycling sponsors use their significant influence on professional cycling teams' managements in the service of the fight against of doping to a far greater extent than today. This can be achieved by omitting short term pressure on managements for performance results, by offering long term sponsor contracts, which ensures sufficient time to build up clean results and by punishing the cycling teams and the responsible management, when doping cases arise for instance by terminating contracts or reduce the amount of the sponsorship. Furthermore, sponsors should to an increasing extent hold team managements accountable and request a statement in cases when allegations arises of doping on the team, in the media etc.

## 8.3 THE NEED TO MAKE TEAM MANAGERMENTS MORE RESPONSIBLE

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The paramount main conclusion of this investigation is that team managements in professional cycling has failed during too many years to live up to their management responsibilities, namely to make sure that their own teams and employees did not violate the anti-doping rules. The investigative group can establish that managers at the dominant Danish cycling team, Team CSC, during the period of investigation did not only turn a blind eye to the use of doping among its employees, but also assisted in it.

On this basis, it is the recommendation of the investigative group to introduce control- and sanction mechanisms in a number of areas to make team managements more responsible. The investigative group has the following recommendations to UCI and DCU:

- Firstly, the UCI internationally and the DCU nationally should establish a number of good governance rules to be implemented by the teams if they are to achieve and maintain the necessary UCI and/or DCU license. Good governance rules must follow commonly recognized principles for good business and organisational management, and should, as a minimum, contain rules for openness and transparency in financial accounts. In addition, they would also ensure a regulation of the relationship between the board of directors and the administration, and additionally that the board of directors execute the necessary control of the chief executive officer and/or leading sports director.
- UCI should introduce a 'witness obligation' similar to the one DIF has introduced for all members of DIF. A witness obligation would give the UCI the disciplinary means towards riders and managers which compel them to give information on doping related issues. In addition, the rule could be used in conjunction with a licensing system for sports directors and team doctors, which would strengthen UCI's possibilities to avoid permitting sports directors and team doctors with a suspect doping past continue in the sport cf. next point.
- UCI should amend its licensing system by introducing a "fit-for-purpose" criteria for sports directors and team doctors which would give UCI the possibility to withdraw or withhold a license to sports directors and team doctors, who have violated the above mentioned disciplinary rule of witness obligation. Subject to witness obligation, sports directors and team doctors would be obliged to account for their possible own use of doping or others' use of doping, and should be sanctioned or have their license revoked, if they do not tell the truth or withhold information, or if later it can be documented that they did not tell the truth or withheld information. The reason for this recommendation is that the investigative group finds it problematic for the continued development of cycling towards a clean sport, that former doping users and their assistants continue to be active in the sport and often possess central posts. Other people would continue to hold them in a limbo if they have never publicly admitted that they were involved in the use of doping.
- UCI and DCU should at international as well as national level introduce rules to make sure that prize money are included into the financial accounts of the teams and distributed to riders via the teams instead of being paid directly to the riders. By this, the risk of both tax fraud and "free means" to purchase doping substances, would be diminished.
- UCI should introduce a rule whereby professional cycling teams would be fined if one of their riders is sanctioned for the use of doping (with the exception of whereabouts violations). The fine should be of a considerable size to make team managements work actively to prevent riders from doping.

Finally, the investigative group encourages DCU to have a much closer daily relationship with the domestic Danish cycling teams in order to continuously get a better feeling of what is going on in the environment and to be able to continuously discuss doping related matters.

Furthermore, the investigative group encourages cycling teams to secure - to a much greater extent than now - team organised training during out-of-competition periods and training camps, in order to reduce the individual training periods, where the riders are not under direct supervision by the team's coaches and sports directors, and where the individual rider may have both time and possibility to buy and use doping, either alone or together with training partners of own choice.

## 8.4 APPEAL TO THE RIDERS: COME FORWARD!

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Even though the primary purpose of this investigation was to examine the general patterns and causes for the use of doping, and especially to uncover the involvement of leading support personnel in this, the investigative group has also focused on the responsibility of riders, including particularly their responsibility to deter future generations of riders from the use of doping.

In this connection, the investigative group notes that it has found it discomfoting that none of the interviewed riders, except for Michael Rasmussen, wished to enlighten the public in their experiences from their cycling career in terms of doping related matters, and how they felt about it. In general, riders have given some very general statements, in which they regret their own use of doping, but they did not want to mention concrete stories in details, which could have been informative and deterring for young riders.

At the same time, the investigative group is aware that the previous suspicion - also from the previous UCI management and other sports authorities - on riders who came forward and told of their own and other persons' use of doping, has not been facilitating for the riders' willingness to publicly tell their doping story. Therefore, the investigative group wishes to encourage UCI, national cycling and sports federations and others to take these whistle-blowers seriously, instead of immediately throwing suspicion on them in a misunderstood defence of the wellbeing of the sport.

On this note, the investigative group concludes this report with an appeal to all those riders who have admitted their use of doping to the investigative group: Come forward and tell your true and full story to the public. If your stories of daily fear of being detected, constantly having a bad conscience to your families, friends and fans as well as living with the discomfort of using syringes and pills make only half the impression on young cycling talents as they did on the investigative group, it will be an achievement in the fight against doping.

At the same time, it would be effective if riders would emphasize their clean performances for instance in situations of victories and in other relations. If you have won clean then shout it out, so that it can be an inspiration for other riders! This appeal applies also to all athletes in all sports.

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