



MEDIA RELEASE

ATHLETICS – ANTI-DOPING

THE COURT OF ARBITRATION FOR SPORT (CAS) CONFIRMS THE FOUR-YEAR BANS IMPOSED ON DR. JEFFREY BROWN AND ALBERTO SALAZAR FOR ANTI-DOPING RULE VIOLATIONS

Lausanne, 16 September 2021 - The Court of Arbitration for Sport (CAS) has ruled that the physician and endocrinologist, Dr. Jeffrey Brown, and the former elite-level long distance runner and head coach of the Nike Oregon Project (NOP), Alberto Salazar (the Appellants), committed a number of anti-doping rule violations (ADRVs) and has confirmed the four-year bans imposed on them in the decisions issued on 7 September 2019 (Brown) and 30 October 2019 (Salazar) by the American Arbitration Association, North American Court of Arbitration for Sport Panels (the Challenged Decisions). As a consequence, the relief requested by Dr. Brown/Mr. Salazar, on one hand, and by the United States Anti-Doping Agency (USADA), on the other hand, in their respective appeals has been rejected.

The proceedings concerned activities of the Appellants Dr. Brown and Mr. Salazar that took place in the period from 2009 to 2012 at, or in connection with, the NOP, a programme focused on elite coaching and sports science and medicine to improve athletes' performance, and USADA's ensuing investigation into those activities which culminated in the Challenged Decisions.

The Appellants' appeals and USADA's appeals were referred to the same Panel of CAS arbitrators: The Hon. Dr. Annabelle Bennett AC SC (Australia), President, Mr. Philippe Sands QC (UK) and Mr. Romano F. Subiotto QC (UK/Italy). In their appeals, the Appellants sought the reversal of the Challenged Decisions arguing that they had not committed ADRV's and that, as a consequence, no ban should be imposed on them. On its side, USADA requested that the 4-year period of ineligibility imposed on Dr. Brown and Mr. Salazar be increased.

Following numerous exchanges of written submissions and a delay in the proceedings as the parties and Panel attempted to find suitable dates and means to accommodate a multi-day in-person hearing during the COVID-19 pandemic, the hearing was finally held virtually from 3-12 March 2021. The parties were then granted an opportunity to file limited supplementary written closing submissions.



Following the evidentiary proceedings, the Panel deliberated and ruled that Dr. Jeffrey Brown had committed the following anti-doping rule violations as per the 2009 World Anti-Doping Agency Code (WADC):

- Complicity (Art. 2.8) in Alberto Salazar's possession of Testosterone;
- Trafficking (Art. 2.7) of testosterone to Alberto Salazar;
- Administration (Art. 2.8) of a Prohibited Method;
- Tampering (Art. 2.5) with the Doping Control Process.

The CAS Panel further ruled that Alberto Salazar had committed the following anti-doping rule violations, also as per the 2009 World Anti-Doping Agency Code (WADC):

- Possession (Art. 2.6) of testosterone;
- Complicity (Art. 2.8) in Dr. Jeffrey Brown's Administration of a Prohibited Method;
- Tampering (Art. 2.5) with the Doping Control Process with respect to the issue of L-carnitine infusions/syringes.

In both cases, the CAS Panel upheld the four-year period of ineligibility imposed in the Challenged Decision.

In its conclusions, the CAS Panel noted that the circumstances of this matter, the length of hearings and the allegations made at various stages of those hearings, as well as the way in which the case was conducted by USADA and that the evidence was presented and, in some cases, later abandoned, seemed to be out of proportion and excessive when compared to the severity and consequences of the ADRVs that have been established. It also emphasized that none of the ADRVs directly affected athletic competition, and that there was no evidence put before the CAS as to any effect on athletes competing at the elite level within the NOP. However, the Panel was satisfied that the rules have been properly applied, and that, on the basis of the ADRVs found by the CAS Panel, the sanctions have been determined in accordance with the relevant version of the WADC.

The Arbitral Award will be published on the CAS website in due course once any requests for confidentiality/redaction have been resolved.