



## MEDIA RELEASE

### ATHLETICS - MARATHON

#### IAAF APPEAL UPHELD - RITA JEPTOO SUSPENDED FOR FOUR YEARS BY THE COURT OF ARBITRATION FOR SPORT (CAS)

*Lausanne, 26 October 2016* – The Court of Arbitration for Sport (CAS) has issued its decision in the arbitration procedure between the International Association of Athletics Federations (IAAF), Athletics Kenya (AK) and the Kenyan athlete Rita Jeptoo. The CAS Panel in charge of the matter has imposed a four-year period of ineligibility on Ms Jeptoo and disqualified the athlete's results in the 2014 Boston marathon and all other results as from 17 April 2014 (including the 2014 Chicago marathon).

On 25 September 2014, Ms Jeptoo underwent an out of competition doping control. On 12 October 2016, Ms Jeptoo won the Chicago marathon. On 24 October 2014, the sample provided by the athlete was found to contain recombinant EPO (rEPO). After conducting an investigation, on 27 January 2015, AK found Ms Jeptoo guilty of an anti-doping rule violation and imposed a two-year period of ineligibility on her. On 13 March 2015, the athlete filed an appeal at the CAS against the decision of AK which she later withdrew. On the same day, the IAAF also filed a statement of appeal at the CAS challenging the decision issued by AK and requesting that a four-year period of ineligibility be imposed on the athlete due to aggravating circumstances surrounding her doping offence. The IAAF also requested that the athlete's results in the 2014 Boston marathon be disqualified.

The arbitration was conducted by a panel of CAS arbitrators: Prof. Ulrich Haas, Germany (President), Mr Alan Sullivan QC, Australia, and Judge Robert Reid QC, UK.

At the end of the written proceedings, a hearing was scheduled to take place in April 2016 but postponed when Ms Jeptoo's first counsel withdrew shortly before the hearing. Ms Jeptoo was granted legal aid from the International Council of Arbitration for Sport (ICAS), the governing body of the CAS, in the form of a pro bono lawyer from Nairobi to assist her with the final preparation of her case and to represent her at the hearing on 7 July 2016.

On 5 July 2016, two days before the hearing, Ms Jeptoo's counsel informed the CAS that she resigned from her role as counsel to Ms Jeptoo. Ms Jeptoo joined the initial phase of the hearing by telephone but opted to leave the hearing during the opening statements. The CAS Panel proceeded with the



hearing in Ms Jeptoo's absence. AK did not participate in the hearing despite previously announcing their attendance.

In coming to its decision, the Panel found to its comfortable satisfaction that the athlete used rEPO over a period of time to enhance performance. The undisputed source of the rEPO found in her sample of 25 September 2014 was an injection given to her by a doctor. The athlete provided various differing accounts of the circumstances leading up to the injection and also regarding her relationship with that doctor.

According to the applicable rules, the minimum period of ineligibility in this situation is a sanction of two years but can be increased to up to four years in the case of aggravating circumstances. The Panel is comfortably satisfied that there are aggravating circumstances in the case at hand as it was obvious to the Panel that the athlete used rEPO as part of a scheme or plan. The evidence for this includes *inter alia* her long relationship with the doctor in question, her multiple visits to see him, that her rEPO use was consistent with her competition calendar, that she hid the visits to the doctor in question from her manager and coach, as well as her deceptive and obstructive conduct throughout the proceedings. Weighing all the evidence, the Panel is comfortably satisfied that the circumstances warrant a period of ineligibility of four years.

Accordingly, Rita Jeptoo is sanctioned with a period of ineligibility of four years starting on 30 October 2014, the date on which her provisional suspension started to run. The results of Ms Jeptoo in the 2014 Boston marathon and all other results as from 17 April 2014 (including the 2014 Chicago marathon) are disqualified pursuant to IAAF Rule 40.8, with all resulting consequences, including the forfeiture of the title, medal, prize money and any appearance money.