



MEDIA RELEASE

ANTI-DOPING – ATHLETICS

THE COURT OF ARBITRATION FOR SPORT (CAS) DISMISSES THE APPEAL OF JAMAICAN SPRINTER NESTA CARTER

Lausanne, 31 May 2018 – The Court of Arbitration for Sport (CAS) has dismissed the appeal filed by the Jamaican sprinter Nesta Carter against the decision issued on 25 January 2017 by the International Olympic Committee Disciplinary Panel (IOC DP) in which he was found to have committed an anti-doping rule violation during the Beijing 2008 Olympic Games (the Beijing Games).

Accordingly, the IOC DP decision to disqualify Nesta Carter and the Jamaican Men's 4x100m relay team from the race held at the Beijing Games in which they achieved the gold medal is confirmed.

On 22 August 2008, Nesta Carter participated in the Men's 4x100m relay final at the Beijing Games together with team mates Michael Frater, Usain Bolt and Asafa Powell. A urine sample provided by Nesta Carter after the race was analysed at the time by the National Anti-Doping Laboratory in Beijing, with negative results. In 2016, urine samples from the Beijing Games were retested and the sample provided by Nesta Carter was found to contain methylhexanamine (MHA). On 25 January 2017, the IOC DP found that Nesta Carter had committed an anti-doping rule violation, disqualified Nesta Carter and the Jamaican Men's 4x100m relay team and ordered the return of their medals and diplomas.

In February 2017, Nesta Carter filed an appeal at the CAS seeking to have the IOC DP decision overturned. The arbitration procedure was conducted by a CAS Panel composed of Mr Ken Lalo (Israel), President, Prof. Philippe Sands QC (United Kingdom) and Prof. Massimo Coccia (Italy) who held a hearing in the presence of the parties in November 2017 at the CAS headquarters in Lausanne, Switzerland. At the conclusion of the hearing, the Panel authorised the parties to file post-hearing briefs. Upon receipt of such submissions, the Panel deliberated on the evidence put forward both at the hearing and in the parties' written submissions before preparing its Arbitral Award.

The Panel concluded that the reanalysis of Nesta Carter's sample collected following the race at the Beijing 2008 Olympic Games confirmed the presence of methylhexanamine (MHA) and that it could not accept any of the arguments raised by Nesta Carter contending that the test results should be ignored or the IOC DP decision should otherwise be overturned for certain alleged failures. Finally, the CAS Panel noted that this case was strictly limited to the consequences related to the Beijing Games and issues linked with fault or negligence are not relevant since sanctions such as ineligibility or disqualification from other events were not at stake here.

Accordingly, the CAS Panel dismissed the appeal and the decision issued on 25 January 2017 by the IOC DP is confirmed.