



MEDIA RELEASE

ATHLETICS – ANTI-DOPING

THE COURT OF ARBITRATION FOR SPORT (CAS) DISMISSES THE APPEAL FILED BY THE WORLD ANTI-DOPING AGENCY AGAINST GIL ROBERTS

Lausanne, 25 January 2018 – The Court of Arbitration for Sport (CAS) has issued its decision in the arbitration procedure between the World Anti-Doping Agency (WADA) and the American sprinter Gil Roberts (the Athlete). The appeal filed by WADA on 24 August 2017 against the decision rendered by the American Arbitration Association (AAA) on 10 July 2017 has been dismissed. The decision issued by the AAA is confirmed.

In March 2017, the athlete underwent an out of competition doping control which tested positive for probenecid, a specified substance in the class of diuretics and masking agents on the WADA List of Prohibited Substances. Following an investigation, on 10 July 2017, the AAA issued a decision in which it accepted the Athlete’s explanation that the probenecid found in his system was present as a result of him kissing his girlfriend, who was in medical treatment, ingesting capsules of Moxylong purchased in India, due to a sinus infection, and that he had no way of knowing that he was exposing himself to a doping violation in so doing. As a result, the AAA concluded a finding of No Fault or Negligence and no further action was taken.

On 24 August 2017, WADA referred the matter to CAS. The CAS arbitration procedure was conducted by the Hon. Hugh L. Fraser, President (Canada), the Hon. Michael J. Beloff QC (UK) and Mr Jeffrey G. Benz (USA). The Panel held a hearing with the parties and their legal representatives on 15 January 2018 in New York, USA.

The CAS Panel unanimously determined that the Athlete met his burden as to identifying the source of the substance – i.e. through kissing his girlfriend shortly after she ingested medicine which contained probenecid. The factual evidence presented before the CAS Panel, involving several witnesses, was consistent and convincing and could not be contradicted by the scientific evidence proposed by WADA. It was also established that the low amount of probenecid found would have had no effect as a useful masking agent. All relevant elements in this case showed that the ingestion of probenecid was accidental on a balance of probabilities and, therefore, the CAS Panel found no grounds to impose a period of ineligibility on the Athlete.