



MEDIA RELEASE

ATHLETICS – ANTI-DOPING

MARTA DOMINGUEZ BANNED FOR 3 YEARS BY THE COURT OF ARBITRATION FOR SPORT (CAS)

Lausanne, 19 November 2015 – A Court of Arbitration for Sport (CAS) Panel has found the Spanish middle-distance runner Marta Dominguez Azpeleta guilty of an anti-doping rule violation and sanctioned her with a three-year period of ineligibility following abnormalities in her Athlete Biological Passport (ABP).

In March 2013, the International Association of Athletics Federations (IAAF) informed the Spanish Athletics Federation (RFEA) of atypical variations in Ms Dominguez's ABP and invited the athlete to explain the detected abnormalities in accordance with the IAAF Anti-Doping Regulations. The explanations provided by Ms Dominguez and the RFEA were analysed by an expert panel which concluded that the existence of such abnormalities highly likely demonstrated that the athlete had used a prohibited substance or prohibited method. On the basis of this finding, in July 2013, the IAAF informed Ms Dominguez of her immediate provisional suspension, that a four-year sanction would be imposed due to aggravating circumstances, and of her right to request a hearing. In February 2014, a hearing was held before the RFEA Sports Disciplinary Committee in Madrid, Spain, which acquitted Ms Dominguez and lifted her suspension (the RFEA Decision).

In April 2014, the IAAF filed an appeal against the RFEA Decision, and in May 2014, the World Anti-Doping Agency (WADA) also filed its own appeal. The two procedures were consolidated and referred to the same panel of CAS arbitrators: Mr Conny Jörneklint, Sweden (President), Mr Romano Subiotto QC, Belgium/UK, and Mr Jacques Radoux, Luxembourg.

In their appeals to the CAS, the IAAF and WADA argued that the Panel should set aside the RFEA Decision and find the athlete guilty of an anti-doping rule violation and that it should impose a period of ineligibility of up to four years on her. The Appellants provided scientific evidence from expert witnesses in order to demonstrate that the explanations provided for the abnormalities could not be



upheld. The athlete, on the other hand, argued that CAS did not have jurisdiction to decide the matter and disputed the scientific evidence put forward by WADA and the IAAF.

The Panel held a hearing on 24 and 25 June 2015 at the CAS headquarters in Lausanne, Switzerland, during which the parties, their legal representatives and witnesses were heard.

In a 99 page Arbitral Award which was notified to the parties today, the Panel found that it did have jurisdiction to hear the appeals of the IAAF and WADA on the basis of IAAF Rules 42.3 and 42.5.

The Panel then went on to analyse the extensive arguments put forward by the parties in relation to the disputed values in Ms Dominguez's ABP. In doing so, the Panel found that none of the explanations offered by the RFEA or Marta Dominguez were sufficient for the Panel not to be comfortably satisfied by the scientific evidence presented by WADA and the IAAF's experts that an anti-doping rule violation had occurred. Accordingly, the Panel set aside the RFEA Decision and found Ms Dominguez guilty of an anti-doping rule violation.

With respect to the sanction, the Panel found that a three-year period of ineligibility was appropriate. The suspension commenced on 24 June 2015, with the period of provisional suspension (8 July 2013 until 19 March 2014) credited against the period of ineligibility to be served.

The Panel also ordered that all competitive results obtained by Ms Dominguez from 5 August 2009 (date of the first of several sample collections) until 8 July 2013 (commencement of provisional suspension) be disqualified.

The Arbitral Award will be published on the CAS website in the coming weeks.