



## PRESS RELEASE

### ATHLETICS – WOMEN’S 4x100M AND 4x400M RELAY OF THE 2000 SYDNEY OLYMPIC GAMES

#### THE APPEAL OF THE US ATHLETES IS UPHELD

*Lausanne, 16 July 2010* - The Court of Arbitration for Sport (CAS) has upheld the appeal filed by the American relay athletes Andrea Anderson, Latasha Colander Clark, Jearl Miles-Clark, Torri Edwards, Chryste Gaines, Monique Hennagan and Passion Richardson (the Athletes) against the decision of the Executive Board of the International Olympic Committee (IOC) of 10 April 2008.

Consequently, IOC Executive Board’s decision has been set aside, and on the basis of the IOC and IAAF Rules in force and applicable at the time of the 2000 Sydney Olympic Games, the CAS Panel has ruled that the United States’ teams that competed in the women’s 4x100m and 4x400m athletics relay events at the Sydney Games shall not be disqualified and the medals and diplomas awarded to the Athletes shall not be returned to the IOC.

The Athletes, together with Nanceen Perry and Marion Jones, competed in the 4x100m and/or 4x400m relay events at the 2000 Sydney Olympic Games. In October 2007, following the so-called ‘BALCO’ case, Marion Jones signed an ‘Acceptance of Sanction’ form in front of the United States Anti-Doping Agency admitting that she had used a prohibited substance during the Sydney Olympic Games and accepted various sanctions including the return of all medals won by her at the 2000 Sydney Olympic Games. Furthermore, the IOC Executive Board decided to disqualify Marion Jones from all track and field events in which she had competed at the Sydney Games, including the 4x100m and 4x400m relay races.

The IOC Disciplinary Commission recommended to the IOC Executive Board that the US relay teams be disqualified from the 4x100m event where the team placed third, and the 4x400m event where the team placed first, and that the USOC be ordered to return all medals and diplomas awarded to all members of both US relay teams. The IOC Executive Board decided to adopt the recommendations of the Disciplinary Commission and thus disqualified the entire US 4x100m and 4x400m women’s relay teams.



On 30 April 2008, the Athletes filed an appeal against this decision with the CAS. The appeal was heard by a CAS Panel composed of Prof. Massimo Coccia (Italy), President, Mr Yves Fortier Q.C. (Canada), and Dr Hans Nater (Switzerland).

Prior to holding a hearing, on 10 May 2010, and rendering an award on the merits of the case, the Panel disposed of a preliminary motion filed by the Athletes related to the interpretation and application of the so-called 'three-year rule' (Rule 25.2.2.4 of the Olympic Charter). The arbitrators ruled that the Olympic Charter did not time-bar the IOC from possibly withdrawing from the Athletes the medals awarded at the Sydney OG.

The issue to be solved in this case was whether, under the applicable rules in force at the time of the 2000 Sydney Olympic Games, the results obtained by the US track and field teams in the women's 4x100m and 4x400m relay events should be annulled and the medals withdrawn from those teams because one team member - Marion Jones - had subsequently been disqualified due to an admitted anti-doping rule violation.

The Panel found that at the time of the Sydney Olympic Games there was no express IOC or IAAF Rule in force that clearly allowed the IOC to annul the relay team results if one team member was found to have committed a doping offence. The Panel, whilst it does not accept to impose a sanction on the basis of inexistent or unclear rules, acknowledges that the outcome of this case may be unfair to the other relay teams that competed with no doped athletes helping their performance; however, such outcome exclusively depends on the rules enacted or not enacted by the IOC and by the IAAF at the time of the Sydney Olympic Games. As a result, the Panel is unanimously of the opinion that, on the basis of the IOC and IAAF Rules applicable at the time of the 2000 Sydney Olympic Games, the appealed decision of the IOC Executive Board of 10 April 2008 is incorrect and must be set aside. Thus, the Panel confirmed a CAS precedent (*USOC, M. Johnson, A. Pettigrew, A. Taylor, A. Harrison & C. Harrison v. IAAF & IOC*, award of 20 July 2005) related to a similar case of the 2000 Olympic Games and involving the US men's 4x400m relay team (following the disqualification of Jerome Young).

The CAS Award is available on the CAS website ([www.tas-cas.org/recent-decision](http://www.tas-cas.org/recent-decision)).

For further information related to the CAS activity and procedures in general, please contact either Mr Matthieu Reeb, CAS Secretary General, or Ms Katy Hogg, Media Assistant. Château de Béthusy, Avenue de Beaumont 2, 1012 Lausanne, Switzerland. Tel: (41 21) 613 50 00; fax: (41 21) 613 50 01, or consult the CAS website: [www.tas-cas.org](http://www.tas-cas.org)