

TAS

Tribunal Arbitral du Sport
Chambre ad hoc - Vancouver 2010



CAS

Court of Arbitration for Sport
Ad hoc Division - Vancouver 2010

PRESS RELEASE (5)

WOMEN'S SKELETON

THE COURT OF ARBITRATION FOR SPORT (CAS) REJECTS AN APPLICATION FILED BY THE NOC OF THE VIRGIN ISLANDS AFTER REFUSING THE TRANSFER OF UNUSED QUOTA POSITIONS

Vancouver, 13 February 2010 – The ad hoc Division of the Court of Arbitration for Sport (CAS) has dismissed the application filed by the Virgin Islands Olympic Committee which claimed that the Women's skeleton competition should have its number of positions increased to 21, as two positions had not been filled in the Men's skeleton competition. As a consequence, the Virgin Islands' athlete, Alexa Putnam, should have been eligible to compete in the women's skeleton event.

The question submitted to the CAS was related to the proper interpretation of the provisions of the FIBT Qualification System that deals with the reallocation of unused quota positions. The Virgin Islands NOC submitted that, as only 28 places had been allocated in the Men's competition, it was necessary to allocate the unused places to the Women's competition in order to achieve the full quota of 50 athletes in the sport of skeleton. The FIBT contended that the qualification system provides for a maximum number of competitors for each event. It submitted that in the Women's skeleton competition event, all 20 places had been allocated, that no quota could be transferred from one event to another and that there were no provisions to increase the number of athletes in a given event.

A CAS Panel composed of Mr David Grace QC (Australia), President, Mr José Juan Pintó (Spain) and Mr Liu Chi (China) heard the representatives of both parties and of the FIBT as an interested party in the morning of 12 February 2010. The CAS award was delivered shortly before the Opening Ceremony of the Olympic Winter Games 2010.

The CAS Panel considered that the reallocation provisions of the FIBT Qualification System clearly differentiate between the Men's and Women's competitions; the wording used clearly indicates that there can be no transfer of an unallocated quota position from one event to another. The CAS Panel concluded that the qualification system reveals the clear intention of the FIBT that each quota for the Men and Women's competitions be filled separately and that the quotas cannot be bundled together.

For further information related to the CAS activity and procedures in general, please contact Mr. Matthieu Reeb, CAS Secretary General. Renaissance Vancouver Hotel Harbourside, 1133 West Hastings Street Vancouver, B.C: V6E 3T3, Canada. Tel: (1 604) 403 9558; fax: (1 778) 328 5461, or consult the CAS website: www.tas-cas.org