

TAS

Tribunal Arbitral du Sport
Chambre ad hoc - Vancouver 2010



CAS

Court of Arbitration for Sport
Ad hoc Division - Vancouver 2010

PRESS RELEASE (7)

WOMEN'S SPEED SKATING

THE COURT OF ARBITRATION FOR SPORT (CAS) DOES NOT HAVE JURISDICTION TO RE-HEAR THE CASE OF CLAUDIA PECHSTEIN

Vancouver, 18 February 2010 – The ad hoc division of the Court of Arbitration for Sport (CAS) has dismissed the application filed by the German speed skater Claudia Pechstein against the German National Olympic Committee (DOSB) and the International Olympic Committee (IOC). In her application, Ms Pechstein requested that she be nominated for and allowed to participate in the speed skating competitions of the Vancouver 2010 Olympic Winter Games.

A CAS Panel composed of Mr Yves Fortier QC (Canada), President, Mr Olivier Carrard (Switzerland) and Mr José-Juan Pintó (Spain) has ruled on the application after having received and examined the written submissions of all parties concerned, including the International Skating Union (ISU) as interested party. The CAS Panel found that Ms Pechstein did not challenge a specific decision of the DOSB not to nominate her for the Winter Olympic Games. Indeed, such a decision could not exist considering that the athlete is currently suspended for a period of two years, since 8 February 2009. As a consequence, Ms Pechstein was ineligible to compete in the 2010 Olympic Winter Games and the DOSB could not have taken any material decision not to select her. In the absence of any decision that could be appealed, the CAS ad hoc Division has ruled that it did not have jurisdiction to entertain Ms Pechstein's application.

In a desperate attempt to have her case reviewed by the CAS ad hoc division, after the regular CAS in Lausanne had confirmed her two year ban on 25 November 2009, and after the Swiss Federal Tribunal had dismissed her appeal against the CAS award, Claudia Pechstein - and her lawyer - have been advised by the Panel that the CAS ad hoc division was not the proper forum for such action.

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