



## PRESS RELEASE

### JUDO

#### THE COURT OF ARBITRATION FOR SPORT (CAS) ANNULS THE SUSPENSION OF THE CHINESE JUDOKA WEN TONG DUE TO A PROCEDURAL FAILURE

*Lausanne, 23 February 2011* - The Court of Arbitration for Sport (CAS) has upheld the appeal filed by the Chinese judoka Wen Tong against the decision of the International Judo Federation (IJF) dated 4 April 2010, pursuant to which a two-year ban was imposed on the athlete following a positive doping test for clenbuterol.

Wen Tong, the current Olympic champion in the Women's 78+kg category, took part in the IJF World Judo Championships in Rotterdam on 30 August 2009, where she won the gold medal in her weight category. The same day, following the competition, the athlete provided a doping control sample. On 8 September 2009, the athlete's A sample tested positive for clenbuterol (anabolic agent). Then, the athlete first requested the opening and analysis of the B sample. However, in November 2009, following the advice of the Chinese Judo Association, the athlete withdrew her request to have the B sample analysed. On 25 November 2009, the IJF nevertheless had the athlete's B sample tested, without informing her or offering her an opportunity to attend herself or through a representative. The B sample also tested positive for clenbuterol. On 4 April 2010, the IJF Executive Board imposed a two year suspension on Wen Tong.

On 6 July 2010, Wen Tong filed an appeal at the CAS requesting the annulment of the suspension. This matter was submitted to a panel of CAS arbitrators composed of Mr Ercus Stewart SC, Ireland (President), Mr Michele Bernasconi, Switzerland and Dr Hans Nater, Switzerland (arbitrators).

The CAS Panel noted that the athlete was not given the opportunity to be present herself and/or by her representative for the opening and testing of the B sample. The CAS Panel recognised that the right of the athlete to be present applies whenever the B sample is analysed, irrespective of who asks for it. Considering that the B sample analytical results could not validly confirm the A sample analytical results, the CAS Panel stated that "*no doping violation has been established pursuant to Article 2.1.2 of the 2009 IJF Anti-doping Regulations*".

Accordingly, the CAS annulled the IJF's decision because the athlete was not given the opportunity to be present herself, or by her representative, for the opening and testing of the B sample, in violation of Articles 7.1.4 and 7.1.6 of the 2009 IJF Anti-doping Regulations.

The full award, with the grounds, is published 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)