



MEDIA RELEASE

ATHLETICS – DUTEE CHAND CASE

THE APPLICATION OF THE IAAF HYPERANDROGENISM REGULATIONS REMAIN SUSPENDED

Lausanne, 19 January 2018 – By decision of 24 July 2015, the Court of Arbitration for Sport (CAS) released in an “Interim Award” a decision suspending the IAAF's Hyperandrogenism Regulations, which are currently being challenged by the Indian athlete Ms. Dutee Chand, and invited the IAAF to submit further written evidence and expert reports addressing the concerns expressed by the CAS Panel in charge of this procedure regarding those regulations (in particular, as to the actual degree of athletic performance advantage sustained by hyperandrogenic female athletes as compared to non-hyperandrogenic female athletes by reason of their high levels of testosterone) within two years of the date of the Interim Award, failing which the IAAF Hyperandrogenism Regulations would be declared invalid.

On 29 September 2017, after being granted an extension to the deadline set out in the Interim Award, the IAAF filed material with the CAS in response to the Interim Award, including expert reports and legal submissions. That material includes draft revised regulations that would only apply to female track events over distances of between 400 metres and one mile.

In response, on 6 October 2017, Ms Chand submitted, among other things (1) that the IAAF had not complied with the Interim Award as it had filed evidence supporting proposed revised regulations, not the current Hyperandrogenism Regulations and, therefore, the Hyperandrogenism Regulations should be declared invalid; and (2) that she is not directly affected by the proposed revised regulations as she does not compete now or intend to compete in the future in track races between 400 metres and one mile.

On 3 November 2017, the CAS Panel advised that it has reflected upon the evidence advanced by the IAAF, and determined that the IAAF's further submission dated 29 September 2017 represented sufficient compliance with the Panel's directive and sought to support the Hyperandrogenism Regulations to the extent set out in the evidence it had filed. However, the Panel has made no ruling at this stage on the sufficiency of that evidence.

The CAS has now issued an order by consent of the parties by which this proceeding is suspended for a period of six months, during which the IAAF Hyperandrogenism Regulations remain suspended. During this period, the IAAF is to advise the CAS as to how it intends to implement its regulations moving forward. If the IAAF decides not to withdraw its current Hyperandrogenism Regulations, then these proceedings will resume before the same Panel of arbitrators. If the IAAF withdraws the Hyperandrogenism Regulations and/or replaces them with the proposed draft regulations it has submitted, then these proceedings will be terminated.