



MEDIA RELEASE

ATHLETICS – OLYMPIC GAMES RIO 2016

THE COURT OF ARBITRATION FOR SPORT (CAS) REJECTS THE CLAIMS/APPEAL OF THE RUSSIAN OLYMPIC COMMITTEE (ROC) AND OF 68 RUSSIAN ATHLETES

Lausanne, 21 July 2016 – The Court of Arbitration for Sport (CAS) has issued its decisions in the arbitrations between the Russian Olympic Committee (ROC), a number of Russian athletes (the Claimant Athletes) and the International Association of Athletics Federations (IAAF). The CAS has dismissed both the request for arbitration filed by the ROC and 68 Claimant Athletes, and the appeal filed by 67 of the same athletes against the IAAF decision to consider them as ineligible for the Olympic Games in Rio.

On 13 November 2015, the IAAF suspended the All Russia Athletics Federation (ARAF) from IAAF membership. Such suspension was confirmed on 26 November 2015 and again on 17 June 2016. In a request for arbitration filed at the CAS on 3 July 2016, the ROC and the 68 Claimant Athletes asked the CAS 1) to review specific legal issues, limited to the validity, enforceability and scope of IAAF Competition Rules 22.1(a) and 22.1A, and 2) to order that any Russian athlete who was not currently the subject of any period of ineligibility for the commission of an anti-doping rule violation be declared eligible to participate at the 2016 Olympic Games in Rio (subject to meeting the qualification standards for his or her event).

On 15 July 2016, 67 Russian athletes filed an appeal against the IAAF decisions to deny applications from these athletes to compete internationally as "neutral athletes" at the 2016 Olympic Games in Rio.

The arbitrations were referred to a Panel of CAS arbitrators: Prof. Luigi Fumagalli, Italy (President), Mr Jeffrey G. Benz, United States and His Honour James Robert Reid QC, United Kingdom. The Panel held a hearing with the parties on 19 July 2016.

The CAS Panel has confirmed the validity of the IAAF's decision to apply Rules 22.1(a) and 22.1A of the IAAF Competition Rules, which state that athletes whose national federation is suspended by the IAAF are ineligible for competitions held under the IAAF Rules, in accordance with the Olympic



Charter, unless they satisfy specific criteria. Accordingly, since the national federation governing athletics in Russia (ARAF, now RUSAF) is currently suspended from IAAF membership, its athletes who do not satisfy the conditions set by Rule 22.1(A) are ineligible for competitions held under the IAAF Rules. These competitions include the athletics events at the 2016 Olympic Games in Rio.

As a consequence, the CAS Panel confirmed that the ROC is not entitled to nominate Russian track and field athletes to compete at the Rio 2016 Olympic Games considering that they are not eligible to participate under the IAAF competition rules, in accordance with the Olympic Charter. However, the ROC is entitled to enter as representatives of the Russian Federation in the Rio 2016 Olympic Games the Russian track and field athletes who fulfil the criteria and are eligible to compete under IAAF Competition Rule 22.1A.

Since the International Olympic Committee (IOC) was not a party in the arbitrations, the CAS found that it had no jurisdiction to determine whether the IOC is entitled generally to accept or refuse the nomination by ROC of Russian track and field athletes to compete at the Rio 2016 Olympic Games. For the same reason, the CAS found that it had no jurisdiction to determine whether the IOC is entitled to accept or refuse the entry either as representatives of the Russian Federation or as “neutral athletes” of the Russian track and field athletes entered by the ROC.

With respect to the new IAAF Rule 22.1A, the CAS Panel was concerned about the immediate application with retroactive effect of such Rule, implemented by the IAAF on 17 June 2016, providing for exceptional criteria to grant eligibility to athletes whose national federation is suspended. Since such Rule involves criteria based on long-term prior activity, it left no possibility in practice, and as applied, for the Claimant Athletes to be able to try to comply with them.

In view of the urgency of the matter, the CAS Panel has issued only its decision, which is unanimous, without the grounds. The full Arbitral Award, including the grounds for the Panel’s decision, will be issued as soon as possible.