



TAS / CAS
TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

MEDIA RELEASE

AQUATICS

THE COURT OF ARBITRATION FOR SPORT (CAS) CONFIRMS THE REGISTRATION OF THE REQUEST FOR ARBITRATION FILED BY US SWIMMER LIA THOMAS

THE PROCEDURE THOMAS V/ WORLD AQUATICS IS THE 10'000TH CASE REGISTERED BY CAS SINCE ITS CREATION IN 1984

Lausanne, 26 January 2024 - The Court of Arbitration for Sport (CAS) confirms the registration of the request for arbitration filed by US transgender swimmer Lia Thomas (the Athlete), aimed at challenging certain parts of World Aquatics' Policy on the Eligibility for the Men's and Women's Competition Categories in force as of 24 March 2023, and its associated Operational Requirements (the Challenged Provisions).

Ms Thomas accepts that fair competition is a legitimate sporting objective and that some regulation of transgender women in swimming is appropriate. However, Ms Thomas submits that the Challenged Provisions are invalid and unlawful as they discriminate against her contrary to the Olympic Charter, the World Aquatics Constitution, and Swiss law including the European Convention on Human Rights and the Convention on the Elimination of All Forms of Discrimination against Women; and that such discrimination cannot be justified as necessary, reasonable, or proportionate to achieve a legitimate sporting objective.

In bringing the matter before CAS, Ms Thomas seeks an order from the CAS declaring that the Challenged Provisions are unlawful, invalid, and of no force and effect.

The CAS arbitration proceedings commenced in September 2023. In accordance with the Code of Sports-related Arbitration, this "ordinary" arbitration procedure (i.e. not an appeal) was subject to strict confidentiality rules governing CAS procedures. The parties involved in this case have now agreed that general information concerning the procedure itself be communicated by the CAS Court Office. At this point, no hearing date has been fixed yet.

The registration of this case coincided with the reference number 10'000, which is the number of arbitrations (and former consultation procedures, but without ad hoc procedures and mediations) registered by the CAS since its creation in 1984. On 31 December 2023, the CAS had registered a total of 10'638 procedures (all included) since its creation and 943 in 2023 only.