



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

MEDIA RELEASE

FIGURE SKATING

THE COURT OF ARBITRATION FOR SPORT (CAS) REGISTERS THE APPEALS FILED BY THE RUSSIAN ANTI-DOPING AGENCY (RUSADA), THE INTERNATIONAL SKATING UNION (ISU), AND THE WORLD ANTI-DOPING AGENCY (WADA) AGAINST THE DECISION ISSUED BY THE RUSADA DISCIPLINARY ANTI-DOPING COMMISSION DATED 14 DECEMBER 2022 CONCERNING THE RUSSIAN FIGURE SKATER KAMILA VALIEVA

Lausanne, 24 February 2023 - The Court of Arbitration for Sport (CAS) has registered the appeals filed individually by 1) the Russian Anti-Doping Agency (RUSADA), 2) the International Skating Union (ISU), and 3) the World Anti-Doping Agency (WADA) against the decision issued by the RUSADA Disciplinary Anti-Doping Commission (RUSADA DADC) dated 14 December 2022 (the Challenged Decision), in which the Russian figure skater Kamila Valieva (the Athlete) was found to have committed an Anti-Doping Rule Violation (ADRV) for which she bore “no fault or negligence” and was not sanctioned with the exception of the disqualification of the results achieved on the date of the sample collection (25 December 2021).

RUSADA seeks a ruling from CAS setting aside the Challenged Decision and finding the Athlete to have committed an ADRV under the RUSADA Anti-Doping Rules (RUSADA ADR), and sanctioned with “the appropriate consequences (which may include or be limited to a reprimand) in respect of such ADRV pursuant to the RUSADA ADR”.

The ISU seeks a ruling from CAS setting aside the Challenged Decision and sanctioning the Athlete with a period of ineligibility, to be determined at the discretion of CAS, starting from 25 December 2021, and disqualification of all results achieved by the Athlete during this period, as well as deciding the consequences, to be determined at the discretion of CAS, of the ADRV committed by the Athlete on the result of the Team Event in Figure Skating at the 2022 Olympic Winter Games Beijing, and determining the final result of that event in accordance with Article 11.2 ISU ADR.

WADA seeks a ruling from CAS setting aside the Challenged Decision and finding the Athlete to have committed an ADRV under art. 4.1 and/or 4.2 of the RUSADA ADR, and sanctioned with a period of ineligibility of four years, as well as the disqualification of all competitive results obtained by the Athlete from and including 25 December 2021.

The CAS arbitration proceedings have commenced. In accordance with the Code of Sports-related Arbitration (the CAS Code), the arbitration rules governing CAS procedures, the Appellants will first file their Appeal Briefs within 20 days following the expiry of the time limit for the appeal and then the Respondents will in turn file their written Answers. Among the procedural issues to be determined is the possible consolidation of the three appeals and its consequences, in particular with respect to the appointment of the 3-member Panel of arbitrators that will decide the matter. Once appointed, the Panel



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will issue procedural directions for the next phase of the proceedings including the holding of a hearing. Following the hearing, the Panel will deliberate and issue an Arbitral Award containing its decision and the grounds for it. At this time, it is not possible to indicate a time frame for the issuance of the decision. The CAS Panel's decision will be final and binding, with the exception of the parties' right to file an appeal to the Swiss Federal Tribunal within 30 days on limited procedural grounds.

CHRONOLOGY OF THE PROCEEDINGS TO DATE

- On 25 December 2021, the Athlete is the subject of an in-competition doping control conducted by RUSADA at the Russian National Figure Skating Championships in St Petersburg.
- The Athlete's urine sample is tested at the WADA-accredited laboratory in Stockholm which reports, on 7 February 2022, an Adverse Analytical Finding (AAF) for trimetazidine, a non-specified prohibited substance banned at all times under category S4.4 (Metabolic Modulators) of the 2021 WADA Prohibited List.
- On 7 February 2022, the Athlete competes in the Team Event at the Olympic Winter Games Beijing 2022 (the Beijing Winter Olympics) winning a gold medal. The medal ceremony of the event is postponed due to the Athlete's AAF (and has not yet taken place).
- On 8 February 2022, RUSADA notifies the AAF to the Athlete and imposes a mandatory provisional suspension pursuant to art. 9.4.1 of the RUSADA ADR.
- On 9 February 2022, the RUSADA DADC lifts the mandatory provisional suspension.
- WADA, the International Skating Union (ISU) and the International Olympic Committee (IOC) appeal the RUSADA DADC decision to lift the provisional suspension before the CAS Ad Hoc Division at the Beijing Winter Olympics.
- On 17 February 2022, the CAS Ad Hoc Division dismisses the appeals.
- On 8 November 2022, pursuant to article 15.3 of the RUSADA ADR, and in the absence of a decision in the disciplinary proceedings between the RUSADA DADC and the Athlete with respect to the AAF, WADA files a statement of appeal at CAS against RUSADA and the Athlete, seeking a ruling from CAS that the Athlete committed an ADRV pursuant to Article 4.1 and/or 4.2 of the RUSADA ADR, and that the Athlete be sanctioned with a four-year period of ineligibility, as well as the disqualification of all competitive results from, and including, the date of 25 December 2021. The procedure *CAS 2022/A/9249 WADA v. RUSADA & Kamilla Valieva* is still pending.
- On 14 December 2022, the RUSADA DADC renders the Challenged Decision, without the grounds.
- On 18 December 2022, WADA requests the suspension of the proceedings in *CAS 2022/A/9249* until the RUSADA DADC issues the full decision, with grounds.
- On 29 December 2022, the President of the CAS Appeals Arbitration Division, pursuant to Art.R32(3) of the CAS Code, grants WADA's request to suspend the proceedings in *CAS 2022/A/9249*.
- On 24 January 2023 / 26 January 2023, the reasoned Challenged Decision is formally notified to RUSADA, the ISU and WADA.
- On 22 February 2023, CAS registers the statements of appeal filed by RUSADA, ISU and WADA against the Challenged Decision under the following references:
 - *CAS 2023/A/9451 Association Russian Anti-Doping Agency (RUSADA) v. Kamila Valieva*
 - *CAS 2023/A/9455 International Skating Union (ISU) v. Kamila Valieva, Association Russian Anti-Doping Agency (RUSADA) & Figure Skating Federation of Russia (FSFR)*
 - *CAS 2023/A/9456 World Anti-Doping Agency (WADA) v. Association Russian Anti-Doping Agency (RUSADA) & Kamila Valieva*