



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) HEARING IN THE ARBITRATION PROCEEDINGS INVOLVING RUSADA, THE ISU, WADA AND KAMILA VALIEVA WILL START ON 26 SEPTEMBER 2023

Lausanne, 15 September 2023 - The Court of Arbitration for Sport (CAS) confirms the following arrangements for the hearing in the arbitration procedures *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)*, and *CAS 2023/A/9456 World Anti-Doping Agency (WADA) v. Association Russian Anti-Doping Agency (RUSADA) & Kamila Valieva*):

The hearing will take place on 26, 27 and 28 September 2023, with 29 September 2023 being a reserve day. It will be held at the CAS Headquarters in Lausanne, Switzerland, although the Panel will hear some parties, witnesses and experts via video-conference, including Ms Kamila Valieva and the representatives of RUSADA.

The parties to the proceedings: RUSADA, the ISU, WADA and Ms Valieva (collectively, the parties), want privacy and have not requested that a public hearing be held. Consequently, the hearing will take place behind closed doors in accordance with the provisions of Article 57 of [the Code of Sports-related Arbitration](#) (the “CAS Code”), and outside persons will not be authorised to attend. For that reason, on 5 September 2023, the CAS Panel denied a request filed by the 2022 United States Olympic Figure Skating Team for an observer to be permitted to attend the hearing on their behalf.

The Panel of CAS arbitrators constituted to decide the matter is composed of:

President: Mr James Drake KC, Barrister, United Kingdom & Australia
Arbitrators: Mr Jeffrey Mishkin, Attorney-at-Law, USA
Dr Mathieu Maisonneuve, Professor of law, France

The ISU and WADA nominated Mr Jeffrey Mishkin, and Ms Valieva nominated Prof. Mathieu Maisonneuve. RUSADA being involved as Appellant in one procedure and as Respondent in the other two, it decided not to participate in the nomination process. The President of the Panel was appointed by the Deputy President of the Appeals Arbitration Division in accordance with the CAS Code.



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

The Panel and parties have established a detailed hearing timetable. The proceedings will open on Tuesday, 26 September 2023 with a short opening submission from each party, followed by the hearing of fact witnesses. On Wednesday, 27 September 2023, the Panel will hear expert witnesses and on Thursday, 28 September 2023, the Panel will hear the parties' closing submissions and rebuttals. Should additional time be required, the Panel and parties have reserved Friday, 29 September 2023.

Following the hearing, the Panel will deliberate and prepare the Arbitral Award containing its decision. At this juncture, it is not possible to indicate when the final decision will be announced. 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.

The hearing concerns the appeals filed individually by RUSADA, the ISU, and 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 sanctioning the Athlete with a four-year period of ineligibility or, subsidiarily, a two-year period of ineligibility, starting from 25 December 2021, as well as the disqualification of all results achieved by the Athlete during this period.

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.

Ms Valieva seeks a ruling from CAS that it lacks jurisdiction over WADA, ISU and RUSADA claims, subsidiarily that no violation of the RUSADA ADR is proven and that she be re-established in the results obtained at the 2021 Russian Figure Skating Championship. In the alternative, she seeks a ruling that she bears no fault or negligence or, more subsidiarily, that the violation of the rules was not intentional, so that the period of ineligibility shall be at most two years and that no results shall be disqualified.

In accordance with Article R52(5) of the CAS Code, the three appeals were consolidated and a common timetable was established for the filing of the parties' written submissions. The exchange of written submissions, which was lengthened by extensions of time granted with the mutual agreement of the parties, has concluded.