



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) PUBLISHES THE ARBITRAL AWARD ISSUED IN THE PROCEEDINGS INVOLVING RUSADA, THE ISU, WADA AND KAMILA VALIEVA

Lausanne, 7 February 2024 - The Court of Arbitration for Sport (CAS) has published the Arbitral Award rendered by the CAS Panel in the appeal 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*).

Following the notification of the Panel's decision on 29 January 2024, the publication of the unredacted Arbitral Award (131 pages) marks the conclusion of the procedures before the CAS, which started in February 2023, one year after the Winter Olympic Games Beijing 2022, when RUSADA, the ISU and WADA filed their appeals.

The CAS Panel found Ms Valieva (the Athlete) to have committed an Anti-Doping Rule Violation (ADRV) due to the presence of Trimetazidine (TMZ) in the sample collected from her on 25 December 2021 during the Russian National Championships in St Petersburg, and sanctioned her with a four-year period of ineligibility starting on 25 December 2021. In addition, all competitive results from 25 December 2021 were disqualified. TMZ is a Prohibited Substance belonging to the S.4 hormone and metabolic modulators class; its use in sport is banned at all times as it could potentially help the heart to function better.

The CAS award shows that, in her submissions, the Athlete asserted that the prohibited substance entered her body through the consumption of contaminated food shortly before the Russian Championships, i.e. through the consumption of a strawberry dessert prepared by her grandfather on the chopping board where he used to crush his medication (pills) containing TMZ. The CAS Panel determined that this explanation was not corroborated by any concrete evidence and that the Athlete was not able to establish that she had not committed the ADRV intentionally.

From this basis, and according to the relevant rules, the status of "Protected Person", that the Athlete could enjoy before the CAS ad hoc Division at the time of the Olympic Winter Games 2022, because of her young age and on the basis of the limited evidence which was available at the very beginning of the case, was no longer applicable in her situation. Indeed, the CAS Panel determined that since the Athlete failed to establish that she did not commit ADRV intentionally, and since the "No Significant Fault or Negligence" criterion was not met, there was, consequently, no basis under the rules to treat the Athlete any differently from an adult athlete.



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The CAS Panel was not requested to examine the consequences linked to the retroactive disqualification of the Athlete from past events, including from the Olympic Winter Games Beijing 2022.

Chronology of the case:

- 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 14 December 2022, the RUSADA DADC renders the Challenged Decision, without the grounds.
- 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.
- On 18 April 2023, the CAS Panel of arbitrators to decide the appeals was constituted.
- On 27, 28, 29 September 2023 the CAS hearing commenced. It was then adjourned until 9 and 10 November 2023.
- On 29 January 2024 the CAS Panel's decision was notified to the parties.
- On 7 February 2024, the full Arbitral Award was published on the CAS website, here: www.tas-cas.org/en/jurisprudence/recent-decisions