



## MEDIA RELEASE

### TOKYO 2020 OLYMPIC GAMES (7)

#### The Court of Arbitration for Sport (CAS) Ad Hoc Division Vitaliy Khudyakov (KAZ) v. FINA: case settled amicably

*Tokyo, 26 July 2021* – The Ad Hoc Division of the Court of Arbitration for Sport (CAS) notes the withdrawal of the arbitration procedure: *Vitaliy Khudyakov (KAZ) v. Fédération Internationale de Natation (FINA)*.

Further to the filing of an application at the CAS Ad Hoc Division by Vitaliy Khudyakov, the International Olympic Committee (IOC) has granted an additional quota place to FINA for the Men's 10km marathon swimming event at the Tokyo Olympic Games. FINA has offered this quota place to the Kazakhstan Swimming Federation and the Kazakhstan Olympic Committee should nominate Vitaliy Khudyakov for this quota place.

Accordingly, Vitaliy Khudyakov's application to the CAS Ad Hoc Division has become moot and has been withdrawn by the Athlete.

Vitaliy Khudyakov, a marathon swimmer from the Republic of Kazakhstan, had filed an application with the CAS Ad hoc Division seeking a ruling that he be entitled to compete in the marathon swimming event at the Olympic Games Tokyo 2020. In 2019, Vitaliy Khudyakov participated in the marathon swimming event at the 9th Asian Open Water Swimming Championships (19- 21 April 2019), which was identified at that time as a qualifying event for the Olympic Games Tokyo 2020, achieving the gold medal and thus the Olympic qualification. However, on 16 July 2021, FINA informed the Swimming Federation of the Republic of Kazakhstan that the 9th Asian Open Water Swimming Championships was not a Qualification Event for the Tokyo Games 2020 as they were not confirmed as such in the official qualification pathway set out in FINA bylaw BL 9.3.7.6.3 and that as a consequence, Vitaliy Khudyakov was initially not supposed to take part in the Tokyo Games 2020.