



MEDIA RELEASE

ANTI-DOPING

THE CAS HEARING IN THE PROCEDURE BETWEEN THE WORLD ANTI-DOPING AGENCY (WADA) AND THE RUSSIAN ANTI-DOPING AGENCY (RUSADA) IS MAINTAINED

Lausanne, 27 October 2020 - The hearing in the Court of Arbitration for Sport (CAS) arbitration procedure between the World Anti-Doping Agency (WADA) and the Russian Anti-Doping Agency (RUSADA) will take place from 2-5 November 2020 with strict measures due to the current sanitary situation.

In light of the travel restrictions and sanitary measures in place in Switzerland and in the Canton of Vaud due to the COVID-19 pandemic, the hearing will take place in a secured location in Lausanne, in a mixed format with the parties, legal representatives and expert witnesses attending either in-person or by video-conference. The hearing will not be public. For the above reasons, in-person access is strictly reserved to persons directly involved in the case. There will be no access for outside persons and no media briefings or press conferences will be organised by the CAS.

The procedure is being conducted by an Arbitral Panel composed of Judge Mark L. Williams, S.C. (Australia), President, Prof. Luigi Fumagalli (Italy) and Dr. Hamid G. Gharavi (France / Iran) (Co-Arbitrators).

At the conclusion of the hearing on 5 November 2020, the Panel will commence its deliberations and prepare the Arbitral Award. Accordingly, the decision will not be announced when the hearing concludes, but at a later date. A short statement will be issued by the CAS to confirm that the hearing has concluded.

Background

In January 2017, WADA issued reinstatement guidelines which set out a number of requirements that RUSADA had to meet in order to be reinstated as a compliant Signatory to the WADA Code. While some requirements were met, WADA alleges that others were not. Nevertheless, on 20 September 2018, WADA reinstated RUSADA with immediate effect, but with post-reinstatement conditions, namely that specific data extracted from the Moscow Laboratory (i.e. the “LIMS data”) and certain athlete doing-control samples be turned over for full and complete examination and re-analysis by WADA, failing which the WADA Compliance Review Committee (WADA CRC) would address such non-compliance in accordance with the terms of the International Standard for Code Compliance by Signatories (WADA ISCCS).



According to WADA, RUSADA did not comply with the post-reinstatement conditions. Therefore, on 21 November 2019, the WADA CRC issued a recommendation that WADA find RUSADA non-compliant with the post-reinstatement conditions and propose consequences for such alleged non-compliance.

On 9 December 2019, the WADA CRC recommendation of non-compliance was adopted by the WADA Executive Committee and WADA subsequently proceeded to propose certain consequences and reinstatement conditions on RUSADA.

On 27 December 2019, RUSADA denied any wrongdoing and rejected the asserted consequences and reinstatement conditions on the basis that they were unfounded, lacked legal basis, contravened fundamental principles of justice and fairness, including basic procedural rights and the rule of law, were contrary to Swiss law and violated the principle of proportionality.

The CAS procedure was subsequently initiated by WADA in accordance with the provisions of the World Anti-Doping Code and the WADA ISCCS following RUSADA's refusal to accept the conclusions of the WADA CRC from 9 December 2019. In this CAS procedure, WADA, as the Claimant, seeks a finding of non-compliance by RUSADA and requests that a variety of consequences (and reinstatement conditions) be imposed on RUSADA, including, in particular, a prohibition against Russian athletes from competing in the Olympic and Paralympic Games (and other Major Events) unless they are able to demonstrate that they are not implicated in any way by the non-compliance; a prohibition against government representatives being appointed to boards, committees or other bodies of Signatories and/or participating in/attending the Olympic and Paralympic Games (and other Major Events); and a prohibition against Russia hosting the Olympic and Paralympic Games (and other Major Events) during a four-year period.

The International Olympic Committee (IOC), the International Paralympic Committee (IPC), the Russian Olympic Committee (ROC), the Russian Paralympic Committee (RPC), the Russian Ice Hockey Federation, the International Ice Hockey Federation (IIHF), the European Olympic Committees (EOC) and several Russian athletes have been admitted as intervening parties.