



MEDIA RELEASE 9

CAS AD HOC DIVISION PYEONGCHANG 2018 OLYMPIC WINTER GAMES

ADMISSION TO THE OLYMPIC WINTER GAMES 2018: THE APPLICATIONS FILED BY RUSSIAN ATHLETES AND COACHES HAVE BEEN DISMISSED

Lausanne, 9 February 2018 – The Ad hoc Division of the Court of Arbitration for Sport (CAS) has dismissed the application filed on 6 February 2018 by 32 Russian athletes against the International Olympic Committee (IOC) (CAS OG 18/02). It has also dismissed the application filed on 7 February 2018 by 15 Russian athletes and coaches against the IOC (CAS OG 18/03).

The Applicants challenged the IOC decision refusing to invite them to participate in the 2018 Olympic Winter Games and requested that CAS overturn the IOC decision.

In its decisions, the CAS arbitrators have considered that the process created by the IOC to establish an invitation list of Russian athletes to compete as Olympic Athletes from Russia (OAR) could not be described as a sanction but rather as an eligibility decision. Although the Russian Olympic Committee (ROC) was suspended, the IOC nevertheless chose to offer individual athletes the opportunity to participate in the Winter Games under prescribed conditions - a process that was designed to balance the IOC's interest in the global fight against doping and the interests of individual athletes from Russia.

At the hearing, the Applicants acknowledged that the IOC had the ability to institute such process. The CAS Panel found that the Applicants did not demonstrate that the manner in which the two special commissions (the Invitation Review Panel (IRP) and the Olympic Athlete from Russia Implementation Group (OAR IG) independently evaluated the Applicants was carried out in a discriminatory, arbitrary or unfair manner. The Panel also concluded that there was no evidence the IRP or the OAR IG improperly exercised their discretion.

The applicants in the procedure CAS OG 18/02 were Victor Ahn, Vladimir Grigorev, Anton Shipulin, Evgeniy Garanichev, Ruslan Murashov, Ekaterina Shikhova, Sergei Ustyugov, Ksenia Stolbova, Ekaterina Urlova-Percht, Maksim Tsvetkov, Irina Uslugina, Yulia Shokshueva, Daria Virolainen, Dmitri Popov, Roman Koshelev, Mikhail Naumenkov, Alexei Bereglasov, Valeri Nichushkin, Anton Belov, Sergei Plotnikov, Evgeniya Zakharova, Ruslan Zakharov, Anna Iurakova, Alexey Esin, Yulia

Tribunal Arbitral du Sport



Court of Arbitration for Sport

Skokova, Elizaveta Kazelina, Sergey Gryaztsov, Ivan Bukin, Denis Arapetyan, Artem Kozlov, Gleb Retivikh and Alexey Volkov.

The applicants in the procedure CAS OG 18/03 were Alexander Legkov, Maxim Vylegzhanin, Evgeniy Belov, Alexander Bessmertnykh, Evgenia Shapovalova, Natalia Matveeva, Aleksandr Tretiakov, Elena Nikitina, Maria Orlova, Olga Fatkulina, Alexander Rumyantsev, Artem Kuznetsov, Tatyana Ivanova, Albert Demchenko and Sergei Chudinov.

The Panel of CAS arbitrators in charge of these two cases was composed as follows:

Ms Carol Roberts (Canada), President
Mr Bernhard Welten (Switzerland), arbitrator
Ms Zali Steggall (Australia) arbitrator

The parties were heard by the Panel in the offices of the CAS ad hoc Division in Pyeongchang on 7 and 8 February 2018. Russian athletes Elena Nikitina and Tatyana Ivanova attended on 8 February 2018. Mr. Gunter Younger, Head of the WADA Intelligence & Investigations Department and a member of the IRP, testified about how the IRP established the criteria it applied in developing the invitation list and the methodology used.