TAS / CAS
TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

CAS 2025/A/11726 Igor Grigorenko v. International Ice Hockey Federation (IIHF)

ARBITRAL AWARD

delivered by the

COURT OF ARBITRATION FOR SPORT

sitting in the following composition:

President:	Mr. Jordi **López Batet**, Attorney-at-Law in Barcelona, Spain
Arbitrators:	Mr. Alexander **McLin**, Attorney-at-Law in Lausanne, Switzerland
	Mr. Ulrich **Haas**, Professor in Zurich, Switzerland and Attorney-at-Law in Hamburg, Germany.

in the arbitration between

Igor Grigorenko, Russia

Represented by Mr. Yury Zaytsev, Mr. Ilya Chicherov, Mr. Vladislav Chepelyov, Mr. Maksim Kozyrev and Ms. Ekaterina Dyakova, Attorneys-at-Law, SILA International Lawyers, Moscow, Russia

Appellant

and

International Ice Hockey Federation (IIHF), Switzerland

Represented by Mr. Jonathan Taylor and Mr. Chris Lavey, Attorneys-at-Law, Bird & Bird LLP, London, United Kingdom

Respondent

I. THE PARTIES

1. Mr. Igor Grigorenko (the "Athlete" or the "Appellant") is a Russian former professional ice hockey player.

2. The International Ice Hockey Federation (the "IIHF" or "Respondent") is the world governing body administering the sport of ice hockey, with its registered office in Zurich, Switzerland.

3. The Appellant and the Respondent are jointly referred to as the "Parties".

II. FACTUAL BACKGROUND AND THE FIRST INSTANCE PROCEEDINGS

4. Below is a summary of the relevant facts and allegations based on the Parties' written submissions, pleadings and evidence adduced at the hearing. Additional facts and allegations found in the Parties' written submissions, pleadings and evidence may be set out, where relevant, in connection with the legal discussion that follows. While the Panel has considered all the facts, allegations, legal arguments and evidence submitted by the parties in the present proceedings, it refers in this award only to the submissions and evidence it considers necessary to explain its reasoning.

5. The Athlete's appeal was filed against the decision of the IIHF dated 12 August 2025, by virtue of which he was sanctioned with a period ineligibility of four years starting from the date of the decision, for an anti-doping rule violation of Use of Prohibited Substances (the "ADRV").

A. General Introductory Background

6. On 16 December 2014, WADA announced the appointment of an independent commission to investigate the alleged existence of sophisticated systemic doping practices in Russian athletics (the "Independent Commission").

7. On 9 November 2015, the Independent Commission submitted a report detailing its findings and recommendations. Based on such report, WADA suspended the accreditation of the Moscow Anti-Doping Centre ("Moscow Laboratory") and declared the Russian Anti-Doping Agency ("RUSADA") non-compliant with the World Anti-Doping Code ("WADC") on 18 November 2015.

8. On 12 May 2016, the New York Times published an article called "*Russian Insider Says State-Run Doping Fueled Olympic Gold*". The so-called 'Russian insider' was Dr. Grigory Rodchenkov ("Dr. Rodchenkov"), at that time the director of the Moscow Laboratory. Dr. Rodchenkov claimed that the Russian Ministry of Sport had orchestrated a state sponsored doping scheme between 2011 and 2015 to enhance the performance of Russian athletes. He further alleged that this scheme involved concealing evidence of doping by failing to follow up on or report presumptive adverse analytical findings ("PAAFs") from samples of protected Russian athletes, known as the "*Disappearing Positives Methodology*" (the "DPM") and/or by swapping samples after collection but before analysis.

9. On 19 May 2016, WADA announced the appointment of Prof. Richard McLaren as an Independent Person (the "IP") to investigate the allegations made by Dr Rodchenkov.

10. This investigation culminated in two reports issued by Prof. McLaren on 16 July 2016 (the "First McLaren Report") and 9 December 2016 (the "Second McLaren Report") (collectively, the "McLaren Reports"). The First McLaren Report found that there was enough corroborated evidence to support the allegations of the DPM and the existence of a protective system for Russian athletes, a finding that was further expanded upon in the Second McLaren Report. In addition to the McLaren Reports, Prof. McLaren published "*Evidence Disclosure Packages*" ("EDP"), which included evidence collected during his investigation relating to athletes from both summer and winter sports whom he believed were involved in or benefited from the doping scheme.

11. On 30 October 2017, WADA's Intelligence and Investigations Department ("WADA I&I") secured from a whistleblower a copy of the Moscow Laboratory's information management system ("LIMS") database relating to samples obtained from 2012 to 2015 ("2015 LIMS"). In general terms, LIMS consists of a system that enables a laboratory to manage samples throughout the analytical process and track the resulting analytical data. The 2015 LIMS was found to include PAAFs made on the initial testing of samples which had neither been reported in the WADA Anti-Doping Administration & Management System ("ADAMS") nor followed up with confirmation testing.

12. In January 2019, WADA I&I gained access to the Moscow Laboratory and took forensic copies of the LIMS database (the "2019 LIMS"), along with the underlying raw data files for the analyses recorded in the LIMS during the relevant years, as well as the corresponding analytical PDF files (the "2019 Files").

B. The Specific Background of the Dispute and the Proceedings Initiated by the IIHF

13. The present appeal concerns sample nr. 3851938 (the "Sample") collected from the Athlete during an in-competition test on 12 March 2015, following the Kontinental Hockey League ("KHL") Conference Semifinal match between CSKA Moscow (the Athlete's club at the time) and Jokerit Helsinki.

14. When investigating the 2015 LIMS and the 2019 LIMS databases, the WADA I&I observed a significant number of discrepancies between both databases, including the Athlete's Sample. In particular, it was identified that the Sample was reported as negative or not reported at all in ADAMS, but it was recorded in the LIMS as producing a PAAF for metenolone, oxandrolone, trenbolone, meldonium, cathine and pseudoephedrine.

15. On 23 June 2021, WADA sent a letter to the IIHF which referred inter alia to the Athlete and the Sample and reads in the pertinent part as follows:

"RE OPERATION LIMS INVESTIGATION OF IIHF ATHLETES

The purpose of this letter is to report additional cases of suspected 'doping' identified against 5 Russian ice hockey players (collectively, the "Athletes") by Operation LIMS, the World Anti-Doping Agency (WADA) Intelligence and Investigations Department investigation of the Moscow Anti-Doping Centre Laboratory Information Management System (LIMS) data.

These cases represent the last of the cases that Operation LIMS will identify within the LIMS data for athletes from your Federation. These cases are in addition to the 20 Russian ice hockey players previously identified to the IIHF in our 27 April 2020 letter.

A summary of the evidence pertaining to each athlete is detailed below (see "Case Summaries") and a copy of all associated evidential holdings (e.g. Raw Data and PDF files) has been included with this letter. Operation LIMS has categorized these cases from "1" to "4", with categories "1" and "2" being those cases with the most favorable prospects for establishing an Anti-Doping Rule Violation (ADRV). To this end, Operation LIMS strongly encourages your Federation thoroughly investigate these cases.

Investigation Outcomes and Results Management

WADA acknowledges the complexity and large number of cases to be handled by your Federation. We also understand that this may lead to your Federation to pursuing the strongest cases first and delaying those cases with less compelling evidence until a decision has been given in respect of the former cases. To this end, since many of the samples we have identified in this letter were collected in 2012 and 2013, we respectfully bring to your attention the 10-year statute of limitations as outlined by Article 17 of the Code.

Moreover, we kindly request that your Federation informs WADA, as soon as practically possible, whether:

1. *Your Federation will assert an ADRV against one or more of the athletes detailed in this letter:*

   (i) If yes, please indicate when you expect to notify the athlete(s).

   (ii) If no, please provide detailed and specific grounds for that decision as per Article 12.3.3 of WADA's International Standard for Testing and Investigations.

Additionally, we ask that you inform WADA if any of the above listed athletes will or are likely to take part in the upcoming 2022 Beijing Olympic Games and/or World Championships. If such information is not currently known, then we ask that you provide this information to WADA immediately upon it becoming available to your Federation.

WADA would ask that you send your responses to the following email addresses: rm@wada-ama.org (please specify LIMS in the subject line of your email) and operationlims@wada-ama.org.

Lastly, the Intelligence and Investigations Department remain at your full disposal to help with the preparation of evidence should you start any ADRV proceedings. This would include compilation of detailed investigation reports from our Operation LIMS team and Forensic Experts. Costs associated with the compilation of any Forensic Expert report will be met by your Federation.

[…]

THE ATHLETES

Index	***Priority***	***ADAMSID***	***Athlete_FullName***
1	*1*	*GRIGMA01367*	*Grigorenko, Igor".*

16. On 7 March 2025, the IIHF sent a letter to the Athlete and the Russian Ice Hockey Federation ("RIHF") officially notifying the commission of a potential ADRV by the Athlete regarding the facts described above and inviting him to provide a first explanation on the findings of the Sample.

17. On 13 March 2025, the RIHF confirmed to the IIHF that the Athlete had been duly notified of such potential ADRV.

18. The Athlete failed to provide an explanation on the findings of the Sample.

19. On 12 May 2025, the IIHF informed the Athlete that he had been formally charged with the commission of the ADRV and invited him to either admit it, waive his right to a disciplinary proceeding in front of the IIHF Disciplinary Board and accept a 4-year suspension, or request that his case be submitted to the IIHF Disciplinary Board for adjudication in accordance with the IIHF Disciplinary Regulations (the "Letter of Charge").

20. The Athlete did not reply to the Letter of Charge.

21. On 12 August 2025, the IIHF resolved that the Athlete committed the ADRV and sanctioned him with a 4-year period of Ineligibility starting from the date of the decision (the "Appealed Decision"). This Appealed Decision reads in its pertinent part as follows:

"The anti-doping rule violation under Article 2.2 of the World Anti-Doping Code involves the Use of a Prohibited Substance. In accordance with Article 10.2.1, a four (4) year period of Ineligibility shall apply unless Mr. Grigorenko establishes that the violation was not intentional. The burden rests with Mr. Grigorenko to demonstrate the absence of intent, as defined in Article 10.2.3 of the Code. Failing such a demonstration, the four-year period of Ineligibility should be imposed.

Mr. Grigorenko did not provide a First Explanation nor did he submit a response to the Letter of Charge.

Thus, based on the Player's failure to establish that the violation was not intentional, in accordance with Article 10.2.1, the IIHF herewith implements:

GRIGORENKO, Igor is sanctioned with a period of ineligibility of four (4) years starting on date of this decision. […]".

III. PROCEEDINGS BEFORE THE COURT OF ARBITRATION FOR SPORT

22. On 1 September 2025, the Athlete filed his Statement of Appeal against the Appealed Decision before the Court of Arbitration for Sport (the "CAS"), with the following requests for relief:

"On these grounds, Mr. Igor Grigorenko respectfully requests the CAS to rule as follows:

1. *The appeal filed by Mr. Igor Grigorenko against the IIHF Final Decision passed by the IIHF Disciplinary Board on 12 August 2025 is upheld.*

> 2. *The IIHF Final Decision passed by the IIHF Disciplinary Board on 12 August 2025 is set aside and annulled.*
>
> *In the alternative, only in case the CAS considers the ADRV established (quod non):*
>
> 2. *The IIHF Final Decision passed by the IIHF Disciplinary Board on 12 August 2025 is modified as follows:*
>
> *"GRIGORENKO, Igor is sanctioned with a reprimand".*
>
> *In any case:*
>
> 3. *IIHF shall bear all costs incurred with the present procedure.*
>
> 4. *IIHF shall pay to Igor Grigorenko a contribution towards his legal fees and other expenses, incurred in connection with the present proceedings, in an amount to be determined at the Panel's discretion.*
>
> *The Appellant hereby reserves the right to amend his statements, submissions and/or requests for relief and provide any evidence to support his arguments along with the Appeal Brief".*

23. In the Statement of Appeal, the Appellant nominated Mr. Alexander McLin as arbitrator and requested the Panel to order the Respondent to produce the full case file.

24. On 8 September 2025, the Respondent provided the full case file.

25. On 15 September 2025, the Respondent nominated Prof. Dr. Ulrich Haas as arbitrator.

26. On 2 October 2025, the Appellant filed his Appeal Brief with the following request for relief:

> *"On these grounds, Mr. Igor Grigorenko respectfully requests the CAS to rule as follows:*
>
> 1. *The appeal filed by Mr. Igor Grigorenko against the IIHF Final Decision passed by the IIHF Disciplinary Board on 12 August 2025 is upheld.*
>
> 2. *The IIHF Final Decision passed by the IIHF Disciplinary Board on 12 August 2025 is set aside and annulled.*
>
> *In the alternative, in case the CAS considers the ADRV established (quod non):*
>
> 2. *The IIHF Final Decision passed by the IIHF Disciplinary Board on 12 August 2025 is modified as follows:*
>
> *"GRIGORENKO, Igor is sanctioned with a reprimand."*
>
> *In the second alternative, only in the unlikely case the CAS considers the ADRV established and decides that there are no grounds to* (sic) *for the "no fault" finding,*
>
> 2. *The IIHF Final Decision passed by the IIHF Disciplinary Board on 12 August 2025 is modified as follows:*
>
> *"GRIGORENKO, Igor is sanctioned with a period of ineligibility of two (2) years starting on 23 June 2021 (or any other date before 12 August 2025 deemed fair by the Panel)."*

In any case:

3. *IIHF shall bear all costs incurred with the present procedure.*

4. *IIHF shall pay to Igor Grigorenko a contribution towards his legal fees and other expenses, incurred in connection with the present proceedings, in an amount to be determined at the Panel's discretion".*

27. In his Appeal Brief, the Appellant also made the following request for production of documents:

> *"Second, the Appellant hereby requests that the IIHF, together with its Response, provides the information on all sample collections conducted by the IIHF towards him [...]".*

28. On 3 October 2025, the CAS Court Office acknowledged receipt of the Appeal Brief and invited the Respondent to submit its Answer and to provide its position on the request for production of documents made by the Athlete in his Appeal Brief.

29. On 24 October 2025, the CAS Court Office informed the Parties that the Panel appointed to decide the dispute was constituted as follows:

President: Mr. Jordi López Batet, Attorney-at-Law in Barcelona, Spain

Arbitrators: Mr. Alexander McLin, attorney-at-law in Denges, Switzerland

Prof. Dr. Ulrich Haas, Professor and Attorney-at-law in Hamburg, Germany.

30. On 14 November 2025, the Respondent filed its Answer, with the following request for relief:

"6.1. For all the reasons set out above, the IIHF respectfully requests that the CAS Panel:

6.1.1 Accept the admissibility of the Player's appeal.

6.1.2 Dismiss the Player's appeal and uphold the Decision.

6.1.3 Uphold the Player's commission of an anti-doping rule violation pursuant to DCR Article 2.5 based on the Player's Use of metenolone, oxandrolone, and trenbolone on or prior to sample collection on 12 March 2015.

6.1.4 Uphold the imposition of a four-year period of ineligibility commencing on the date of the CAS Panel's decision pursuant to DC Article 7.2.1 and DC Article 7.12.

6.1.5 Dismiss all of the Player's other requests for relief.

6.1.6 Award the IIHF a significant contribution to its legal costs and expenses incurred in relation to these proceedings".

31. The Respondent produced the Athlete's testing history with its Answer.

32. Also on 14 November 2025, the CAS Court Office took note that the Respondent did not find it necessary to hold a hearing in this matter and that if the Panel found it necessary, it requested to hold the hearing by videoconference, and invited the Appellant to inform whether he wanted to hold a hearing in this matter or the Panel issuing the award based on the written submissions only. In addition, the Parties were invited to inform whether they considered necessary to hold a case management conference.

33. On 21 November 2025, the Appellant requested to hold a hearing by videoconference and informed the CAS Court Office that he did not consider it necessary to hold a case management conference, while the Respondent confirmed that it did not deem it necessary to hold a case management conference.

34. On 3 December 2025, the CAS Court Office informed the Parties that the Panel had decided that a hearing would take place in the present matter by videoconference.

35. On 6 January 2026, the CAS Court Office sent to the Parties a tentative hearing schedule prepared by the Panel and the Order of Procedure.

36. On 13 January 2026, the Respondent sent a letter waiving its right to cross examine three of the experts and witnesses proposed by the Appellant, namely Ms. Irina Makarenko, Mr. Vladimir Zharkov and Dr. Dmitriy Bogdashevskiy, stating notwithstanding this that such waiver did not imply an acceptance of the witnesses' evidence. In addition, the Respondent noted that it did not consider the attendance of those witnesses and experts at the hearing to be necessary and requested to adapt the tentative hearing schedule accordingly.

37. Also on 13 January 2026, the Appellant replied to the Respondent's letter of the same date by stating that he considered necessary that his experts and witnesses were allowed to participate at the hearing in order to protect his right to be heard and to allow the Panel to ask questions to them. In addition, it was communicated to the CAS Court Office that the Athlete wished to make a statement at the hearing and that he was open to be cross-examined therein.

38. Also on 13 January 2026, the Parties returned a signed copy of the Order of Procedure.

39. On 19 January 2026, the CAS Court Office informed the Parties about the definitive hearing schedule, which included the Athlete's declaration as well as the participation of the witnesses and experts proposed by the Athlete.

40. On 23 January 2026, a hearing was held in the present case by videoconference. In addition to the members of the Panel and Ms. Amelia Moore, CAS Counsel, the following persons attended the hearing:

For the Appellant: Mr. Igor Grigorenko, the Athlete
Mr. Vladislav Chepelyov, counsel
Ms. Ekaterina Dyakova, counsel
Mr. Vladimir Zharkov, witness
Ms. Irina Makarenko, expert
Dr. Dmitriy Bogdashevskiy, expert
Ms. Daria Skvortsova, interpreter

For the Respondent: Mr. Chris Lavey, counsel
Ms. Ashley Ehlert, IIHF Deputy Director General
Mr. Adriaan Wijckmans, IIHF Legal Counsel
Dr. Lisa Benaglia, witness
Prof. Christiane Ayotte, expert
Dr. Tiia Kuurane, expert

41. At the outset of the hearing, the Parties declared that they had no objections as to the constitution of the Panel. The Parties made their opening statements, the witnesses and experts were examined, the Parties made their closing statements, the Athlete also made a statement and the Parties were granted a brief turn of rebuttal. At the end of the hearing, the Parties confirmed that they had no objection as to how the hearing and the proceedings in general had been conducted.

IV. SUBMISSIONS OF THE PARTIES

42. Below is a summary of the facts and allegations raised by the Parties in these proceedings. This summary of the Parties' positions is illustrative only and does not necessarily comprise each contention put forward by them. However, in considering and deciding upon the Parties' claims, the Panel has carefully considered all the submissions made and the evidence adduced by the Parties, even if there is no specific reference to those submissions in this section of the Award or in the legal analysis that follows. While the Panel has considered all the facts, allegations, legal arguments and evidence submitted by the Parties in the present proceedings, it refers in this award only to the submissions and evidence it considers necessary to explain its reasoning.

A. The Appellant

43. The Appellant's submissions, in essence, may be summarized as follows:

- The IIHF was not competent to conduct results management in this case, as the sample collection was initiated by RUSADA.

- The charges towards the Athlete are time-barred. The applicable anti-doping regulations establish that any proceeding may commence within ten (10) years from the date the ADRV is asserted to have occurred. In the present case, the Sample was taken on 12 March 2015, the Athlete is accused of having committed an anti-doping rule violation of Use (not Presence) of Prohibited Substances and the IIHF failed to establish the date of the alleged Use of the Prohibited Substances. In any event, the first email from the IIHF regarding the proceedings was sent to him by the RIHF on 12 March 2025, so even if CAS found that the time limitation period was not breached by the IIHF, it would be cynical to wait for the last day of the deadline while having had the opportunity to proceed earlier.

- In any case, the IIHF also failed to prove the commission of the ADRV by the Athlete. The LIMS databases are not sufficient to this purpose. There is no direct evidence proving that the Athlete used Prohibited Substances and it is not possible to analyze the Sample as it was disposed of in July 2015 according to the International Standard for Laboratories. In addition, the data in the LIMS databases *per se* have little probatory value, given that they are not secure, and the integrity of the files is

not ensured. The Athlete suggests that these databases could have been manipulated. For instance, they recorded a PAAF for meldonium, a substance that only became prohibited from 1 January 2016, i.e., 9 months after the Sample collection. The only plausible explanation for this is that there was a manipulation after 1 January 2016 by some unknown persons.

- Comparing this case with other cases involving accusations of Russian athletes based on the information contained in the LIMS databases, in particular CAS 2023/O/9401, it shall be mentioned that:

  - The Athlete's name did not appear in the so-called "Clean Urine Banks" or "Washout Schedule".

  - No statements from Dr. Rodchenkov were provided by the IIHF with the case file.

  - The Athlete does not personally know Dr. Rodchenkov and has not communicated with him, as confirmed by the Appellant's polygraph examination conducted by Ms. Makarenko;

  - There was no specific email correspondence regarding the Athlete between any officials of the Moscow Laboratory.

  - The alleged concentrations of metenolone, trenbolone and oxandrolone were below the Minimum Required Performance Level ("MRPL"). Therefore, the Moscow Laboratory's actions were not suspicious nor were they designed to hide a potential ADRV.

  - The Athlete had no role in the (alleged) Russian doping scheme.

- Any results of the Sample analysis considered suspicious by the IIHF are not enough to prove the Athlete's alleged Use of metenolone, trenbolone and oxandrolone. Even if one considers the LIMS databases to be reliable evidence, then this evidence might only prove that the ADRV was probable or possible, but not that the ADRV is to be established to the comfortable satisfaction of the Panel. The mere chance that the confirmation procedures were not duly conducted by the laboratory cannot prove that the Athlete used Prohibited Substances. In this regard, one of the IIHF's experts concluded that "[a]*s the assessment is based only on instrument data, there is a general risk associated with chain-of-custody. In this case, the explanation to the repeated ITP analysis (injection or re- extraction) is also unclear, as well as the mismatch of data between the two data processing sheets of the first analysis*".

- Alternatively, in case that the Panel considers that the ADRV has been established, the Athlete holds that he acted with No Fault or Negligence and claims that a mere reprimand shall be imposed on him, based on the following:

  - The Athlete did not consciously take metenolone, trenbolone or oxandrolone in the period 2013-2015, as confirmed by the polygraph examination conducted on the Athlete by the expert Ms. Makarenko.

- The Athlete’s former teammates confirmed that they did not notice any changes in his physical shape while playing with him in one team for a significant period and positively described him as a person.

- As asserted by expert Dr. Bogdashevskiy, metenolone, trenbolone and oxandrolone are, and were at the time of the alleged ADRV, restricted for sale in Russia, and their usage without special knowledge might cause severe harm to an athlete's health.

- The concentration level of metenolone, trenbolone and oxandrolone in the Sample, which are below the MRPL, does not fit with the scenario of continuous steroid use and did not allow the Athlete to gain a sporting advantage.

- The result of the analysis of the rest of samples collected throughout the Athlete’s career was negative.

- There is “*no breach with respect to cathine, pseudoephedrine and meldonium*”, as stated by the experts appointed by the IIHF.

- The Athlete is not personally acquainted with Dr. Rodchenkov, so he could not receive any steroids from him or under his control.

- If the Panel considers that there are no grounds for a No Fault or Negligence finding, the Athlete holds that, based on the facts described in the preceding paragraphs, he did not act intentionally and that the sanction of ineligibility to be imposed on him should be of 2 years and not 4 years. The Athlete also requests that the commencement of any potential period of ineligibility should be backdated to 23 June 2021, or to any other date the Panel deems fair. In this regard, the Athlete points out that the case file was transferred to the IIHF on 23 June 2021, but it took more than 3.5 years for the IIHF to issue the Appealed Decision, a duration that significantly exceeds the delays seen in other cases in which CAS considered it appropriate to backdate the commencement of the period of ineligibility. Finally, the Athlete contests the IIHF contention that he did not respect the ineligibility sanction imposed on him by the Appealed Decision.

B. The Respondent

44. The Respondent’s submissions, in essence, may be summarized as follows:

- The IIHF has results management authority as, according to Article 6.8 of the WADC, if WADA takes possession of analytical data or information of a laboratory, it may direct to another anti-doping organization with authority to test an athlete, such as the IIHF. This is what happened in this case.

- The charges against the Athlete are not time-barred as the Sample was collected on 12 March 2015 and the IIHF notified the potential ADRV to the Athlete on 7 March 2025, that is to say less than ten years later.

- The IIHF duly established the ADRV by reliable means, and none of the arguments of the Athlete undermines the finding that he used metenolone, oxandrolone and trenbolone:

- o The Athlete's ADRV took place within the period of the Russian doping scheme (2011-2015). During such period and according to the First McLaren Report, Dr. Rodchenkov developed a steroid cocktail optimized to avoid detection named the Duchess Cocktail, which consisted of trenbolone, oxandrolone and metenolone, precisely the substances that were found in the Athlete's Sample.

- o The data in the 2015 LIMS database and the raw data subsequently retrieved from the 2019 LIMS clearly demonstrates that the Sample was subject to two steroid screenings in the initial testing procedure that detected metenolone, oxandrolone and trenbolone, and that this PAAF was concealed. The experts Prof. Ayotte and Dr. Kuurane confirmed this.

- o The security and integrity of the data relied upon by the IIHF is not in doubt, the LIMS data are reliable, accurate, and forensically valid and there is no discrepancy between the data recorded in the 2015 LIMS and the 2019 LIMS vis-à-vis the Sample.

- o The fact that the Sample was disposed of in July 2015 is in accordance with the applicable regulations.

- o The DPM operated flexibly in practice, so the fact that the Athlete's name did not appear in any "Clean Urine Banks" or "Washout Schedule" does not undermine the evidence that he used the Prohibited Substances.

- o The PAAF for meldonium cannot jeopardize the validity of the LIMS data because, although this substance was not prohibited until 1 January 2016, since at that time meldonium was included in WADA's Monitoring List and, therefore, it was not unusual to record a finding of meldonium and analyse it.

- o The fact that the concentrations of the prohibited substances found in the Sample were below the MRPL is irrelevant. CAS jurisprudence has recognized that MRPL is neither a threshold nor a limit of detection and an Adverse Analytical Finding ("AAF") can result from concentrations below the established MRPL values.

- o The IIHF is not required by the regulations or the jurisprudence to prove exactly when or how the Use of the Prohibited Substances took place.

- The Athlete did not provide any explanation on how the Prohibited Substances entered his body. Therefore, the Athlete's claim that he bore no fault or negligence is untenable. For the same reason, the Athlete cannot establish that the ADRV was unintentional. In any case, the assertions he made to try to demonstrate an unintentional Use of the Prohibited Substances do not rebut the presumption of intentional Use.

- The delay in the results management process in this case is reasonable and explainable by the number and complexity of cases arising from the Russian doping scheme, so there is no reason to backdate the commencement of the period of ineligibility imposed on the Athlete.

- The period of ineligibility shall start on the date of the hearing decision in accordance with the applicable regulations. In this case, this commencement date shall be the date of the CAS Panel's decision, as it is not clear whether the Athlete respected the period of ineligibility imposed on him since 12 August 2025. The Athlete was appointed as CEO or general manager of an ice hockey club competing in the KHL before the issuance of the Appealed Decision and some websites continue to list the Athlete in such role. The Athlete must prove that he fully respected his period of ineligibility since 12 August 2025.

V. JURISDICTION

45. Article R47 of the CAS Code of Sports-related Arbitration (the "CAS Code") provides in the pertinent part as follows:

"An appeal against the decision of a federation, association or sports-related body may be filed with CAS if the statutes or regulations of the said body so provide or if the parties have concluded a specific arbitration agreement and if the Appellant has exhausted the legal remedies available to it prior to the appeal, in accordance with the statutes or regulations of that body. […]*".*

46. Statute 22 of the IIHF Statutes and Bylaws reads as follows:

"Court of Arbitration for Sport

22.1. IIHF recognizes the independent CAS, with headquarters in Lausanne (Switzerland), to resolve disputes arising from the Governing Documents between (a) IIHF and (b) MNAs, Leagues, clubs, players and/or officials.

22.2. Subject to Statute 20, any final IIHF Decision in accordance with Statute 21 may only be appealed at the CAS, with the exclusion of the state courts, in accordance with its Code of Sports-related Arbitration. CAS shall apply the Governing Documents and Swiss Law.

22.3. The CAS shall only have jurisdiction if all remedies within the IIHF have been exhausted.

22.4. An appeal to CAS shall not stay the effect of any IIHF disciplinary sanction, subject to the CAS's power to order that any disciplinary measure be stayed pending the arbitration".

47. Article 13.1 of the IIHF ADR (ed. 2023) provides as follows:

"All decisions made as indicated in WADA Code Article 13.2 (Appeals from Decision Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority) may be appealed exclusively to the Court of Arbitration for Sport (CAS) and as set forth in Article 13 of the WADA Code. Such decisions shall remain in effect while under appeal unless the CAS orders otherwise".

48. The jurisdiction of CAS is not contested by the Respondent and both Parties signed the Order of Procedure, thereby expressly confirming their agreement to CAS jurisdiction.

49. Hence, it follows that CAS has jurisdiction to adjudicate and decide on the present dispute.

VI. ADMISSIBILITY

50. Article R49 of the CAS Code provides in the pertinent part as follows:

> *"In the absence of a time limit set in the statutes or regulations of the federation, association or sports-related body concerned, or in a previous agreement, the time limit for appeal shall be twenty-one days from the receipt of the decision appealed against. The Division President shall not initiate a procedure if the statement of appeal is, on its face, late and shall so notify the person who filed the document. When a procedure is initiated, a party may request the Division President or the President of the Panel, if a Panel has been already constituted, to terminate it if the statement of appeal is late. The Division President or the President of the Panel renders her/his decision after considering any submission made by the other parties. […]".*

51. Article 13.3 of the IIHF ADR (ed. 2023) reads in the pertinent part as follows:

> "*The time to file an appeal to CAS shall be twenty-one (21) days from the date of receipt of the decision by the appealing party. […]*".

52. The Statement of Appeal was filed with the CAS Court Office on 1 September 2025, i.e. before the expiration of the time limit of 21 days as from receipt of the Appealed Decision on 12 August 2025. Moreover, it fulfils the requirements for a Statement of Appeal set forth in Article R48 of the CAS Code.

53. In addition, the Respondent did not contest the admissibility of the appeal.

54. The appeal is thus admissible.

VII. APPLICABLE LAW

55. Article R58 of the CAS Code provides as follows:

> *"The Panel shall decide the dispute according to the applicable regulations and, subsidiarily, to the rules of law chosen by the parties or, in the absence of such a choice, according to the law of the country in which the federation, association or sports-related body which has issued the challenged decision is domiciled or according to the rules of law that the Panel deems appropriate. In the latter case, the Panel shall give reasons for its decision".*

56. Both Parties referred in their submissions to the application of the IIHF regulations to the dispute, and the Respondent also made reference to Swiss law applying on a subsidiary basis. With regard to which IIHF ADR version/s shall apply to the dispute, both Parties agree that the IIHF ADR (ed. 2015) shall apply to the substantive aspects while the IIHF ADR (ed. 2023) shall apply to the procedural aspects.

57. Based on the aforementioned, the Panel shall apply to the resolution of the dispute the IIHF regulations (including the IIHF ADR as set out above and the IIHF Disciplinary Code -"the IIHF DC"-), with Swiss law applying subsidiarily where necessary.

VIII. MERITS

58. By virtue of the Appealed Decision, the Athlete was sanctioned with a period of ineligibility of four years starting from the date of the decision for an anti-doping

violation of Use of Prohibited Substances. The Athlete challenges the Appealed Decision as in his view, (i) the IIHF did not have the authority to conduct the Results Management on the Sample, (ii) the charges against the Athlete are time-barred, (iii) the IIHF did not duly establish the occurrence of the ADRV and (iv) should the Panel consider the ADRV established, the sanction should be reduced to a reprimand as the Athlete bore No Fault or Negligence or in the alternative, to a period of 2 years of ineligibility due to the Athlete's lack of intentionality. The Respondent requests the Appealed Decision be confirmed.

59. In light of the submissions made by the Parties in these proceedings, the Panel shall address the following issues:

- Whether the IIHF had the authority to conduct the Results Management on the Sample;
- Whether the charges against the Athlete are time-barred;
- Whether the ADRV has been duly established by the IIHF and in the affirmative, which is the sanction to be imposed on the Athlete.

60. The Panel will examine below each of the above-mentioned issues in the indicated order.

A. The authority of the IIHF to conduct the Results Management on the Sample

61. The Appellant submits that the IIHF had no authority to conduct the Results Management *in casu* as the Sample was collected by the RUSADA and, therefore, it was the only competent authority to conduct the disciplinary proceedings.

62. The Appellant bases this contention on Article 7.1.1 of the IIHF ADR ed. 2023, which reads as follows:

"7.1.1. Except as otherwise provided in Articles 6.6, 6.8 and Article 7.1.3 through 7.1.5 of the WADA Code, Results Management shall be the responsibility of, and shall be governed by, the procedural rules of the Anti-Doping Organization that initiated and directed Sample collection (or, if no Sample collection is involved, the Anti-Doping Organization which first provides notice to a Player or other Person of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation)".

63. The IIHF objects to the Athlete's position as Article 7.1.1. of the IIHF ADR ed. 2023 contains three exceptions -i.e. those foreseen in Articles 6.6, 6.8 and 7.1.3 of the WADC- to the general rule set out in the article, one of which applies herein, namely the one in Article 6.8 of the WADC, which reads as follows:

"6.8 WADA's Right to Take Possession of Samples and Data

WADA may, in its sole discretion at any time, with or without prior notice, take physical possession of any Sample and related analytical data or information in the possession of a laboratory or Anti-Doping Organization*. Upon request by WADA, the laboratory or Anti-Doping Organization in possession of the Sample or data shall immediately grant access to and enable WADA to take physical possession of the Sample or data.43 If WADA has not provided prior notice to the laboratory or Anti-Doping Organization before taking possession of a*

Sample or data, it shall provide such notice to the laboratory and to each Anti-Doping Organization whose Samples or data have been taken by WADA within a reasonable time after taking possession. ***After analysis and any investigation of a seized Sample or data, WADA may direct another Anti-Doping Organization with authority to test the Athlete to assume Results Management responsibility for the Sample or data if a potential anti-doping rule violation is discovered****"*. (emphasis added)

64. The Panel shares the Respondent's view that such an exception applies *in casu*, as WADA (i) took physical possession of data and information on the Athlete's Sample which were in the possession of the Moscow Laboratory and (ii) directed the IIHF to assume the results management responsibility on the Sample in its letter of 23 June 2021, which referred *inter alia* to the Athlete and the Sample.

65. Therefore, the Panel considers that the IIHF was indeed competent to carry out the Results Management on the Sample in this case, even though the Sample was initially collected by RUSADA.

B. Are the charges against the Athlete time-barred?

66. The Appellant holds that the charges against the Athlete are time-barred based on Article 8.2 of the IIHF ADR (ed. 2023), which reads as follows:

"8.2. Limitation Period

No anti-doping rule violation proceeding may be commenced against the Player or other Person accused of an anti-doping rule violation unless they have been notified of the anti- doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten (10) years from the date the violation is asserted to have occurred".

67. The Panel shall determine whether the notification of the ADRV to the Athlete was made within or outside the 10-year period set out in the aforementioned article.

68. The Panel notes that (i) the Sample was collected on 12 March 2015, (ii) the IIHF sent a letter to the Athlete and the RIHF officially notifying the potential commission of the ADRV by the Athlete on 7 March 2025 (that is to say, within the aforementioned 10-year period), (iii) the RIHF confirmed to the IIHF that the Athlete had been duly notified of the potential commission of the ADRV and (iv) the Athlete did not raise any specific objection as to said notification process.

69. In spite of it, the Athlete claims that the Respondent failed to establish the date of the ADRV (Use of the Prohibited Substances) and that such failure in conjunction with the Respondent's failure to start proceedings for 10 years shall not be interpreted against him.

70. Such a contention of the Athlete, in the Panel's view, is of no avail in this case. It is undisputed that the ADRV was notified to the Athlete within 10 years following the Sample collection. If it was the Athlete's assertion that the Use of the Prohibited Substances took place outside said time limitation period, he should have substantiated this submission by providing detailed information as to when, under what circumstances and what kind of product containing the Prohibited Substance was used. Simply contesting in a generic manner that Prohibited Substances were taken within the 10-year window is not enough. In addition, the Athlete not only failed to substantiate his

submissions, but also holds in these proceedings that he did not use the Prohibited Substances. This is contradictory.

71. Based on the aforementioned, the Panel considers that the charges against the Athlete are not time-barred and that the Athlete's claim in this respect shall be dismissed.

C. The ADRV

72. The Panel notes that the Appealed Decision is principally based on (i) the finding that the Sample was reported as negative or not reported at all in ADAMS by the Moscow Laboratory, but was recorded in the LIMS as producing PAAFs for metenolone, oxandrolone, trenbolone, meldonium, cathine and pseudoephedrine, (ii) the reports issued by Prof. Christiane Ayotte and Dr. Tiia Kuuranne on 18 and 21 February 2025 respectively on the Sample's information and data analyzed by each of them and (iii) the fact that the Athlete did not provide any explanation or defense on the ADRV.

73. The Appellant, who did not participate in the first instance procedure before the IIHF, submits in these proceedings before the CAS that the Respondent failed to establish the ADRV, in essence based on the arguments listed in para. 43 above

74. In light of these arguments brought anew to the dispute by the Athlete and the evidence taken before the CAS, the Panel shall analyse whether the ADRV has been established by the IIHF.

75. In this respect, the Panel first notes that the Use or Attempted Use of a Prohibited Substance or a Prohibited Method constitutes an ADRV in accordance with the IIHF ADR ed. 2015 (and also in the ed. 2023), in the following terms:

"The following constitute anti-doping rule violations: [...]

Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method

It is each Players' personal duty to ensure that no Prohibited Substance enters their bodies and that no Prohibited Method is Used. Accordingly, it is not necessary that intent, Fault, Negligence or knowing Use on the Player's part be demonstrated in order to establish an anti-doping violation for Use of a Prohibited Substance or a Prohibited Method.

The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an anti-doping rule violation to be committed".

76. The Panel also notes that it is undisputed between the Parties that in accordance with the applicable regulations, (i) the burden of establishing that the ADRV has occurred rests on the IIHF, (ii) the applicable standard of proof is the one of "comfortable satisfaction" and (iii) facts related to an ADRV may be established by any reliable means.

77. With regard to the standard of proof of "comfortable satisfaction", the Panel shall refer, and adheres, to the overview of CAS case law made in CAS 2022/A/8653, which in the pertinent part reads as follows:

"*The CAS jurisprudence has clearly shaped the comfortable satisfaction standard as being lower than the criminal standard of beyond reasonable doubt but higher than other civil standards such as the balance of probabilities. Indeed, the 'comfortable satisfaction' standard of proof has been developed by the CAS jurisprudence (i.e. CAS 2009/A/1920, CAS 2013/A/3258, CAS 2010/A/2267, CAS 2010/A/2172) which has defined it by comparison, declaring that it is greater than a mere balance of probability but less than proof beyond a reasonable doubt. In particular, the CAS jurisprudence has clearly established that to reach this comfortable satisfaction, the Panel should have in mind 'the seriousness of allegation which is made' (i.e. CAS 2005/A/908, CAS 2009/1920). It follows from the above that this standard of proof is then a kind of sliding scale, based on the allegations at stake: the more serious the allegation and its consequences, the higher certainty (level of proof) the Panel would require to be "comfortably satisfied" (CAS 2014/A/3625, para. 132). Notwithstanding the foregoing, it shall be noted that this standard of proof 'does not itself change depending on the seriousness of the (purely disciplinary) charges. Rather the more serious the charge, the more cogent the evidence must be in support' (CAS 2014/A/3630, para. 115)".*

78. Bearing the aforementioned in mind, and after having analyzed the allegations made by the Parties and the evidence taken in these proceedings, the Panel is comfortably satisfied that the IIHF discharged its burden of proof and established the occurrence of the ADRV, for the reasons that will be explained below.

79. The Appealed Decision is indeed mainly based on the data and information on the Sample obtained from the LIMS databases, which were submitted by the IIHF to the scrutiny and assessment of experts Prof. Ayotte and Dr. Kuurane, who respectively concluded the following in their reports of 18 and 21 February 2025:

- Prof. Ayotte:

  "In conclusion: ***the entries made in the Moscow laboratory LIMS seem consistent with the administration of three AAS, trenbolone, metenolone and oxandrolone. The pattern of metabolites is scientifically sound, the ion-transitions selected for their detection by the GC-MS/MS analysis of their TMS-derivatives are correct. The reconstructed chromatograms (raw files) of both runs and the pdf file for the repeated analysis match the LIMS records. In my opinion, the presence of the parent compounds and/or their characteristic metabolites in two different aliquots of urine sample 3851938 supports their administration prior to the provision of the sample on 12 March 2015****. The only conclusion that can be drawn from the data pertaining to the stimulants analysis, is that pseudoephedrine and cathine were present, that the latter originated from the former, however it is not possible to estimate the concentration and conclude that it exceeded the threshold to be reported as an AAF"* **(emphasis added)**.

- Dr. Kuurane:

  "Conclusions on metenolone, oxandrolone and trenbolone:

  1) ***Interpretation of the ITP data suggests the presence of metenolone, oxandrolone and trenbolone metabolites in the sample "2490" and the data support the decision to proceed with a confirmation procedure****.*

  2) *No data is provided on confirmation procedures. Based on the LIMS data, the laboratory comments refer to estimated concentrations between 0.5-3 ng/mL, which are below the prevailing MRPL concentration 5 ng/mL. For decision to evade the confirmation procedure, the laboratory may have additional information, e.g. validated limits of*

identification. However, the signal intensities and signal-to-noise ratios of the initial testing procedure do not suggest sensitivity problems to identify the target compounds.

3) *For a strong AAF-case and for the decision to pursue an ADRV, a major piece of missing information is the lack of data from confirmation procedures. Their availability should be checked with WADA. As the assessment is based only on instrument data, there is a general risk associated with chain-of-custody. In this case, the explanation to the repeated ITP analysis (injection or re-extraction) is also unclear, as well as the mismatch of data between the two data processing sheets of the first analysis.* ***However, the re-extraction is traceable in LIMS records and allows for association of the presumptive adverse analytical data (PAAF) to the sample "2490"*** **(emphasis added)**.

80. The Panel notes that Dr. Benaglia, both in her witness statement produced with the Answer to the Appeal Brief and in her testimony at the hearing, stated that the LIMS data is reliable, accurate and forensically valid and that in the case of the Athlete, there is no discrepancy between the data recorded in the 2015 LIMS and the 2019 LIMS for the Sample.

81. The Panel carefully analyzed the reports from Prof. Ayotte and Dr. Kuurane and also heard them at the hearing, and noted that, *inter alia*, Prof. Ayotte expressly mentioned at the hearing that the results of her investigation on the Sample matched with the LIMS data, that the three anabolic steroids (trenbolone, metenolone and oxandrolone) or their metabolites were present in the files and that there was no reason not to conduct the Confirmation Procedure on the Sample by the Moscow Laboratory after the result of the Initial Testing Procedure. Dr. Kuurane also confirmed that there was no reason not to proceed with the Confirmation Procedure in light of the Initial Testing Procedure's outcome and that she shared Prof. Ayotte's findings on the case. It is also noted that the conclusions of Dr. Benaglia's statement produced with the Answer to the Appeal Brief go in the same line.

82. The Panel also observes that the Athlete did not produce an expert report questioning the findings, considerations and conclusions reached by Prof. Ayotte and Dr. Kuurane or the statements made by Dr. Benaglia on the reliability of the LIMS data. The Athlete produced an expert report to the file prepared by Dr. Bogdashevsky, but the expertise requested from him related to the "*sporting feasibility of the simultaneous use of Metenolone, Oxandrolone, Trenbolone, Meldonium, Cathine and Pseudoephedrine; the potential negative consequences of taking these substances simultaneously, so as the likelihood of athletes taking these substances by themselves*", and not to the matters dealt with by Prof. Ayotte and Dr. Kuurane. The Panel finds it quite telling that the Athlete did not request his expert to provide an opinion on Prof. Ayotte and Dr. Kuurane's reports or to specifically criticize their methodology and findings.

83. Therefore, the Panel has no reason to believe that the findings and conclusions of Prof. Ayotte and Dr. Kuurane's reports are illogical, unreasonable or inaccurate, especially bearing in mind (i) the soundness and clarity of their respective declarations and explanations at the hearing and (ii) the absence of contradiction of such findings by an expert appointed by the Appellant.

84. The Panel also took into account when assessing the evidence that (i) the Sample was collected from the Athlete during the contemporaneous timeframe in which the Russian doping scheme referred to in the McLaren Reports occurred, (ii) the three Prohibited

Substances found in the Sample are precisely those composing the "Duchess Cocktail" created by Dr. Rodchenkov and (iii) that the failure to conduct the Confirmation Procedure on a Sample which indicated a PAAF in the Initial Testing Procedure is consistent with the methodology applied by the Moscow Laboratory designed to protect Russian athletes and conceal ADRVs committed by them during the period of the Russian doping scheme.

85. As to the allegations made and evidence adduced by the Athlete to discredit the establishment of the ADRV, the Panel is of the view that none of them distorts or weakens the aforementioned conclusions.

86. With regard to the polygraph evidence relied upon by the Appellant, the Panel shall not award probative value to it in this case as (i) the questions posed to the Appellant which were the basis of the report were not precise enough and did not directly and unequivocally address the specific Use by the Athlete of the Prohibited Substances found in the Sample and (ii) the Athlete's statement that "*I did not know for sure*" that he had taken methenolone, trenbolone, or oxandrolone do little to bolster this evidence.

87. The fact that the Athlete's name does not appear in the "Washout Schedules" or "Clear Urine Banks", in statements made by Dr. Rodchenkov or in correspondence exchanged within the Moscow Laboratory, or that no witness claims to have observed the Athlete using a Prohibited Substance, do not put in question the reliable documentary evidence and the expert reports produced to the file by the IIHF and the sound declarations of Prof. Ayotte, Dr. Kuurane and Dr. Benaglia at the hearing.

88. The same is to be said with regard to:

- The fact that the concentrations of metenolone, oxandrolone and trenbolone found in the Sample were below the MRPL, a circumstance which is of no avail in the case at hand vis-à-vis the occurrence of the ADRV. MRPL shall not be confounded with thresholds or Limits of Detection, which do not apply herein. Prof. Ayotte's declaration at the hearing was clear in this respect;

- The impossibility of analyzing the Sample, as the Appellant himself acknowledges in the Appeal Brief that it was disposed of in July 2015 "*according to the International Standard for Laboratories*";

- The fact that reference is made to meldonium in the Sample's PAAF, as such substance, even if not being a Prohibited Substance at the time of the Sample collection, was being monitored pursuant to WADA's 2015 Monitoring Program. Consequently, the Panel finds that it is by no means strange that the analysis referred to such substance. This is – contrary to the submission of the Athlete – no indication that the data was manipulated ex post. Needless to say that the IIHF charges of Use of Prohibited Substances against the Athlete do not include meldonium.

89. Accordingly, the Panel finds that the evidence adduced by the Appellant does not undermine, let alone invalidate, the reliability or sufficiency of the evidence provided by the IIHF, which, on the contrary, is considered as reliable, sufficient and conclusive.

90. In light of the foregoing, the Panel is comfortably satisfied that the ADRV was duly established by the IIHF.

D. The sanction to be imposed on the Athlete

91. The Appealed Decision imposed on the Athlete a sanction of ineligibility for a period of 4 years starting on the date of the decision.

92. The Athlete claims that in case the Panel acknowledges the ADRV, no sanction of ineligibility should be imposed on him as he bore No Fault or Negligence, and in the alternative, requests the sanction to be reduced to 2 years of ineligibility as he would have acted unintentionally.

93. Article 7.2 of the IIHF DC ed. 2015 provides as follows:

> *"7.2. Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method.*
>
> *The Period of Ineligibility for a violation of IIHF Doping Regulation 2.1, 2.2 or 2.6 (WADA Code Articles 2.1, 2.2 or 2.6), unless the conditions provided in Disciplinary Code Article 7.4, 7.5 or 7.6 (WADA Code Article 10.4, 10.5 or 10.6) are met:*
>
> *7.2.1. shall be four years where:*
>
> *(a) the anti-doping rule violation does not involve a Specified Substance, unless the player or other person can establish that the anti-doping rule violation was not intentional; or*
>
> *(b)the anti-doping rule violation involves a Specified Substance and the IIHF can establish that the anti-doping rule violation was intentional.*
>
> *7.2.2. If Article 7.2.1 does not apply, the period of ineligibility shall be two years.*
>
> *7.2.3. As used in Disciplinary Code Article 7.2 and 7.3 (WADA Code Article 10.2 and 10.3), the term "intentional" is meant to identify those players who cheat and, therefore, requires a player or other person engaged in conduct which he knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti- doping rule violation and manifestly disregarded that risk".*

94. In the present case, the ADRV involves the Use of metenonone, oxandrolone and trenbolone, which in accordance with the WADA Prohibited List are considered non-specified Prohibited Substances. Consequently, the standard period of ineligibility of 4 years should in principle apply, unless the Athlete can establish that the ADRV was not intentional, in which case the standard period of ineligibility would be 2 years.

95. In addition, the Athlete may be entitled to the elimination of the standard period of ineligibility if he bore No Fault or Negligence (Article 7.4 of the IIHF DC ed. 2015) or to a reduction of such standard period of ineligibility in case of No Significant Fault or Negligence (Article 7.5 of the IIHF DC ed. 2015).

96. The burden of proof on the lack of intentionality – and consequently also the burden of presentation of the facts – lies on the Athlete. In the case at hand, the Athlete has failed to make submissions in a substantiated manner from which one could deduce that he acted with no intent. A mere denial of intentional wrongdoing is not enough in this regard: the Athlete must, in principle, advance the relevant facts as to when, through

which product and in what quantity he consumed the Prohibited Substance – and in case these facts are contested by the other party – submit convincing evidence to such purpose. The same applies to the findings of No Fault or Negligence and No Significant Fault or Negligence.

97. The Panel observes that the Athlete intends to support his alleged No Fault or Negligence and absence of intentionality with the same arguments and evidence he used to contest the establishment of the ADRV by the IIHF, plus others such as teammates' witness statements on the Player's character and physical condition, the Athlete's clear doping record and the report of Dr. Bogdashevskiy.

98. However, in the Panel's view, these arguments and evidence do not serve to discharge the Athlete's burden of proof on his alleged lack of intentionality, No Fault or Negligence or No Significant Fault or Negligence, basically for the same reasons already explained in paras. 85 et seq, to which the Panel refers for the sake of brevity and which apply herein *mutatis mutandis*. And with regard to the additional arguments and evidence on intentionality and fault raised by the Athlete, the Panel observes that:

- The witness statements of the Athlete's teammates simply provide general, retrospective and subjective personal views of the Athlete, and unlike other evidence brought to the proceedings, are not focused on the specific ADRV committed by him. Consequently, these statements cannot be considered convincing evidence to establish the absence of intentionality or fault of the Athlete in the case at stake.

- The fact that throughout the Athlete's career his doping controls were reported negative does not exclude a scenario of intentional Use of Prohibited Substances on the occasion of the doping control of 12 March 2015.

- Dr. Bogdashevskiy's findings that metenolone, trenbolone and oxandrolone were restricted for sale in Russia and that their usage without special knowledge might cause severe damage to an athlete's health are again general statements that do not exclude the Athlete having had specific access to such substances in 2015 under the supervision of medical specialists.

99. Therefore, the evidence the Athlete filed to the case does not enable, in the Panel's opinion, to establish unintentionality or absence of fault. On the contrary, the circumstances of the case (in particular, the timing of the Sample collection with the period of the Russian doping scheme and the three substances found in the Sample) reveal in the Panel's view a scenario of intentionality.

100. Therefore, the standard sanction of 4 years of ineligibility set out in Article 7.2.1 of the IIHF ADR ed. 2015 shall be imposed on the Athlete.

101. As to the commencement of the period of ineligibility, the Appellant submits that it should be backdated to 23 June 2021 (the date the Athlete's case file was transferred to the IIHF) or to "*any other date deemed fair by the Panel*" due to the IIHF's delay in the Sample's results management. The Respondent, however, considers that the commencement date of the period of ineligibility shall be the date of the CAS Panel decision as in its view, it is not clear whether the Athlete fully respected and served the period of ineligibility imposed on him in the Appealed Decision from 12 August 2025. The IIHF asserts that on 1 July 2025, the Athlete was appointed as CEO or general

manager of club HC Sochi, and various ice hockey statistics websites continue to list the Athlete in that role.

102. In the determination of the commencement of the period of ineligibility, the Panel shall take as a starting point Article 7.12. of the IIHF DC (ed. 2015), which is cited by the Respondent in section E5 of its Answer and reads as follows:

"Commencement of Ineligibility Period

Except as provided in WADA Code Article 10.11.1 – 10.11.5, the period of ineligibility shall start on the date of the hearing decision providing for ineligibility or, if the hearing is waived or there is no hearing, on the date ineligibility is accepted or otherwise imposed".

103. The Panel shall also note that Articles 10.11.1 and 10.11.3 of the WADC (ed. 2015), to which Article 7.12. of the IIHF DC (ed. 2015) refer and to which the Respondent also refer in Section E5 of its Answer, stipulate the following:

"10.11.1 Delays Not Attributable to the Athlete or other Person

Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Athlete or other Person, the body imposing the sanction may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of Ineligibility, including retroactive Ineligibility, shall be Disqualified.

10.11.3 Credit for Provisional Suspension or Period of Ineligibility Served

10.11.3.1 If a Provisional Suspension is imposed and respected by the Athlete or other Person, then the Athlete or other Person shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Athlete or other Person shall receive a credit for such period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal".

104. Bearing the aforementioned provisions in mind, the sequence of events in this case and the evidence produced to the file, the Panel notes that:

- While WADA I&I reported the Athlete's case to the IIHF in June 2021, it was not until March 2025 -i.e., almost four years later- that the IIHF notified the potential ADRV to the Athlete.

- In accordance with WADA I&I's letter of 23 June 2021, WADA reported, between 27 April 2020 and 23 June 2021, 25 cases of suspected doping of Russian ice hockey players, including the Athlete's, which is, in the Panel's view, a significant number of cases.

- The Respondent states in its Answer that "*it is not clear whether the Athlete fully respected and served the period of ineligibility imposed on him*", but did not prove that indeed, the Athlete breached the period of ineligibility arising out of the Appealed Decision. The Athlete denied such a breach at the hearing and the assertions made by the Respondent to hold that such a breach occurred are in the Panel's view not duly supported by convincing evidence. The Athlete was appointed

as CEO of a hockey club, but this appointment, as admitted by the Respondent, took place before the issuance of the Appealed Decision. The Respondent did not prove that after the Appealed Decision was notified to the Athlete, he continued acting as CEO of the club. The mere reference to some websites on statistics identifying the Athlete as the club's CEO is not enough to prove the Athlete's alleged breach. Contrary to the IIHF's assertion, the burden of establishing that the Athlete did not comply with or serve the sanction as from 12 August 2025 rests with the IIHF, as the party asserting such non-compliance. However, the IIHF has not discharged this burden.

105. Based on the aforementioned, the Panel considers that substantial delays not attributable to the Athlete occurred and finds - exercising the discretion conferred on it - that in the circumstances explained above, backdating the ineligibility period to 7 March 2025 (the date the IIHF sent the letter to the Athlete officially notifying the commission of the potential ADRV) is deemed to be fair and proportionate. In this regard and for the avoidance of doubt, such decision implies that no credit for the period of ineligibility already served by the Athlete from 12 August 2025 shall be added, because given the particularities and circumstances at stake, in the present case the 4-year period of ineligibility is computed as from 7 March 2025, thus including the time of ineligibility already served by the Athlete.

E. Conclusion

106. Based on the considerations made above, the Panel resolves that the Athlete's appeal shall be partially upheld, in the sense that even if the Appealed Decision's findings on the commission of the ADRV and the imposition of a 4-year ineligibility sanction are to be confirmed, the commencement of the period of ineligibility shall be set on 7 March 2025.

IX. COSTS

(…)

ON THESE GROUNDS

The Court of Arbitration for Sport rules that:

1. The appeal filed by Mr. Igor Grigorenko on 1 September 2025 against the decision rendered by the International Ice Hockey Federation on 12 August 2025 is partially upheld.

2. The decision rendered by the International Ice Hockey Federation on 12 August 2025 is modified as follows:

   "GRIGORENKO, Igor is sanctioned with a period of ineligibility of four (4) years starting on 7 March 2025".

3. (…).

4. (…).

5. All other motions or prayers for relief are dismissed.

Seat of arbitration: Lausanne, Switzerland
Date: 22 May 2026

THE COURT OF ARBITRATION FOR SPORT

Jordi López Batet
President of the Panel

Alexander McLin
Arbitrator

Prof. Dr. Ulrich Haas
Arbitrator