



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

COURT OF ARBITRATION FOR SPORT (CAS)
Ad Hoc Division – The XXV Olympic Winter Games in Milano-Cortina

CAS OG 26/06

sitting in the following composition:

Sole Arbitrator: Ms Annett Rombach, Attorney-at-Law, Frankfurt am Main, Germany

AWARD

in the arbitration between

Angela Romei

Represented by Mr Domenico Filosa, Attorney-at-Law in Turin, Italy, and Mr Jacques Blondin, Attorney-at-Law in Zurich, Switzerland

(“Applicant”)

v.

World Curling

Represented by Mr Matthias Schumacher, Attorney-at-Law in Schwyz, Switzerland

(“Respondent”)

and

Italian Ice Sports Federation
Italian National Olympic Committee
International Olympic Committee
Marco Mariani
Rebecca Mariani

(“Interested Parties”)

I. PARTIES

1. The Applicant is Ms Angela Romei (the “Applicant” or the “Athlete”), a professional curler from Italy born on 20 February 1997.
2. The Respondent is World Curling (the “Respondent” or the “WCF”), the world governing body for curling, headquartered in Perth, Scotland.
3. The Applicant and the Respondent are collectively referred to as the “Parties”.
4. The Interested Parties are:
 - The Italian Ice Sports Federation (*Federazione Italiana Sport del Ghiaccio*, “FISG”), the governing body for ice sports (including curling) in Italy, member of World Curling, headquartered in Milan, Italy;
 - The Italian National Olympic Committee (*Comitato Olimpico Italiano*, “CONI”), the national Olympic Committee for Italy, member of the International Olympic Committee, headquartered in Rome, Italy;
 - The International Olympic Committee (the “IOC”), the organisation responsible for the Olympic movement, headquartered in Lausanne, Switzerland;
 - Mr Marco Mariani, Technical Director of the Italian curling team, and father of Ms Rebecca Mariani;
 - Ms Rebecca Mariani, Italian curler, and daughter of Mr Marco Mariani.

II. INTRODUCTION

5. The present case has been commenced by way of an application to the Court of Arbitration for Sport (“CAS”) Ad Hoc Division for the Milano-Cortina 2026 Olympic Winter Games (the “2026 OWG”) pursuant to the CAS Arbitration Rules for the Olympic Games (the “CAS Ad Hoc Rules”).
6. This matter concerns a selection dispute. The Applicant challenges her non-selection for the Italian Olympic curling team. She argues that the selection of Ms Rebecca Mariani, who was nominated by the Respondent to compete for Italy in the Olympic curling competitions (“Ms Mariani” or the “Selected Athlete”), was the result of an arbitrary and biased decision, and that she should have been selected instead of Ms Mariani.

III. FACTS

7. The elements set out below are a summary of the main relevant facts as established by the Sole Arbitrator by way of a chronology based on the

submissions of the Parties. Additional facts may be set out, where relevant, in the legal sections below.

8. On 20 January 2026, FISG published on its website the names of 87 Italian athletes to compete in the five ice sports at the 2026 OWG (“Selection Announcement”). The female curling team consisted of five athletes, and it included 19-year-old curler Ms Mariani, but not the Applicant.
9. On 21 and 22 January 2026, the decision to include Ms Mariani into the roster, and not the Applicant, was discussed intensely in the Italian and international media. The reason for the increased public attention to the Selection Announcement was the fact that the Selected Athlete is the daughter of the curling team’s technical director, Mr Marco Mariani.
10. The public pressure displayed in numerous articles compelled FISG to issue a public statement defending the Selection Announcement (cited, for example, by the “*Curling News*”):

“The choice made by the technical director [Mr Mariani], in consultation with the coaches of the individual national teams, is purely technical in nature, based on the performance of the individual athletes over the past year.” (The *Curling News*, 22 January 2026)

11. On 30 January 2026, the Applicant, through her legal counsel, sent a letter to WCF requesting the review and reversal of the Selection Announcement and the opening of investigation on the basis of an alleged breach of Article 4.2.1 of the WCF Code of Ethics. The Applicant complained that the selection process was tainted with bias and arbitrariness.
12. By letter of 2 February 2026, the Respondent informed the Applicant of the following (the “WCF Letter”):

“As the International Federation we have no authority under our rules to instruct a Member Association who to select in their team for an event. The matter of selection is one, in this case, for the Federazione Italiana Sport del Ghiaccio (FISG) and as it is the Olympics, the Comitato Olimpico Nazionale Italiano (CONI).

We have, however, spoken with FISG who have assured us that all processes have been followed to both their satisfaction and that of CONI.

Any further queries on the selection process should be addressed to Italian Ice Sports Federation and the Italian National Olympic Committee.”

13. In the current proceedings, the Applicant is challenging the WCF Letter.

IV. THE CAS PROCEEDINGS

14. On 4 February 2026 at 18:33 (Milan time), the Applicant filed, together with supporting evidence, an Application with the CAS Ad Hoc Division against the Respondent to challenge the WCF Letter (the “Application”).
15. On the same day, the Applicant requested that the present procedure be “*merged and treated together*” with the procedure CAS OG 26/05, which was not accepted by the President of the CAS Ad Hoc Division.
16. On 5 February 2026 at 09:19 (Milan time), the CAS Ad Hoc Division notified the Application to the Respondent and the Interested Parties. On the same day, at 10:43 (Milan time), the CAS Ad Hoc Division notified the Parties of the composition of the Panel:

Sole Arbitrator: Ms Annett Rombach, Attorney-at-Law, Frankfurt, Germany

17. On 5 February 2026 at 12:30 (Milan time), the Sole Arbitrator issued procedural instructions to the Parties, inviting the Respondent to file its reply to the Application (“Reply”), and the Interested Parties to file an *amicus curiae* brief, by no later than 6 February 2026, at 12:00 (noon). The Sole Arbitrator reserved her decision as to the holding of a hearing pending receipt of the Reply and the *amicus curiae* briefs.
18. On 5 February 2026, at 16:35 (Milan time), the CAS Ad Hoc Division informed the Parties and Interested Parties that the President of the CAS Ad Hoc Division had extended the time-limit for the Panel to give a decision until 7 February 2026 at 18:00 (Milan time).
19. On 6 February 2026, at 11:34 (Milan time), the Respondent requested an extension of the time limit to file its Reply until 23:00 (Milan time). On the same day at 12:58 (Milan time), the CAS Ad Hoc Division informed the Parties that the Respondent’s time limit would be extended until 16:00 PM (Milan time).
20. On 6 February 2026, within the prescribed time limit, the IOC (at 11:43, Milan time) filed an *amicus curiae* brief. The other Interested Parties (FISG, CONI, Mr Mariani, and Ms Mariani) did not file any *amicus curiae* brief within the prescribed time limit.
21. On 6 February 2026, within the prescribed time limit, the Respondent (at 15:59, Milan time) filed its Reply to the Application submitted by the Athlete. In its Reply, the Respondent complained that the granted extension of only four hours violated the principles of procedural fairness and prevented it from adequately presenting its defence.
22. On 6 February 2026, at 18:46 (Milan time), the CAS Ad Hoc Division informed the Parties and the Interested Parties that the Sole Arbitrator considered herself

sufficiently well informed with the written submissions filed in this procedure, and consequently, no hearing would be held in this matter.

23. The Sole Arbitrator confirms that she carefully heard and took into account in her decision all of the submissions, evidence, and arguments presented by the parties, even if these have not been specifically summarised or referred to in this Award.

V. THE PARTIES' SUBMISSIONS AND REQUESTS FOR RELIEF

24. The following outline of the Parties' positions is illustrative only and does not necessarily comprise every submission advanced by the Parties. The Sole Arbitrator confirms, however, that she has carefully considered all the submissions made by the Parties, whether or not there is specific reference to them in the following summary.

A. The Applicant

25. The Applicant's submissions can be summarized as follows:
26. Regarding the issue of jurisdiction:
- The CAS has jurisdiction both *ratione materiae* and *ratione temporis*. With respect to the former, it is incontestable that this dispute arose "*on the occasion of, or in connection with, the Olympic Games*", as requested by Article 61.2 of the Olympic Charter. With respect to the latter, the dispute arose within the 10-day-time window stipulated in Article 1 of the CAS Ad Hoc Rules. Relevant for the arising of the dispute is the Respondent's issuance of the WCF Letter, which is a new communication compared to the Selection Announcement made by the FISG on 20 January 2026.
27. Regarding the issue of admissibility:
- Considering that the Italian curling national team will play its first match of the 2026 OWG on 5 February 2026, "*the time needed to exhaust the internal remedies would make the appeal to the CAS Ad Hoc Division ineffective*" (cf. of the CAS Ad Hoc Rules).
28. Regarding the merits of the case:
- The WCF Letter explaining that the Respondent has no authority to instruct a Member Association who to select in their team for an event is wrong because it has "*the ultimate responsibility and power to ensure that its own regulations [...] are respected by its members and officials*".
 - FISG never published any criteria to be taken into account for the selection of athletes to the 2026 OWG.

- The selection decision was taken exclusively by Mr Mariani. Although the report allegedly underlying the selection decision was also signed by the coach of the Italian curling national team, Mr Mariani himself confirmed that he alone was responsible for “*team composition and line-up*”. This corroborates the notion that the report is characterised by misleading information and that the selection process was characterised by arbitrariness, bias, and a clear conflict of interest, favouring Mr Mariani’s daughter.
- As opposed to the Applicant, whose proven track record is a testament to her excellent results at international level, Ms Mariani competed exclusively in junior championships, making a direct performance comparison with a senior athlete unfounded.
- The Respondent failed to consider objective data and instead conducted a subjective assessment unsupported by evidence. The criteria relied upon for the selection are intangible and not transparent and Mr Mariani’s assessments are largely untrue or not supported by any evidence. The Respondent also introduced arbitrary and non-predetermined evaluation criteria and applied them in a contradictory and arbitrary manner.
- This Application clearly passes the test set out in CAS OG 06/002, since the Applicant (a) claims that the FISG acted in a discriminatory manner, favouring the Technical Director’s daughter despite her not having the sporting skills nor the track record justifying her inclusion in the Italian Curling National Team, and (b) provided evidence that the selection process was unfair and opaque and the selection decision was unreasonable and biased under the circumstances.
- In light of the foregoing circumstances, the WCF was wrong in not investigating this matter further.

29. The Applicant submits the following requests for relief:

- *Ruling that it has jurisdiction to consider the present Application.*
- *Upholding the present Application.*
- *Setting Aside the Challenged Decision.*
- *Ordering that Ms Rebecca Mariani is replaced with the Applicant.*
- *Ordering WCF to bear the full costs of the proceedings (if any) and make a contribution towards the legal fees incurred by the Applicant.”*

B. The Respondent

30. The Respondent’s submissions can be summarized as follows:

31. Regarding the issue of jurisdiction:

- The Sole Arbitrator does not have jurisdiction to hear the Application because the WCF has not made any decision, and the Selection Announcement has nothing to do with the WCF.
32. Regarding the merits of the case:
- The action by the WCF is entirely consistent with the Olympic Charter.
 - CAS lacks decision-making authority in this matter because “*the WCF is not the proper respondent in light of the relief sought by the Applicant*”.
 - The WCF Letter does not constitute a decision. It was and is simply impossible for the WCF to issue any legally binding instructions to CONI or FISG in this matter. The decision that is actually being contested or is to be contested is the FISG’s Selection Announcement dated 20 January 2026.
33. The Respondent submits the following request for relief:

“As already the interested party, the IOC has stated correctly the application should be dismissed because the action by the WCF is entirely consistent with the Olympic Charter and the WCF is not the proper respondent in light of the relief sought by the Applicant.

Furthermore the relief requested by the Applicant to «ordering WCF to bear the full costs of the proceeding (if any) and make a contribution towards the legal fees incurred by the Applicant» is not based on any legal framework.

Actually the Applicant should be ordered to reimburse the WCF for the costs arising from careless and belated submissions, which are also manifestly incorrect.”

VI. THE IOC’S AMICUS CURIAE BRIEF

34. The IOC’s *amicus curiae* submission can be summarized as follows:
- The Application should be summarily dismissed on the ground that (i) the alleged decision by the Respondent is entirely consistent with the Olympic Charter and (ii) the Respondent is not the proper respondent in light of the relief sought by the Applicant.

VII. JURISDICTION

35. This Panel has been formed under the arbitration rules applicable to the CAS Ad Hoc Division, a special adjudication authority with jurisdiction limited to specific disputes occurring within a strictly set timeframe. The jurisdiction of the CAS Ad Hoc Division is set out in Article 1 of the CAS Ad Hoc Rules and Article 61 of the Olympic Charter.
36. The jurisdiction of the CAS Ad Hoc Division is governed by Article 61 of the Olympic Charter and Article 1 of the CAS Ad Hoc Rules.

37. Rule 61 [*“Dispute Resolution”*] of the OC provides as follows:

“2. Any dispute arising on the occasion of, or in connection with, the Olympic Games shall be submitted exclusively to the Court of Arbitration for Sport (CAS), in accordance with the Code of Sports-Related Arbitration”.

38. Article 1 [*“Application of the Present Rules and Jurisdiction of the Court of Arbitration for Sport (CAS)”*] of the CAS Ad Hoc Rules provides that:

“The purpose of the present Rules is to provide, in the interests of the athletes and of sport, for the resolution by arbitration of any disputes covered by Rule 61 of the Olympic Charter, insofar as they arise during the Olympic Games or during a period of ten days preceding the Opening Ceremony of the Olympic Games.

In the case of a request for arbitration against a decision pronounced by the IOC, an NOC, an International Federation or an Organising Committee for the Olympic Games, the claimant must, before filing such request, have exhausted all the internal remedies available to him/her pursuant to the statutes or regulations of the sports body concerned, unless the time needed to exhaust the internal remedies would make the appeal to the CAS Ad Hoc Division ineffective.”

39. It follows from the above provisions that, for the purposes of determining the jurisdiction of the CAS Ad Hoc Division under Article 61 of the Olympic Charter and Article 1 of the CAS Ad Hoc Rules, and without prejudice to any other procedural or jurisdictional requirements that may arise under the applicable regulatory framework, the present dispute must satisfy, at a minimum, two cumulative criteria, namely:

- the dispute must arise on the occasion of, or in connection with, the Olympic Games (subject-matter jurisdiction); and
- the dispute must arise during the Olympic Games or within the period of ten days preceding the Opening Ceremony (temporal jurisdiction).

40. As regards the subject matter of the dispute, the Sole Arbitrator notes that the present proceedings concern the selection and nomination of the Applicant for participation in the 2026 OWG. Such dispute is intrinsically and directly connected to the Olympic Games. This point is not disputed between the Parties.

41. The decisive issue is therefore whether the dispute falls within the CAS Ad Hoc Division’s temporal jurisdiction (*ratione temporis*).

42. Consistent with the approach taken by other panels before her, the Sole Arbitrator finds that the question whether a dispute arose during the Olympic Games or during a period of ten days preceding the Opening Ceremony is one that pertains to CAS’s jurisdiction *ratione temporis*, and not to the admissibility of the Application (e.g. CAS OG 18/05; CAS OG 15/03, para. 5.17).

43. The dispute, in order to enter into the jurisdiction *ratione temporis* of the CAS, should have arisen on or after 27 January 2026, which is 10 days before the Opening Ceremony, which took place on 6 February 2026.
44. The concept of a “dispute” has been consistently defined in CAS jurisprudence as “a disagreement on a point of law or fact, a conflict of legal views or of interests between two persons” or, in other words, a situation in which “when there is a specific disagreement on a point of law or fact and one party’s claim is positively opposed by the other” (see CAS OG 26/01, par. 31(i)).
45. The application of the well-established definition of the term “dispute” to different situations forming the subject of CAS Ad hoc proceedings has sometimes been intricate. With respect to selection matters, the decisive question is principally whether the dispute arises when the selection is announced, or – in cases where the announcement remains unexplained – when the decision is further explained to the non-selected athlete.
46. The present case, however, does not constitute a “usual” selection dispute *ratione personae*: The Respondent is not alleged to have taken the original selection decision. Rather, the Respondent became involved only at a later stage, following a dispute that had already arisen between the Applicant and FISG. In this regard, the Sole Arbitrator notes that, by her letter of 30 January 2026, the Applicant expressly requested the Respondent to review and reverse the selection decision taken by FISG and, in addition, to open an investigation into the legality of FISG’s selection process. The Respondent’s subsequent position was that it lacked competence to review the selection decision adopted by FISG and that there were no grounds to initiate an investigation.
47. Accordingly, the essence of the disagreement between the Athlete and WCF does not lie in the fact that FISG did not select the Applicant for the participation in the 2026 OWG. Rather, it lies in the Respondent’s position not to accede to the Applicant’s requests.
48. It is this position that constitutes the legal disagreement between the Parties and constitutes the relevant point in time for the purposes of determining when the dispute between the Applicant and the Respondent arose.
49. Bearing in mind the above, the Sole Arbitrator finds that such disagreement materialised on 2 February 2026, when the Respondent communicated the WCF Letter to the Applicant. It was at this point that the Respondent first clearly expressed its position regarding the Applicant’s selection status, thereby positively opposing the Applicant’s requests.
50. The Sole Arbitrator therefore concludes that the dispute between the Parties arose on 2 February 2026, that is, within the ten-day period preceding the Opening Ceremony of the 2026 OWG. Accordingly, the Sole Arbitrator finds that the CAS has jurisdiction to hear the dispute submitted by the Applicant.

51. Importantly, the Sole Arbitrator wishes to highlight that these findings have no bearing on when the initial selection dispute between the Applicant and the FISG arose. This is a separate question, and a new dispute “created” by joining a third party into a pending dispute between two other parties does not shift the “birth” date of the initial dispute to a later point in time. Otherwise, it would be in a party’s hands to squeeze disputes that fall outside the 10-day-time window stipulated in Article 1 of the CAS Ad Hoc Rules into the temporal jurisdiction of the CAS Ad Hoc Division, simply by directing an evidently meritless claim relating to the same subject-matter against a third party. This is not the purpose of Article 1 of the CAS Ad Hoc Rules.

VIII. MERITS

52. At the outset of the analysis on the merits, the Sole Arbitrator notes that the Applicant seeks an order from the CAS Ad Hoc Division that Ms Mariani be replaced by the Applicant in the Olympic team.
53. The Sole Arbitrator observes that the Respondent is the international federation governing the sport of curling. The present dispute concerns the selection of athletes for participation in the Olympic Games.
54. In this respect, while international federations are entitled to establish their sport’s rules for participation in the Olympic Games (By-law to Rule 40 of the OC), Rule 44.4 of the OC makes clear that the authority to enter athletes for the Olympic Games rests with the national Olympic committees, acting upon recommendations from the relevant national federations. Accordingly, an international federation does not possess the legal power to substitute or replace a selected athlete.
55. In light of the relief sought by the Applicant, the Sole Arbitrator therefore finds that the Respondent does not hold the decision-making authority necessary to grant the requested remedy.
56. Consequently, even assuming, *arguendo*, that the Applicant’s criticism of the selection process was founded, the CAS Ad Hoc Division could not order the Respondent to replace Ms Mariani with the Applicant, as no legal basis exists under the Olympic Charter or the applicable regulatory framework for such relief to be directed against an international federation. It is not the task of international federations such as the WCF to revisit the selection process at national level.
57. For this reason, the Applicant’s request must be dismissed.

IX. COSTS

58. According to Article 22 para. 1 of the CAS Ad Hoc Rules, the services of the CAS ad hoc Division “*are free of charge*”.

59. According to Article 22 para. 2 of the CAS Ad Hoc Rules, parties to CAS Ad Hoc proceedings “*shall pay their own costs of legal representation, experts, witnesses and interpreters*”.
60. Consequently, there is no order as to costs.

DECISION

On these grounds, the Ad Hoc Division of the Court of Arbitration for Sport renders the following decision:

The application filed by Angela Romei against World Curling is dismissed.

Award with grounds: Milan, 8 February 2026

THE AD HOC DIVISION OF THE COURT OF ARBITRATION FOR SPORT



Annett Rombach
Sole Arbitrator