



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

MEDIA RELEASE

WORLD ANTI-DOPING AGENCY (WADA) V. RUSSIAN ANTI-DOPING AGENCY (RUSADA)
AND KAMILA VALIEVA

THE COURT OF ARBITRATION FOR SPORT (CAS) HAS REGISTERED THE STATEMENT OF APPEAL FILED BY WADA AND OPENED AN ARBITRATION PROCEDURE

Lausanne, 14 November 2022 - The Court of Arbitration for Sport (CAS) has registered the Statement of Appeal filed by the World Anti-Doping Agency (WADA) against the Russian Anti-Doping Agency (RUSADA) and the Russian figure skater Kamila Valieva (the Athlete) following the absence of a decision in the procedure RUSADA vs/ Kamila Valieva, initiated by RUSADA after a sample provided by the Athlete on 25 December 2021, at the 2021 Russian National Figure Skating Championships, revealed the presence of trimetazidine, a prohibited substance.

In bringing the matter to CAS, WADA relies on article 15.3 of the RUSADA Anti-Doping Rules (RUSADA ADR): “[w]hen, in a particular case, RUSADA, the Disciplinary Anti-Doping Committee or the National Appeal Body fail to render a decision with respect to whether a violation of the Rules was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if RUSADA, the Disciplinary Anti-Doping Committee or the National Appeal Body had rendered a decision finding no violation of the Rules.” The appeal was filed as no decision was issued by RUSADA within the time limit set by WADA.

WADA seeks a ruling from CAS that the Athlete committed an ADRV pursuant to Article 4.1 and/or 4.2 of the RUSADA ADR, and that the Athlete be sanctioned with a four-year period of ineligibility starting on the date on which the CAS award enters into force, as well as the disqualification of all competitive results obtained by her from, and including the date of 25 December 2021, with all resulting consequences (including forfeiture of medals, points and prizes).

The CAS arbitration proceedings have commenced. In accordance with the Code of Sports-related Arbitration, the arbitration rules governing CAS procedures, the parties will first exchange written submissions and participate in the appointment of the 3-member Panel of arbitrators that will decide the matter. WADA will nominate one member of the Panel, and RUSADA and the Athlete will jointly nominate another. The third member, the President of the Panel, will be appointed by the President of the CAS Appeals Division, or her deputy. Once appointed, the Panel will issue procedural directions for the next phase of the proceedings including the holding of a hearing. Following the hearing, the Panel



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will deliberate and issue an Arbitral Award containing its decision and the grounds for it. At this time, it is not possible to indicate a time frame for the issuance of the decision. The CAS Panel's decision will be final and binding, with the exception of the parties' right to file an appeal to the Swiss Federal Tribunal within 30 days on very limited procedural grounds.

Chronology of events to date:

- In-competition doping control conducted by RUSADA on 25 December 2021 at the Russian National Figure Skating Championships in St Petersburg.
- Athlete's urine sample tested at the WADA-accredited laboratory in Stockholm which reports, on 7 February 2022, an Adverse Analytical Finding (AAF) for trimetazidine, a non-specified prohibited substance banned at all times under category S4.4 (Metabolic Modulators) of the 2021 WADA Prohibited List.
- RUSADA notifies the AAF to the Athlete on 8 February 2022 and imposes a mandatory provisional suspension pursuant to art. 9.4.1 of the RUSADA ADR.
- The Athlete had previously competed in the Team Event at the Olympic Winter Games Beijing 2022 (the Beijing Winter Olympics) on 7 February 2022, and won a gold medal. The medal ceremony of the event is postponed due to the Athlete's AAF (and has not yet taken place).
- On 9 February 2022, the RUSADA Disciplinary Anti-Doping Committee (RUSADA DADC) lifts the mandatory provisional suspension.
- WADA, the International Skating Union (ISU) and the International Olympic Committee (IOC) appeal the RUSADA DADC decision to lift the provisional suspension before the CAS Ad Hoc Division at the Beijing Winter Olympics.
- On 17 February 2022, the CAS Ad Hoc Division [dismisses the appeals](#).
- After several postponements of the RUSADA DADC hearings, WADA imposes a final deadline of 4 November 2022 on RUSADA for a decision to be rendered with respect to the Athlete's AAF, failing which, it would bring the matter to the CAS.