



MEDIA RELEASE

FIGURE SKATING

KAMILA VALIEVA IS FOUND TO HAVE COMMITTED AN ANTI-DOPING RULE VIOLATION AND SANCTIONED WITH A FOUR-YEAR PERIOD OF INELIGIBILITY COMMENCING ON 25 DECEMBER 2021

Lausanne, 29 January 2024 – The Court of Arbitration for Sport (CAS) has issued its decision in the appeal arbitration procedures *CAS 2023/A/9451 Association Russian Anti-Doping Agency (RUSADA) v. Kamila Valieva*, *CAS 2023/A/9455 International Skating Union (ISU) v. Kamila Valieva*, *Association Russian Anti-Doping Agency (RUSADA)*, and *CAS 2023/A/9456 World Anti-Doping Agency (WADA) v. Association Russian Anti-Doping Agency (RUSADA) & Kamila Valieva*:

- The decision taken by the Disciplinary Anti-Doping Committee of the Russian Anti-Doping Agency No. 9/2023 on 24 January 2023 in relation to Ms Kamila Valieva is set aside.
- Ms Valieva is found to have committed an Anti-Doping Rule Violation (ADRV) under Clause 4.1 of the All-Russian Anti-Doping Rules of 24 June 2021 (the Russian ADR).
- A period of four (4) years ineligibility is imposed on Ms Valieva, starting on 25 December 2021.
- All competitive results of Ms Valieva from 25 December 2021 are disqualified, with all the resulting consequences (including forfeiture of any titles, awards, medals, profits, prizes, and appearance money).

According to Clause 4.1 of the Russian ADR, athletes are responsible for any Prohibited Substance found to be present in their samples and the presence of any prohibited substance amounts to an ADRV. In this matter, a prohibited substance, Trimetazidine (TMZ), was found to be present in the sample collected from Ms Valieva on 25 December 2021 during the Russian National Championships in St Petersburg, Ms Valieva did not contest liability in that she accepted that, by reason of the presence of a TMZ in her sample, she had committed an ADRV under Clause 4.1 of the Russian ADR

It was therefore a matter for the CAS Panel to consider what sanctions, if any, should be imposed on Ms Valieva pursuant to the Russian ADR, bearing in mind that, in the absence of grounds for elimination, reduction or suspension, the Russian ADR provide for a four-year period of ineligibility. In order to benefit from a reduced period of ineligibility, Ms Valieva needed to prove, by a balance of probabilities that she had not intentionally committed the ADRV by engaging in conduct which she knew constituted an ADRV or in conduct where she knew that there was a significant risk that said conduct might constitute or result in an ADRV and had manifestly disregarded that risk. Having carefully considered all the evidence put before it, the CAS Panel concluded that Ms Valieva was not able to establish, on the



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balance of probabilities and on the basis of the evidence before the Panel, that she had not committed the ADRV intentionally (within the meaning of the Russian ADR).

The CAS Panel stressed that the test with respect to intention under Clause 12.2 of the Russian ADR is one and the same whether the athlete is an adult or a Protected Person. It means that if a Protected Person fails to discharge the burden (which under the Russian ADR is borne by the athlete) that he or she did not commit ADRV intentionally, there is no basis under the rules to treat them any differently from an adult athlete. Accordingly, since it was determined that there was no scope for the exercise of discretion to reduce the period of ineligibility, a four-year period of ineligibility was imposed by the Panel.

The period of ineligibility starts on 25 December 2021 and any period of provisional suspension served by Ms Valieva is to be credited against that period of ineligibility. The CAS Panel also ordered the disqualification all competitive results achieved by Ms Valieva from 25 December 2021, with all the resulting consequences (including forfeiture of any titles, awards, medals, profits, prizes, and appearance money).

The consequences linked to the retroactive disqualification of Ms Valieva from past events, including from the Olympic Winter Games Beijing 2022, were not within the scope of this arbitration procedure and will have to be examined by the sports organisations concerned.

The Arbitral Award issued by the CAS Panel is currently subject to a confidentiality review meaning that the parties might request that the Arbitral Award, or certain information contained in it, remain confidential. For this reason, the Arbitral Award will not be published immediately on the CAS website.

The CAS Panel's decision is final and binding, with the exception of the parties' right to file an appeal to the Swiss Federal Tribunal within 30 days on limited grounds.