

# PRESS RELEASE

## CROSS COUNTRY SKIING – DOPING

### LARISSA LAZUTINA AND OLGA DANILOVA APPEALS DISMISSED

#### THE SWISS FEDERAL TRIBUNAL CONSOLIDATES THE INDEPENDENCE OF THE COURT OF ARBITRATION FOR SPORT

*Lausanne, 24 June 2003* - In a judgment notified on 20 June 2003, the Swiss Federal Tribunal (FT) dismissed the appeal lodged by the two Russian cross country skiers Larissa Lazutina and Olga Danilova against the awards pronounced by the Court of Arbitration for Sport (CAS) on 29 November 2002.

Lazutina and Danilova were disqualified by the IOC after the Olympic Winter Games in Salt Lake City for doping using darbepoietin. In June 2002, the International Ski Federation (FIS) suspended both athletes for two years. They then appealed to the CAS, calling for the IOC and FIS decisions to be overturned; but this appeal was rejected. Finally, they appealed against the CAS awards to the FT, Switzerland's supreme court.

In an important judgment of principle, the FT rejected all the arguments put forward by the athletes, clearly confirming in particular that the CAS offered all the guarantees of independence and impartiality to be regarded as a real court of arbitration whose awards are comparable to the judgments of a state court. The Supreme Court also removed all reservations about proceedings to which the IOC is a party, adding that the CAS has today become "one of the chief pillars of organised sport".

The CAS President, Judge Kéba Mbaye, welcomed this decision. *"It is a historic moment for the CAS", he said. "This judgment recognises almost 20 years of work and effort to build an effective independent jurisdiction specialising in the resolution of sports disputes. The FT has given a clear signal in support of the CAS, thereby confirming its emergence as a jurisdiction, in the interest of world sport. The International Council of Arbitration for Sport (ICAS) will take on board the FT's suggestions on how to fine tune the functioning of the CAS."*

CAS Secretary General Matthieu Reeb, who represented the CAS in the proceedings before the FT, was also pleased with the result: "After recognition of our jurisdiction by the IAAF in 2001 and FIFA in 2002, this FT decision comes at just the right time. It is an encouragement for the future, particularly as the World Anti-Doping Code comes into force, which establishes the CAS as the last instance body of appeal for doping cases."

Not all the CAS proceedings connected with the Olympic Games in Salt Lake City have finished: the request from the Norwegian and Canadian Olympic Committees seeking the disqualification of Larissa Lazutina, Olga Danilova and Johann Muehlepp from all the competitions in which they took part at the Games will be examined in September 2003 (hearing on 9 September 2003).

For further information related to the CAS activity and procedures in general, please contact Mr. Matthieu Reeb, Secretary General, 28, av. de l'Elysée, 1006 Lausanne, Switzerland, Tel. : (41 21) 613 50 00; fax : (41 21) 613 50 01.