

## **Decision of the IBSF Doping Hearing Panel**

in the matters of the provisional suspension of

Elena Nikitina, IF ID Number 130501

Mariia Orlova, IF ID Number 130502

Olga Potylitsyna, IF ID Number 130504

Aleksandr Tretiakov, IF ID Number 130402

Alexander Kasyanov, IF ID number 130619

Aleksei Pushkarev, IF ID number 130625

Ilvir Khuzin, IF ID Number 130617

Aleksandr Zubkov, IF ID Number 130635

Sergei Chudinov, IF ID Number 130493

hereinafter referred as the athletes and officials

**To: each of the individual athletes and officials**

Bobsleigh Federation of Russia

President Alexandr Zubkov

8 Luzhnetskaya Nab.

119991 Moscow, Russian Federation

By email: parkhomenko@rusbob.ru

Date: December 1 ,2017

### Introduction

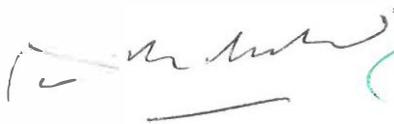
1. During November 2017, the International Bobsleigh & Skeleton Federation (the „IBSF“) has received several notifications from the International Olympic Committee (the „IOC“), informing that the IOC Disciplinary Commission (Oswald Commission) decided following up on the hearing on various dates in November, which have been conducted in the context of the Sochi 2014 forensic and analytic doping investigations, to sanction the athletes and officials.

2. The IBSF, following the above-mentioned decision of the Oswald Commission, sent, at the end of November 2017, notifications of provisional suspension to each of the athletes and officials. Copies of such notifications are attached as Annex 1.
3. Each of the athletes and the officials have been given the opportunity for a provisional hearing, as provided for in Art 7.9.3 of the IBSF Anti-Doping Rules (the „Rules“), by submitting any observations in writing by December 6, 2017.
4. Each of the individual athletes and officials requested an expedited hearing.
5. This hearing took place on December 1, 2017, before the IBSF Hearing Panel, chaired by Advocaat Dolf Segaar, and the members Prof.Dr.Ian Blackshaw and Prof.Dr.Peter Hemmersbach, at the Municon Congress Center at the Airport in Munich, Germany.
6. The athletes and officials were represented by their legal representative, Philippe Baertsch (Schellenberg Wittmer Ltd) of Geneva, Switzerland and accompanied by their Secretary General, Sergey Parkhomenko, who acted as their translator.
7. Having heard representations by their legal representative, and still awaiting the reasoned decision of the IOC and consistent with its earlier decision of January 6, 2017, the IBSF Hearing Panel came to the conclusion that there is still not yet sufficient evidence relating to the above-mentioned individual athletes and officials that would justify the provisional suspension of them being maintained for the time being.
8. The IBSF Hearing Panel invites the IOC to present the IBSF with a reasoned decision, as soon as possible, in order to potentially re-consider the position of the individual athletes and officials.
9. For ease of reference, attached as Annex 2, is a copy of the earlier decision of the IBSF Hearing Panel of January 6, 2017.
10. The parties did not request for any compensation of costs.

IBSF Doping Hearing Panel, December 1,2017



Advocaat Dolf Segaar



Prof.Dr.Ian Blackshaw



Prof.Dr.Peter Hemmersbach