

Decision of the FISA Executive Committee

Russian Rowing Participation in the Rio 2016 Olympic Games

On 24 July 2016, the International Olympic Committee's ("IOC") Executive Board's ("EB") issued a decision in which it indicated that it would only accept entries of Russian athletes subject to certain conditions.

These include that the International Federations (IFs) have to examine the eligibility of Russian athletes in accordance with the IOC EB's decision, applying the following specific criteria:

- The absence of a positive national anti-doping test cannot be considered sufficient;
- The IFs have to analyse each Russian athlete's reliable and adequate international anti-doping record; and
- No athlete implicated in WADA's Independent Person ("IP") report can be accepted.

In addition to the above scrutiny to be conducted by the IFs, it is indicated that the Russian Olympic Committee (ROC) is not allowed to enter any athlete that has previously been sanctioned for doping, even if the sanction has already been served.

The evaluation conducted by the IFs in respect of athletes declared eligible based on the above, will be subject to a review by an expert from CAS.

FISA Examination and Evaluation

Given the fact that the eligibility conditions at the Olympic Games are determined by the IOC, the FISA Executive Committee (EC) took the decision that it had to conduct the required evaluation in order to provide a list of Russian rowers who met the conditions set by the IOC at the Rio 2016 Olympic Games.

The FISA EC has considered the above IOC decision in the context of its own rules. In this respect and in the absence of specific FISA regulations applicable to this very specific and exceptional situation, the FISA EC is acting based on Article 50.3 of the FISA Statutes which gives it the authority to act "*in the interests of the sport of rowing*".

The FISA EC has considered the issues starting with (1) the determination of the Russian rowers who will not be accepted as a matter of principle, based on the IOC specific criteria and in a second stage (2), an individual analysis of the anti-doping records of each entered Russian rower, whose entry could in principle still be accepted.

- 1) a. FISA has examined the IP Report and the relevant details provided by WADA, and has identified one rower entered by the ROC who is implicated. Consequently and for this reason, this athlete will not be included in the list of rowers declared eligible as it is understood that the IOC will not accept his entry.

b. FISA further observes that the ROC will not be allowed to maintain the application for entry of two further rowers since they have previously been sanctioned for doping violations. For this reason and as is the case for the rower mentioned above, these athletes were not included in the review conducted as is indicated below.
- 2) In addressing the part of the IOC decision "*The IFs should carry out an individual analysis of each athlete's anti-doping record, taking into account only reliable adequate international tests, and the specificities of the athlete's sport and its rules, in order to ensure a level playing field*", the FISA EC has determined that, in order to meet the requirements that the IOC has prescribed for it to accept the entry of a Russian rower, and recommend to the IOC

that to rebut the applicability of collective responsibility in his or her individual case, as required by the IOC, the following requirement must be met:

A Russian rower must have undergone a minimum of three anti-doping tests* analysed by a WADA accredited laboratory other than the Moscow laboratory and registered in ADAMS from 1 January 2015 for an 18 month period.

*FISA considers a urine test, a blood test, or a urine and blood test or multiple tests taken on the same day to constitute one anti-doping test for this evaluation.

In determining this requirement (which includes both in and out-of-competition tests) and as directed by the IOC taking into account the specificity of the sport, FISA considered the following:

- 1) The fact that there is a history of doping cases in Russian Rowing Federation (RRF) over the recent past, including losing a gold medal for doping at the 2006 World Rowing Championships, suspension of the RRF in 2008 for eight code violations and, recently, losing qualification of a boat for the 2016 Olympics due to a doping case.
- 2) A correct balance between the protection of the rights of clean athletes outside of Russia with the protection of the rights of clean athletes inside Russia;
- 3) The relatively small number of events FISA has where tests can be carried out compared to other sports and consequently the fact that the majority of testing is carried out by the National Anti-Doping Organisations (NADOs);
- 4) The indication set forth in World Anti-Doping Agency's "Guidelines Implementing an Effective Testing Programme, paragraph 4.1, Objective", which refers to a minimum of three (out-of-competition) tests per year for Registered Testing Pool (RTP) athletes.

Taking all of the above into account as well as the systemic manipulation of the results of the Moscow laboratory by the Russian Ministry of Sport revealed in the McLaren report, three tests over the 18 month period starting 1 January 2015 was determined to be a reasonable requirement.

Decision

Russia qualified five boats and entered 26 rowers and two coxswains for the 2016 Olympic Games in Rio de Janeiro. The athletes' names were entered by the ROC by the deadline of 18 July 2016.

The FISA Executive Committee, based on the above-mentioned evaluation, has determined that the following Russian rowers will be presented as meeting the IOC EB's conditions for participation at the Rio 2016 Olympic regatta:

CHAUKIN, Aleksandr
EFREMENKO, Georgy
KOSOV, Artem
MORGACHEV, Nikita
RYABCEV, Vladislav
ZARUTSKIY, Anton

The FISA Executive Committee considers that the coxswains should not be subject to the same testing requirements in this very exceptional situation and, therefore, has decided that they also meet the IOC conditions for participation at the Rio 2016 Olympic Regatta.

VOLKOVA, Kseniia
SAFONKIN, Pavel

The FISA Executive Committee underlines that the above evaluation does not mean that it has been established that the remaining entered rowers would have committed a doping offence, rather that they do not meet the conditions established by the IOC in their decision of 24 July 2016 for their entry to be accepted for the Rio 2016 Olympic Games.

The FISA Executive Committee decision was made as appropriate to the circumstances and based on the available information at the time, in the interests of the sport of rowing.

FISA Executive Committee, 25 July 2016