

PRESS RELEASE

CROSS COUNTRY SKIING – DOPING  
OLYMPIC WINTER GAMES 2002

THE APPEALS FILED BY LARISSA LAZUTINA AND OLGA DANILOVA DISMISSED BY THE COURT OF ARBITRATION FOR SPORT (CAS)

*Lausanne, 29 November 2002* - The Court of Arbitration for Sport (CAS) has dismissed the appeals filed by the Russian cross-country skiers Larissa Lazutina and Olga Danilova against the decisions made by the IOC Executive Board and the FIS Council, which were made as a result of positive doping tests, which showed the use of the prohibited substance darbepoetin. Consequently, CAS confirmed the IOC decisions to disqualify both athletes from the women's 30 kilometres cross-country skiing race of the XIX Olympic Winter Games in Salt Lake City, to withdraw Lazutina's medal and Danilova's diploma and to order the exclusion of both athletes from the Olympic Winter Games 2002. CAS also confirmed the FIS decisions to suspend both athletes for two years. According to the decisions issued by the FIS Council on 3 June 2002, Larissa Lazutina is suspended as from 8 December 2001 until 7 December 2003 and all results she obtained during that period are annulled; according to the same decision, Olga Danilova is suspended from 21 February 2002 until 20 February 2004.

On 21 February 2002, during the Olympic Winter Games, Larissa Lazutina and Olga Danilova underwent a doping control, the results of which were known on 23 February 2002. The analyses conducted by the IOC Accredited Laboratory in Salt Lake City revealed the presence of darbepoetin for both athletes. On 24 February 2002, both athletes took part in the women's 30 kilometres cross-country skiing event; Lazutina won the race and Danilova came eighth. While the race was taking place, first the IOC Inquiry Commission, then the IOC Disciplinary Commission and finally the IOC Executive Board considered the case of the two Russian skiers. Later on the 24 February 2002, the IOC Executive Board decided to disqualify the two athletes from the women's 30 kilometres cross-country skiing event, to withdraw their awards and to exclude them from the Olympic Winter Games. For both athletes, the IOC Executive Board came to the conclusion that a doping offence with darbepoetin was established.

After the Games, on 11 April 2002, FIS was informed that Larissa Lazutina had tested positive with darbepoetin in December 2001 on the occasion of two World Cup races (Cogne, 8 December 2001; Ramsau, 22 December 2001). On 3 June 2002, the FIS Council decided to suspend Larissa Lazutina for two years from 8 December 2001 and to suspend Olga Danilova for two years from 21 February 2002.

The athletes filed appeals against the decisions made by the IOC and FIS with the Court of Arbitration for Sport. These cases were submitted to a panel composed of three CAS arbitrators : Mr. Peter Leaver QC, barrister in London/England (President), Mrs. Barbara Shycoff, attorney at law in Bowie/USA and Mr. Dirk-Reiner Martens, attorney at law in Munich/Germany. A hearing was held in Lausanne on 4 and 5 November 2002 in the presence of the athletes' legal advisors and of those of IOC and FIS. CAS announced its final decision to the parties earlier today.

The two athletes contended that the methodology of testing for darbepoetin was experimental and was neither legally nor scientifically accepted. They also contended that it was not permissible to use the method of testing for EPO in order to test for darbepoetin.

In their written decisions, the three arbitrators held that :

- The athletes did not establish that there was an irregularity in the doping control procedure or a breach in the chain of custody;
- The UCLA IOC-Accredited Laboratory which was in charge of all doping tests during the Olympic Winter Games 2002 in Salt Lake City received an ISO certification for the EPO test;
- Darbepoetin is unlike natural EPO, but like recombinant EPO, in that it is an artificial substance which is not naturally produced by the human body;
- The existing test for EPO, whether natural or recombinant, can be used without modification to detect darbepoetin.

As a consequence, the Panel was satisfied that the test for darbepoetin was scientifically reliable. Furthermore, the results of the analyses conducted on the samples provided by Larissa Lazutina and Olga Danilova revealed clearly the presence of darbepoetin which is a prohibited substance pursuant to the Olympic Movement Anti-doping Code.

The three arbitrators came to the conclusion that Larissa Lazutina had committed a number of doping offences and that Olga Danilova had committed a doping offence. Accordingly, they dismissed the appeals. In view of the seriousness of the offences and of the failure of the skiers to support their appeals with positive evidence, the arbitrators also ordered the Appellants to reimburse part of the legal costs of IOC and FIS.

For further information related to the CAS activity and procedures in general, please contact  
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