



**TAS / CAS**  
TRIBUNAL ARBITRAL DU SPORT  
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## MEDIA RELEASE

### OLYMPIC GAMES PARIS 2024

#### ARTISTIC GYMNASTICS WOMEN'S FLOOR EXERCISE

#### THE CAS AD HOC DIVISION PUBLISHES THE ARBITRAL AWARD

*Lausanne, 14 August 2024* - The full award with reasons in the matters:

*CAS OG 24/15 Federation Romanian Gymnastics and Ana Bărbosu v. Fédération Internationale de Gymnastique (FIG) and Donatella Sacchi*

*CAS OG 24/16 Federation Romanian Gymnastics and Sabrina Maneca-Voinea v. Fédération Internationale de Gymnastique (FIG) and Donatella Sacchi*

was published on the CAS website today.

Applications were filed by the Romanian Gymnastics Federation and gymnasts Ana Maria Bărbosu and Sabrina Maneca-Voinea (the Applicants) in relation to the decision taken by the International Gymnastics Federation (FIG) Women's Artistic Gymnastics Technical Committee on 5 August 2024 (the Challenged Decision) in response to the inquiry submitted on behalf of Ms Jordan Chiles (USA) (the Inquiry) during the final of the Women's Artistic Gymnastics Floor Exercise competition. The Romanian Olympic and Sports Committee, Ms Jordan Chiles, the United States Olympic & Paralympic Committee, USA Gymnastics and the International Olympic Committee (IOC) were involved in the arbitration procedure as interested parties.

The Applicants sought in particular a ruling from the CAS Ad hoc Division, to the effect that the Inquiry was filed after the conclusion of the 1-minute deadline specified in art. 8.5 of FIG 2024 Technical Regulations (i.e. 1 minute and 4 seconds), the results of the Inquiry should be set aside as out-of-time, that Ms Chiles' initial score of 13.666 be retained, and the final ranking be adjusted accordingly.

On 10 August 2024, the arbitral Panel, composed by Dr Hamid G. Gharavi (FRA/IRI), President, Prof. Philippe Sands KC (GBR/FRA/MRI) and Prof. Song Lu (CHN), partially upheld the application filed by Federation Romanian Gymnastics and Ms Ana Bărbosu. The Panel determined that the inquiry submitted on behalf of Ms Jordan Chiles in the Final of the women's Floor exercise was raised after the conclusion of the one-minute deadline provided by article 8.5 of the 2024 FIG Technical Regulations and that the initial score of 13.666 given to Ms Jordan Chiles in the final of the women's Floor exercise shall be reinstated. The Panel's decision is unanimous. On the same day, the FIG confirmed that the results of the Women's Artistic Gymnastics Floor Exercise Final on Monday 5 August 2024 would be amended in accordance with the CAS decision.

The reasoned award confirms the following:

- The jurisdiction of the CAS ad hoc Division was not challenged by the parties involved in these proceedings, save for against Ms Sacchi.



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- The notice of appointment of Dr Hamid Gharavi as Panel chair was accompanied by a written statement disclosing the following fact: “*I represent Romania in investment arbitrations before ICSID (Cases ARB/20/15, ARB/22/13 and ARB/16/19)*”.
- The composition of the Panel, with Dr. Hamid Gharavi as Panel chair, was not objected to or challenged by any of the parties or interested parties.
- The parties and interested parties attending the hearing on 10 August 2024 confirmed that they had no objection to the manner in which the arbitration was conducted and confirmed that their right to be heard had been respected.
- In advance of Hearing the Panel acted to ensure that it had the evidence necessary to form a view as to compliance with the 1-minute rule.
- At the hearing, there was no dispute between the parties that Ms. Chiles’ inquiry was submitted 1 minute and 4 seconds after her score was official displayed on the scoreboard. All parties accepted as clear and determinative the report prepared by Omega, the official timekeeper for the Olympic Games, and submitted by the FIG itself. No party sought the admittance of other evidence.
- Article 8.5 of the FIG Technical Regulations, provides that a gymnast’s coach can submit an inquiry with respect to the D Score provided that the request is “made verbally immediately after the publication of the score or at the very latest before the score of the following gymnast/athlete or group is shown [...]. For the last gymnast or group of a rotation, this limit is one (1) minute after the score is shown on the scoreboard. [...] Late verbal inquiries will be rejected.”
- The CAS Panel found that Article 8.5 is clear and unambiguous, and that the one-minute time limit is set as a clear and unambiguous deadline, and on its face offers no exception or flexibility.
- The CAS Panel found that no clear and established mechanism was proven by any party to have been in place in relation to Ms. Chiles’ inquiry or otherwise during the performance of the gymnasts to address so important a matter as the timing of a request for an inquiry.
- The Panel found that the review that it has been requested to conduct for violation of Article 8.5 of the FIG Technical Regulations does not fall within the so-called ‘field of play’ doctrine. The Panel is not being requested to interfere, or to substitute its judgment for that of a referee. It is not interfering with a judgment call of any referee or official on the ground, and it is not correcting a refereeing mistake or an error of judgment. Rather, it is ruling on the basis of a default by the FIG to put in place a mechanism to monitor and apply an important rule that it has adopted to protect the athletes and the public.
- Finally, the Panel made the following statement: “The Panel is fully aware of the disappointment this adjudicating process may cause to Ms. Chiles and Ms. Maneca-Voinea, who have at all times conducted themselves with integrity and probity and acted in good faith, and their respective coaches. The Panel would simply point out that its task is to rule on the law and the evidence before it, and in this case both are crystal clear in relation to the one-minute rule and its application to the circumstances of this case. It is not the function of the Panel to apply principles of equity, or to attribute medals, or to determine that there should be multiple recipients of the bronze medal, as some of the Parties have proposed.”

The CAS condemns the outrageous statements published in certain US media alleging, without knowledge of the above and before review of the reasoned award, that the Panel, and more particularly its chairman, was biased due to other professional engagements or for reasons of nationality. As none of the parties involved in this case has challenged any Panel member during the procedure, it can reasonably be assumed that all parties were satisfied to have their case heard by this Panel. Any subsequent criticism is without foundation or merit.