



# Once an Olympic hopeful, now a judge on the doping tribunal

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(Reuters) — When Jeffrey Benz competed in international figure skating events in the 1980s representing the United States, he dreamed of going on to participate in the Olympic winter games.

Three decades later, the dream has come true, though not in a way his younger self could have imagined.

As one of three judges selected to hear the case on Feb. 13 involving Russian figure skater Kamila Valieva who allegedly tested positive for the banned substance trimetazidine, Benz is playing a crucial role in the games.

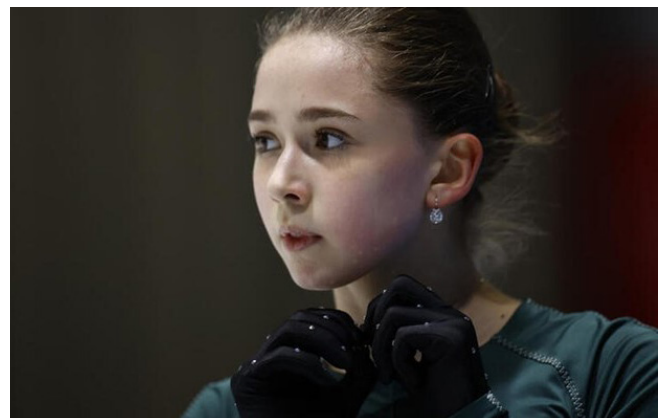
I spoke with Benz by phone from Beijing on Feb. 9, shortly before the International Olympic Committee and the World Anti-Doping Agency filed challenges with the Court of Arbitration for Sport. Both object to the decision by the Russian disciplinary anti-doping committee RUSADA to lift Valieva's temporary suspension and allow the 15-year-old to continue competing in the games.

Unlike commercial cases, Benz told me, disputes involving sports "often involve issues of national identity and the national spotlight. It creates a different dynamic."

Valieva, the first woman to land the quadruple jump at the Olympics, is widely reported to be a favorite to win the women's individual figure skating gold.

The Russian Olympic Committee in a statement, said that before and after the positive sample was collected on Dec. 25, Valieva "passed numerous doping tests, she passed them also in Beijing during the figure skating tournament. All results have been negative."

During our conversation, Benz declined to comment on the then-brewing controversy. He also declined to comment in a follow-up request after he was selected for the panel, which is expected to issue its decision on Monday. Benz's co-arbitrators in the matter are Fabio



Kamila Valieva of the Russian Olympic Committee during training.

Ludica from Italy and Vesna Bergant Rakočević from Slovenia.

Still, he provided a window on the legal process that's now unfolding in Beijing.

"The objective is to make sure the games go on as scheduled and that athletes get the right to a hearing before they face the penalty of being disqualified," Benz said.

Under the auspices of the Court of Arbitration for Sport, or CAS, he's part of a group of neutrals on standby at the games. They're tasked with holding hearings and issuing decisions within 24 hours — a fast timeline that seems very on-brand for the Olympics — on disputes ranging from an athlete's competition eligibility to free speech rights under the Olympic charter.

The CAS tribunal has been a feature at every Olympics since the 1996 games in Atlanta, with a mandate to resolve disputes that occur 10 days before and during the games.

Until the Valieva controversy, the tribunal's docket

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Jeffrey Benz

for the first week of the games involved a handful of bobsleigh and skeleton disputes over the allocation of spots available to athletes to compete in the games.

Those hearings were conducted remotely, Benz said.

Benz and his colleagues — there are 12 members of the so-called ad hoc division who handle broad legal issues, plus six more who focus on anti-doping cases — set up temporary offices on the second floor of the Beijing Continental Grand Hotel on Jan. 25. The office will remain open until Feb. 20.

The arbitrators aren't bound by the laws of any one

nation or state. "We apply general principles of fairness and general principles of law," Benz said.

Athletes have the option of pro bono representation via the Beijing Bar Association and Beijing Arbitration Commission, or they can hire their own counsel. It's not clear if Valieva is represented by counsel.

As for the arbitrators, Benz said they get a per diem to cover their expenses, plus the chance to watch the games.

Based in London, Benz told me he's been to half-a-dozen prior Olympics, though this is his first time serving on-site as an ad hoc division arbitrator.

When I spoke with him, he was on his way to watch the men's figure skating competition, an event with personal resonance.

"It was always my goal to compete in the Olympic winter games. I trained five hours a day every day for nearly 15 years for that opportunity," he told me.

In 1987, he and his sister were the national junior ice dancing champions for the U.S. As a solo skater, he competed in multiple international competitions from 1986 to 1989.

Ultimately, he said, "I made a decision to move on in my life rather than take the uncertain risk of continuing to skate." He graduated from the University of Texas School of Law 1993 and went on to work at now-defunct law firm Coudert Brothers before landing a job with the U.S. Olympic Committee, where he was general counsel from 2001 to 2006.

"I feel lucky that I could combine my profession with my childhood pursuits," Benz said.