

July 12, 2022

Lausanne, Switzerland

Claudia Pechstein Case - Decision of the German Federal Constitutional Court

Today (July 12, 2022), the German Federal Constitutional Court (Bundesverfassungsgericht) published a decision upholding the constitutional complaint of Ms. Claudia Pechstein challenging two decisions of the Federal Court of Justice which had been issued in 2016.

Ms. Pechstein had filed the constitutional complaint after the Federal Court of Justice (Bundesgerichtshof) had declared inadmissible her claim for damages filed against the ISU before German civil courts in 2013 because of an arbitration agreement in favor of the Court of Arbitration for Sports (CAS) in Lausanne.

The German Federal Constitutional Court held that when deciding the case in 2016, the Federal Court of Justice had not considered properly the significance of the right to publicity of the proceedings when balancing the interests and rights at stake. Therefore, the Federal Constitutional Court held that the Federal Court of Justice's decision interfered with Ms. Pechstein's constitutional rights under two provisions of the German Fundamental Law (Grundgesetz), lifted the latter's decision, and submitted the case back to the Higher Regional Court Munich (Oberlandesgericht München) for further evaluation.

The German Constitutional Court did not discuss in any way the validity of Ms. Pechstein's doping ban in 2009, which has been confirmed by CAS and the Swiss Federal Tribunal. The ISU is going to study the decision in detail and will evaluate all options.

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About International Skating Union

The International Skating Union (ISU), founded in 1892, is the oldest governing international winter sport federation and the exclusive international sport federation recognized by the International Olympic Committee (IOC) administering the sports of Figure Skating (Single & Pair Skating and Ice Dance), Synchronized Skating, Speed Skating and Short Track Speed Skating worldwide. The objectives of the ISU are to regulate, govern, promote and develop its sports on the basis of friendship and mutual understanding between athletes. Currently three ISU disciplines are included in the Olympic Winter Games program (Figure Skating, Speed Skating and Short Track Speed Skating). For further information please visit [isu.org](#).