



Conseil International de l'Arbitrage  
en matière de Sport  
International Council of Arbitration  
for Sport

**REPORT OF THE INTERNATIONAL COUNCIL OF ARBITRATION FOR SPORT  
TO THE ASSOCIATION OF NATIONAL OLYMPIC COMMITTEES (ANOC)  
GENERAL ASSEMBLY**

**8 November 2014, Bangkok (Thailand)**

**1. CAS activities**

Between 1 January and 31 August 2014, 307 procedures were registered with the CAS. These are broken down as follows:

47	ordinary procedures
248	appeal procedures
10	ad hoc procedures
2	mediation procedures

Between its creation in 1984 and 31 August 2014, the CAS registered 3748 arbitration procedures, 91 ad hoc procedures (Olympic Games/Commonwealth Games/Asian Games), 82 consultation procedures and 40 mediation procedures, i.e. an overall total of 3961 cases.

The record number of cases registered in one year was established in 2013 with 408 cases. It is likely to be broken again in 2014.

**2. CAS Football list**

Considering the importance of football-related matters at CAS, the ICAS has decided to increase the size of the CAS list of arbitrators specialized in football. All stakeholders (FIFA, Confederations, clubs and FIFPro) had the opportunity to propose names for such list and the ICAS will proceed with the nomination of 125 "football" arbitrators in November 2014. The football list is not mandatory but constitutes an indication for parties willing to appoint specialized arbitrators.

**3. CAS ad hoc Divisions**

Asian Games 2014

For the first time, the CAS has established an ad hoc Division at the Asian Games. Following the Agreement signed by ICAS and OCA in 2010, the CAS ad hoc Division comprised 1 President, Mr Michael Hwang (Singapore) and 6 arbitrators in Incheon in order to settle any dispute arising during the XVII Asian Games. The temporary CAS office in Incheon opened 4 days in advance of the

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opening ceremony to ensure that participants had free access to justice rendered within time limits that keep pace with the competitions.

The CAS office in Incheon was operational from 15 September to 4 October 2014. The ad hoc Division registered 4 arbitration cases [1 doping case (Wushu), 1 eligibility case (Equestrian), 1 challenge against competition rules (Squash) and 1 field of play case (Wrestling)]. All applications have been dismissed.

Olympic Winter Games 2014: chaired by ICAS Members Michael Lenard (USA) and Corinne Schmidhauser (Switzerland), this division based in Sochi/Russia was composed of 9 arbitrators and heard 5 cases (selection disputes and compliance with technical rules).

FIFA World Cup Brazil 2014: constituted under a different format, this ad hoc Division did not have any office in Brazil but was composed of 25 arbitrators on stand-by, ready to hear any case by video-conference during the World Cup. One application was nearly filed by the Uruguayan player Luis Suarez, however, due to the elimination of the Uruguayan team, the arbitration was eventually initiated at the CAS in Lausanne.

Commonwealth Games 2014: chaired by ICAS Member Tricia Smith (Canada), this division based in Glasgow/Scotland was composed of 9 arbitrators on stand-by. One case (boxing, challenge against medical decision of inability to fight) was referred to CAS but was dismissed for lack of jurisdiction.

Asian Beach Games 2014: chaired by ICAS Member Michael Lenard (USA), this division will be based in Phuket/Thailand and will be composed of 4 arbitrators on stand-by. It is the first time that CAS will have a special structure at the Asian Beach Games.

#### **4. CAS Alternative Hearing Centres**

In Asia, 3 CAS Alternative Hearing Centres (AHC) have been inaugurated in the last 3 years: Shanghai, Abu Dhabi and Kuala Lumpur. These AHC are used by CAS to host hearings involving parties domiciled in Asian countries, in order to avoid travelling to Lausanne. The CAS Court Office also encourages parties to use video-conferencing in order to limit travel costs.

#### **5. CAS seminars**

The CAS organized four successful seminars in the last six months:

Cancun (Mexico) on 24-25 April 2014: 92 arbitrators participated in this internal seminar at the Hotel Fairmont Mayakoba. The general topics of the conference were, as usual, related to procedure and jurisprudence.

Mexico-City on 28 April 2014: 150 participants attended this public seminar at the University Iberoamericana in Mexico. This conference was more dedicated to football and included CAS arbitrators and guests (local federations and leagues) as speakers. Many media representatives attended and reported the event.

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Lausanne on 16 May 2014: 125 participants attended the first conference on CAS mediation at the renovated Olympic Museum in Lausanne. The day before the conference, a workshop was organised with CAS mediators in order to discuss any possible improvements concerning the rules and practice of CAS, as well as the promotion of mediation in sports.

Kuwait on 4-5 June 2014: in the presence of the OCA President, Sheikh Ahmad Al-Sabah, around 130 participants attended a joint seminar organized by CAS and ANOC/OCA for legal representatives of African, Asian and Oceania NOCs. The objective was to inform the NOCs of the CAS system and procedure but also to establish general guidelines for NOCs interested to create or develop their own internal dispute resolution mechanism. These guidelines will be available later this year.

Lausanne on 5-6 September 2014: 5<sup>th</sup> edition of the seminar organized jointly by CAS and the Swiss Bar Association. 320 participants attended the seminar dedicated to CAS jurisprudence and to the new World Anti-Doping Code.

## **6. Appointments of ICAS Members**

The procedure for appointment of ICAS members for a new 4-year cycle commencing 1 January 2015 has started and will be completed by the end of this year. The 4 ICAS stakeholders have already appointed their following representatives:

### IOC :

- Judge Yvonne Mokgoro (NEW, South Africa)
- Mr Richard Pound (Canada)
- Judge Wilhelmina Thomassen (NEW, the Netherlands)
- Judge Xue Hanqin (NEW, China)

### ASOIF:

- Mr Patrick Baumann (FIBA/Switzerland)
- Mr Miguel Cardenal Carrò (NEW, FIFA/UEFA/Spain); State Secretary for education, culture and sport in Spain
- Mr Göran Petersson (ISAF/Sweden)

### AIOWF:

- Ms Corinne Schmidhauser (Switzerland)

### ANOC:

- Mr Abdullah Al-Hayyan (NEW, Kuwait); Professor of Law, Kuwait University; Member of the FINA Ethics Committee
- Mr Scott Blackmun (NEW, USA); CEO USOC
- Ms Alexandra Brilliantova (NEW, Russia); Head of the legal department of the ROC
- Mr John Coates (Australia)

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On 12 November 2014, these 12 ICAS members will appoint 4 additional ICAS members representing the athletes. The current members, available and interested in a new appointment, are:

- Ms Tjasa Andréa-Prosenč (Figure Skating/Slovenia)
- Ms Moya Dodd (Football/Australia)
- Mr Michael Lenard (Handball/USA)
- Ms Tricia Smith (Rowing/Canada)

Then, these 16 ICAS members will appoint the remaining 4 ICAS members, who should not be linked to the Olympic Movement. The 4 current members are:

- Mr Nabil Elaraby (Egypt)
- Judge Ivo Eusebio (Switzerland)
- Judge Ellen Gracie Northfleet (Brazil)
- Judge Abdallah El-Khani (Syria), who announced his intent to step down from ICAS.

Mrs Carole Malinvaud (France) will be proposed along with the 3 current ICAS members who are available and interested in a new appointment. The appointment of Mrs Malinvaud will mean a 50/50 gender balance on ICAS for the first time.

The election of the ICAS President, Vice-presidents and Division Presidents will take place on 13 May 2015.

John COATES  
ICAS/CAS President