



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

Recent CAS developments

Les développements récents du TAS

Matthieu REEB, CAS Director General
30 September 2022 – CAS / SBA Seminar

Topics

- **The COVID time**
- **The new CAS headquarters**
- **Amendments to the Code**
- **ICAS business**
- **Next challenges**



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The COVID time

- **16.03.20 Emergency Guidelines**
- **E-filing**
- **Hearings by video-conference**



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The new CAS headquarters

Palais de Beaulieu

Size: 6,000 m² over 5 levels, including a roof terrace, basement car park, storage areas and archives, 3 hearing rooms, mediation room, 8 breakout rooms, media room, 92-seat auditorium, cafeteria, offices

Work places: 76 (currently 46 employees)

Cost of construction: CHF 37'176'629 (budget: CHF 42'000'000)

Cost of furniture and equipment: CHF 2'789'017 (budget: CHF 3'891'165)

Grand total: CHF 39'965'646 (budget: CHF 45'891'165)



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The new CAS headquarters

Timeline:

- **1984 – Creation of CAS; its offices are located at the Villa Olympique, next to the current Olympic Museum**
- **1994 – CAS bases itself at the Villa du Centenaire, on the other side of the Olympic Museum**
- **2005 – CAS headquarters moves to the Château de Béthusy**
- **2019 – ICAS purchases the South Wing of the Palais de Beaulieu (January)**
- **2019 – Demolition / Construction work begins (August)**
- **2022 – Construction completed (February)**
- **2022 – CAS staff move into the new office at the Palais de Beaulieu (March)**
- **2022 – First hearing held at the new headquarters at the Palais de Beaulieu (March)**
- **2022 – Official Inauguration (27 June 2022)**



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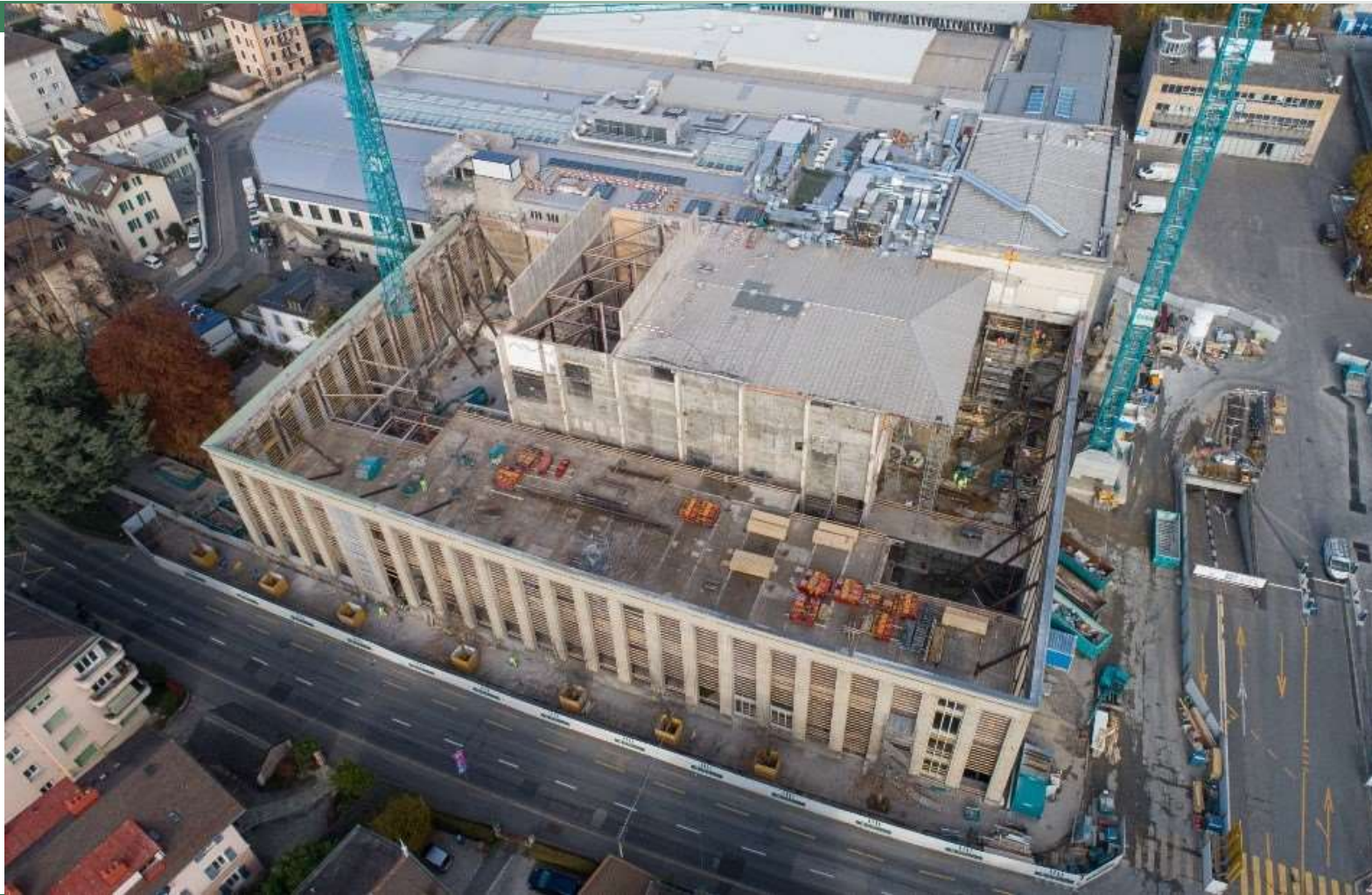
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2019



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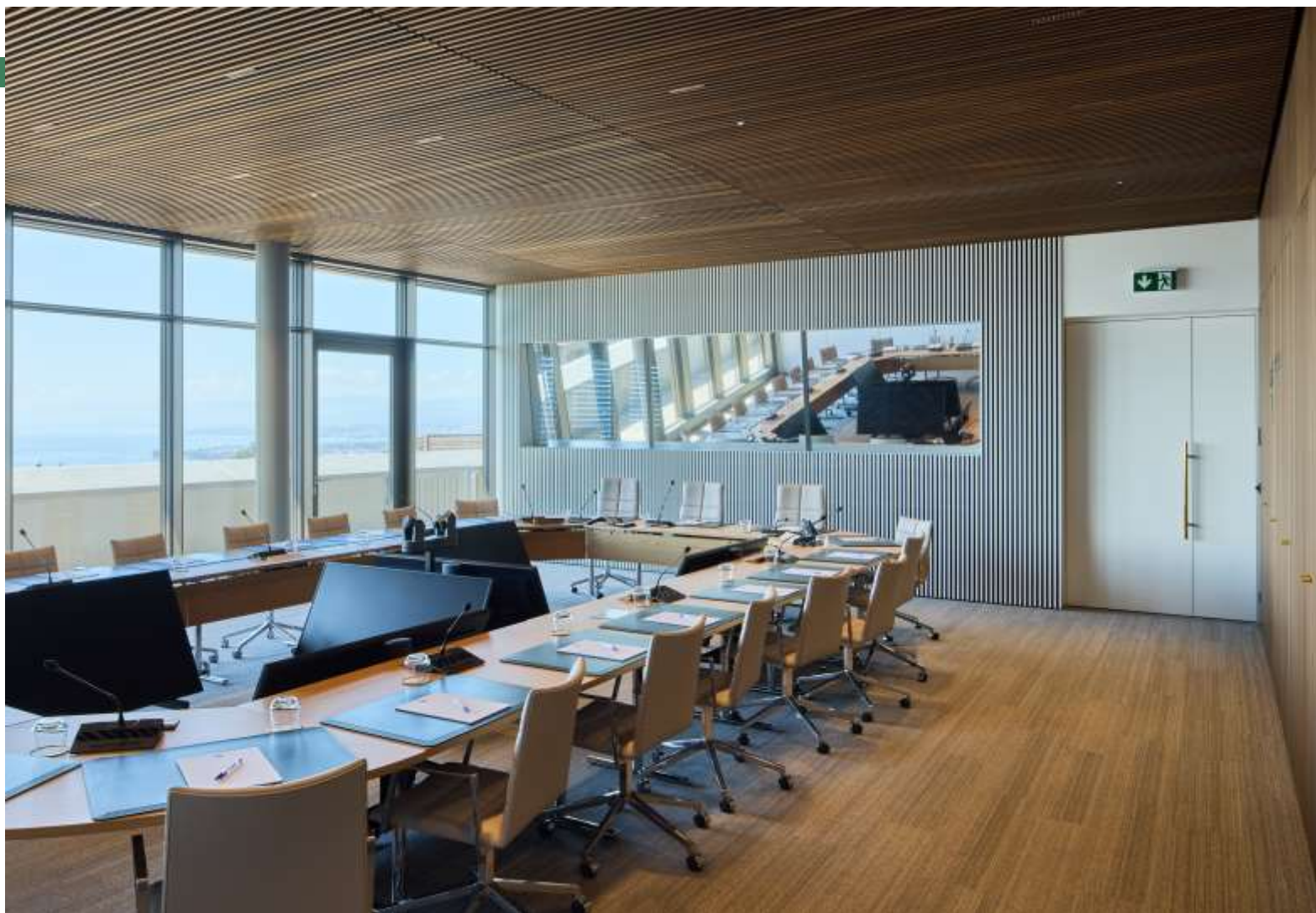
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Amendments to the Code

- **ICAS Statutes**
- **CAS Procedural Rules**



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➤ CAS Procedural Rules

R36 Replacement

In the event of resignation, death, removal, **replacement of a Sole Arbitrator by a 3-member Panel during the procedure** or successful challenge of an arbitrator, such arbitrator shall be replaced in accordance with the provisions applicable to her/his appointment. If, within the time limit fixed by the CAS Court Office, the Claimant/Appellant does not appoint an arbitrator **either** to replace the arbitrator it had initially appointed **or to constitute a 3-member Panel**, the arbitration shall not be initiated or, in the event it has been already initiated, shall be terminated. Unless otherwise agreed by the parties or otherwise decided by the Panel, the proceedings shall continue without repetition of any aspect thereof prior to the replacement.



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➤ CAS Procedural Rules

R50 Number of Arbitrators

The appeal shall be submitted to a Panel of three arbitrators, unless the parties have agreed to a Panel composed of a sole arbitrator or, in the absence of any agreement between the parties regarding the number of arbitrators, the President of the Division decides to submit the appeal to a sole arbitrator, taking into account the circumstances of the case, including whether or not the Respondent pays its share of the advance of costs within the time limit fixed by the CAS Court Office.

If the President of the Division decides to submit the appeal to a 3-member Panel, the Appellant shall appoint an arbitrator within the time limit set by the President of the Division, failing which the appeal shall be deemed withdrawn.



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➤ CAS Procedural Rules

R54 Appointment of the Sole Arbitrator or of the President and Confirmation of the Arbitrators by CAS

(...)

When selecting sole arbitrators and presidents of panels, the President of the Division shall consider the criteria of expertise, availability, diversity, equality and turnover of arbitrators.

In case a special list of arbitrators exists in relation to a particular sport or event, the Sole Arbitrator or the President of the Panel shall be appointed from such list, unless the parties agree otherwise or the President of the Division decides otherwise due to exceptional circumstances.

(...)



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➤ CAS Procedural Rules

R56 Appeal and answer complete – Case Management – Conciliation

(...)

After the filing of the answer, the Panel shall ask the parties whether they request a case management conference. In the affirmative, the Panel shall hold such case management conference with the parties in order to discuss procedural issues, the preparation of the hearing (if any) and any issues related to the taking of evidence. After the case management conference, if any, and prior to the hearing, if any, but at least prior to the termination of the evidentiary proceedings, the Panel shall issue an order of procedure setting forth the major elements of the arbitration procedure.



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➤ CAS Procedural Rules

R59 Award

(...)

The operative part of the award shall be communicated to the parties within three months after the transfer of the file to the Panel. Such time limit may be extended **up to a maximum of four months after the closing of the evidentiary proceedings** by the President of the Appeals Arbitration Division upon a reasoned request from the President of the Panel. **In case of non-compliance with the time limit, the Panel may be removed in accordance with Article R35 and the arbitrators' fees may be reduced by the ICAS Board, depending on the specific circumstances of each individual case. In any event, the President of the Division shall inform the parties of the situation and determine if an ultimate time limit is granted to the Panel or which particular measures are taken.**

(...)



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➤ CAS Procedural Rules

R64.2 (Costs)

The management of the advance of costs is an administrative issue which is dealt with by the CAS Court Office. Each procedure has its own account for the management of the advance of costs, even when two or more procedures are consolidated.

(...)



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➤ CAS Procedural Rules

R64.4 (Costs)

(...)

The final account of the arbitration costs may either be included in the award or communicated separately to the parties. **It shall contain a detailed breakdown of each arbitrator's costs and fees and of the administrative costs and shall be notified to the parties within a reasonable period of time.** The advance of costs already paid by the parties are not reimbursed by the CAS with the exception of the portion which exceeds the total amount of the arbitration costs.



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ICAS Structure

S4 ICAS is composed of twenty-two members, experienced jurists appointed in the following manner:

- a. ~~four~~ six members are appointed by the International Sports Federations (IFs), viz. ~~three~~ five by the Association of Summer Olympic IFs (ASOIF) and one by the Association of Winter Olympic IFs (AIOWF), chosen from within or outside their membership;
- b. four members are appointed by the Association of the National Olympic Committees (ANOC), chosen from within or outside its membership;
- c. four members are appointed by the International Olympic Committee (IOC), chosen from within or outside its membership;
- d. four members are appointed by the ~~twelve~~ fourteen members of ICAS listed above, after appropriate consultation with a view to safeguarding the interests of the athletes;
- e. four members are appointed by the ~~sixteen~~ eighteen members of ICAS listed above, chosen from among personalities independent of the bodies designating the other members of the ICAS.



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ICAS Stakeholders

**International
Federations
(ASOIF and
AIOWF)**

IOC

ANOC

**Football
stakeholders**

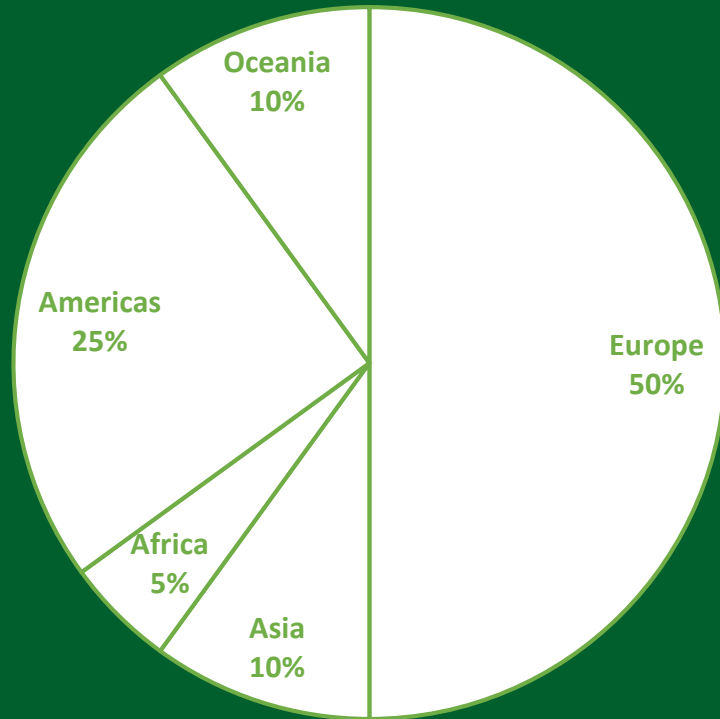


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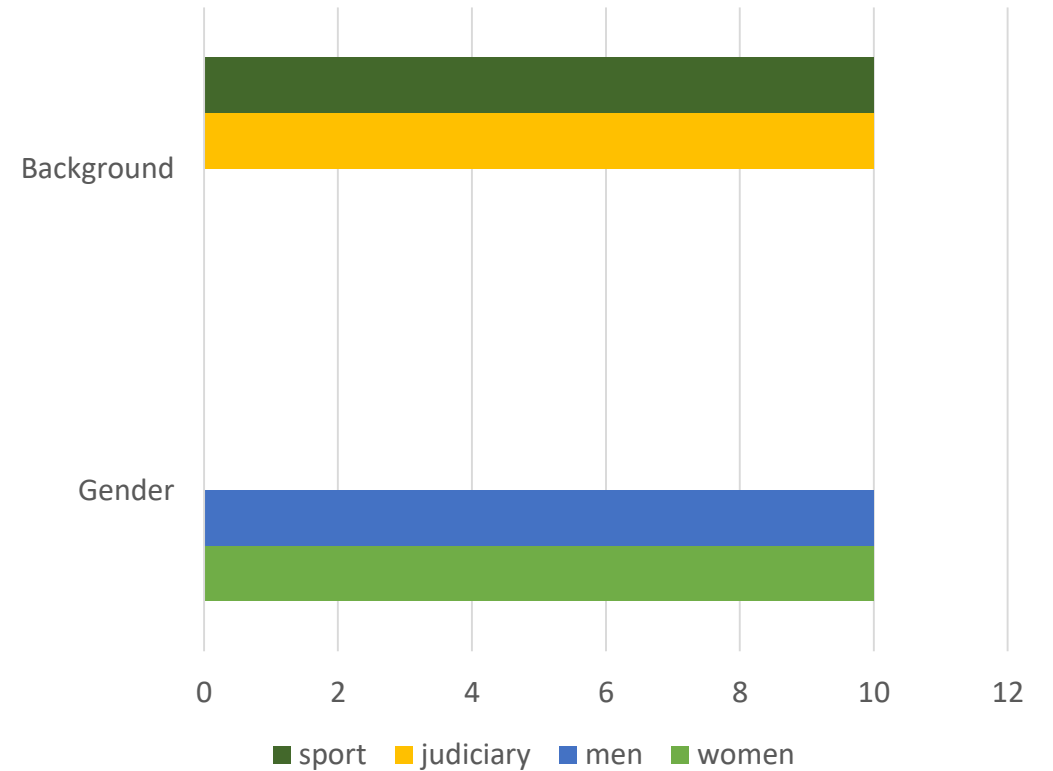
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ICAS composition (2022)

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ICAS representation



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ICAS Statutes

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Publication of an annual report, including the audited financial statements of ICAS

Creation of a dedicated Football legal aid fund (FLAF)



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Next challenges

- **Recruitment**
- **Website**
- **Database**
- **Mobile application**
- **E-filing 2.0**
- **Seminars**



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Thank you for your attention !

