
Advanced Certificate in International Sports Arbitration

International Sports Arbitration and the Court of Arbitration for Sport

****Alternative Dispute Resolution (ADR):**** A process used to resolve disputes without going to court, such as arbitration or mediation. In the context of international sports, ADR often refers to the Court of Arbitration for Sport.

****Arbitration:**** A form of ADR in which a neutral third party, called an arbitrator, hears evidence and makes a binding decision on the dispute. In sports arbitration, this decision is often final and cannot be appealed.

****Athletes' Commission:**** A group of current or former athletes who serve as representatives for the interests of athletes within a sports organization. The Athletes' Commission of the Court of Arbitration for Sport is made up of current and former athletes who are elected by their peers.

****CAS ad hoc Division:**** A division of the Court of Arbitration for Sport that is set up to handle disputes during major sporting events, such as the Olympics or World Championships. The CAS ad hoc Division is typically made up of arbitrators who are experts in the specific sport and is designed to provide a quick and efficient resolution to disputes that arise during the event.

****CAS Code:**** The set of rules and procedures that govern the Court of Arbitration for Sport. The CAS Code outlines the process for filing a claim, the role of the arbitrators, and the standards for decision-making.

****CAS Ordinary Division:**** The main division of the Court of Arbitration for Sport that handles disputes outside of major sporting events. The CAS Ordinary Division is made up of arbitrators who are experts in various areas of law and sports.

****CAS Procedural Rules:**** The rules that govern the conduct of proceedings before the Court of Arbitration for Sport. The Procedural Rules set out the steps that parties must take in order to file a claim, the time limits for each step, and the requirements for evidence and witness testimony.

****Challenge:**** A formal objection to an arbitrator's appointment, based on the arbitrator's independence, impartiality, or qualifications. A party may challenge an arbitrator if they have a reasonable doubt about the arbitrator's ability to fairly and impartially decide the case.

****Confidentiality:**** The obligation of the parties and the arbitrators to keep the proceedings and the decision confidential. This is to protect the privacy of the parties and to ensure that the decision does not influence other cases.

****Costs:**** The expenses related to the arbitration, including the fees of the arbitrators, the administrative costs of the Court of Arbitration for Sport, and the expenses of the parties. The costs are usually shared equally between the parties, but the arbitrators have the discretion to allocate the costs differently based on

the outcome of the case.

****Doping:**** The use of prohibited substances or methods to enhance athletic performance. Doping is considered a violation of the rules of fair play and is prohibited by the World Anti-Doping Agency (WADA).

****Draft Award:**** A preliminary decision made by the arbitrators before the final award is issued. The Draft Award is sent to the parties for comment and is subject to revision based on the parties' feedback.

****Final Award:**** The binding decision made by the arbitrators after considering all the evidence and arguments presented by the parties. The Final Award is issued after the Draft Award has been reviewed and revised, if necessary.

****Independence:**** The requirement that an arbitrator be free from any bias or conflict of interest that could affect their ability to fairly and impartially decide the case.

****Impartiality:**** The requirement that an arbitrator be unbiased and not favor one party over the other.

****Jurisdiction:**** The authority of the Court of Arbitration for Sport to hear and decide a dispute. Jurisdiction is based on the parties' agreement to submit to the Court's jurisdiction, either through a specific clause in a contract or through a separate agreement to arbitrate.

****Mediation:**** A form of ADR in which a neutral third party, called a mediator, helps the parties to negotiate a settlement. Unlike arbitration, mediation is non-binding, meaning that the parties are not obligated to accept the mediator's proposal.

****Parties:**** The individuals or organizations that are involved in the dispute and are participating in the arbitration.

****Procedural Order:**** A decision made by the arbitrators regarding a specific procedural issue, such as the extension of a time limit or the production of additional evidence.

****Reasoned Award:**** A detailed explanation of the arbitrators' decision, including the legal and factual reasoning behind the award. Reasoned Awards are required in certain cases, such as those involving a challenge to the jurisdiction of the Court of Arbitration for Sport.

****Remedy:**** The outcome or relief sought by the parties in the arbitration. The remedy may be monetary, such as damages, or non-monetary, such as an injunction.

****Right to be Heard:**** The right of the parties to present their case and to respond to the case presented by the other party. This includes the right to present evidence, to call witnesses, and to cross-examine the other party's witnesses.

****Stay of Proceedings:**** A suspension of the arbitration while a related legal action is pending in another court. A stay of proceedings may be granted if the other court has jurisdiction over the same dispute and the parties have agreed to submit to that court's jurisdiction.

****Time Limit:**** The deadline by which a party must take a specific action in the arbitration, such as filing a claim or responding to a claim.

****Transparency:**** The principle that the proceedings and decisions of the Court of Arbitration for Sport should be open and accessible to the public. This includes the publication of the Court's decisions and the names of the arbitrators.

****Waiver:**** The voluntary relinquishment of a right or claim. A party may waive their right to appeal a decision, for example, by agreeing to be bound by the arbitrator's decision.

****World Anti-Doping Agency (WADA):**** An independent international organization that is responsible for promoting and coordinating the fight against doping in sport. WADA is responsible for developing and enforcing the World Anti-Doping Code, which sets out the rules for doping control and the consequences for violations.