

Sports Arbitration

- Court of Arbitration for Sport

– *Richard W. Naimark, SVP ICDR/AAA*



International Centre
for Dispute Resolution

- **1958 – Convention on the Recognition and Enforcement of Foreign Arbitral Awards – the "New York" Convention**
- **144 signatories**

“The Offspring of the New York Convention”

- Commercial Arbitration
- Bilateral Investment Treaty Arbitration (ICSID)
- Domain Name Arbitration
- Border Dispute Arbitration





4 Procedures of CAS

- the ordinary arbitration procedure;
- the appeals arbitration procedure;
- the advisory procedure, which is non-contentious and allows certain sports bodies to seek advisory opinions from the CAS;
- the mediation procedure.

	Arbitration filings	Advisory requests	Total for year	Rulings
1986	1	1	2	2
1987	5	3	8	3
1988	3	9	12	1
1989	5	4	9	1
1990	7	6	13	1
1991	13	5	18	5
1992	19	6	25	12
1993	13	14	27	7
1994	10	7	17	6
1995	10	3	13	8
1996	20	1	21	16
1997	18	2	20	10
1998	42	3	45	35
1999	32	1	33	22
2000	75	1	76	61
2001	42	0	42	28
2002	83	3	86	73
2003	107	2	109	83
2004	271	0	271	178
2005	194	4	198	136
2006	204	0	204	127
2007	252	0	252	177
2008	311	2	313	94
2009	269	5	274	70
Total	2006	82	2088	1270

Some recent CAS activity

- 14.09.2010
SWIMMING – Case Ryan Napoleon
- 10.09.2010
CAS hearings
- 17.08.2010
GIANNI DA ROS CASE: SUSPENSION
REDUCED TO 4 YEARS by the CAS
- 01.01.2010
The Court of Arbitration for Sport (CAS)
amends its rules
-

CAS Hearings

- (For information only – CAS hearings are not open to the public)
- **13 September 2010**
CAS 2010/A/2119 International Federation of Body Building and Fitness v/International World Games Association
- **16 September 2010**
CAS 2010/A/2047 Greuther Fürth GmbH v/ Sport Club Internacional
- **29 September 2010**
CAS 2010/A/2135 Football Federation Islamic Republic of Iran v/ Mr Branko Ivankovic & FIFA
- **29 September 2010**
CAS 2010/A/2104 SASP Le Havre Athletic Club & Association Le Havre Athletic Club v/FIFA, Matthias Lepiller, Fiorentina AC
- **13 October 2010**
CAS 2010/A/2100 Patrice Neveu v/FC Ismailia

An Example of a CAS result

- **SWIMMING – Case Ryan Napoleon**
- The Court of Arbitration for Sport (CAS) upholds in part the appeal filed by Ryan Napoleon.
- The three month ban is maintained with a retroactive start on 15 June 2010; it will come to an end today.

Costs for a disputed sum *(in Swiss francs)*

- Up to 50'000 CHF 100.- to CHF 2'000.-
- From 50'001 to 100'000 CHF 2'000.- + 1.50% of amount in excess of 50'000.
- From 100'001 to 500'000 CHF 2'750.- +1.00% of amount in excess of 100'000.
- - From 500'001 to 1'000'000 CHF 6'750.- + 0.60% of amount in excess of 500'000.
- - From 1'000'001 to 2'500'000 CHF 9'750.-+ 0.30% of amount in excess of 1'000'000
- .- From 2'500'001 to 5'000'000 CHF 14'250.-+ 0.20% of amount in excess of 2'500'000
- .- From 5'000'001 to 10'000'000 CHF 19'250.-+0.10% of amount in excess of 5'000'000.
- - Above 10'000'000 CHF 25'000.-

*Arbitrator rates for a disputed
sum
(in Swiss Francs)*

	<i>Fees</i>
• Up to 1'000'000	CHF 250.–
• From 1'000'001 to 2'500'000	CHF 270.–
• From 2'500'001 to 5'000'000	CHF 300.–
• From 5'000'001 to 10'000'000	CHF 350.–
• Above 10'000'000	CHF 400.–

– (Hourly rates)