
Kluwer Arbitration Blog

CAS Code Amendments in force as from 01.01.2012 – CAS arbitrators selected more freely

Georg von Segesser (von Segesser Law Offices) · Tuesday, January 17th, 2012

At its session of 15 November 2011, the International Council of Arbitration for Sports (ICAS) amended Article 14 of the Statutes of the bodies working for the settlement of Sport-related Disputes (Article S14) and abandoned the old regime which provided that with regard to the list of CAS arbitrators, the ICAS had to respect a specific distribution, namely 1/5th of the arbitrators selected from among the persons proposed by the International Olympic Committee (IOC), chosen from within its membership or from outside; 1/5th of the arbitrators selected from among the persons proposed by the International Federations for the Summer and Winter Olympics (IFs), chosen from within their membership or outside; 1/5th of the arbitrators selected from among the persons proposed by the National Olympic Committees (NOCs), chosen from within their membership or outside; 1/5th of the arbitrators chosen, after appropriate consultation, with a view to safeguarding the interests of the athletes; and 1/5th of the arbitrators chosen from among persons independent of the bodies responsible for proposing arbitrators, in conformity with this Article.

Under the new Article S14 which came into effect on 1 January 2012, the ICAS is free to call upon personalities with full legal training, recognized competence with regard to sports law and/or international arbitration, a good knowledge of sport in general, and a good command of at least one CAS working language, whose names and qualifications are brought to the attention of the ICAS, including by the IOC, the IFs and the NOCs. This is the major amendment of the January 2012 revision and is to be welcomed as it further enhances the already existing independence of CAS arbitrators.

Other significant modifications relate to the Consultation Proceedings and to consolidation. The special provisions applicable to Consultation Proceedings (Articles 60 – 62 of the Procedural Rules of the CAS), pursuant to which the above-named organizations and associations could request advisory opinions from the CAS, were indeed abandoned. Moreover a new subsection of Article 39 of the Procedural Rules now provides for the possibility to consolidate two arbitration proceedings.


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The graphic features a black background with white text and a central icon. The icon depicts a group of five stylized human figures, with a magnifying glass positioned over the central figure. The entire icon is enclosed within a circular border composed of four colored segments: blue, green, red, and white.

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