



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT

Congrès annuel de l'Association des bibliothèques juridiques suisses
Jahrestagung der Vereinigung der juristischen Bibliotheken der Schweiz

ELECTRONIC MANAGEMENT TOOLS AVAILABLE TO USERS OF THE CAS

JEAN-PHILIPPE DUBEY | HEAD OF CAS SCIENTIFIC DEPARTMENT

OUTLINE

1. PRESENTATION OF THE CAS
2. THE CAS E-FILING PORTAL
3. THE CAS JURISPRUDENCE DATABASE
4. THE CAS LIBRARY



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1. PRESENTATION OF THE CAS



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The initial objectives

- ✓ Idea: Juan Antonio Samaranch
- ✓ Creation of an international “Supreme Court” for sport
- ✓ Outside the State courts system (arbitration)
- ✓ One single forum
- ✓ Simple and flexible procedural rules
- ✓ Specialization of the arbitrators
- ✓ Creation of a “lex sportiva”



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Advantages of (CAS) arbitration

- ✓ Confidentiality
- ✓ Specialisation of arbitrators
- ✓ Flexibility of the procedure
- ✓ Choice of the language
- ✓ Free choice of representatives
- ✓ Speed
- ✓ Reduced costs
- ✓ International recognition and enforcement of the arbitral award (New York Convention of 1958)



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History of the Court of Arbitration for Sport

- ✓ Birth of the CAS: 30 June 1984
- ✓ The first years
- ✓ 1993: the Gundel case
- ✓ 1994: the reform of the CAS
- ✓ Independence of CAS confirmed by the SFT (2003) and the ECtHR (2018)
- ✓ 2021: new headquarters (Palais de Beaulieu)



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CAS Jurisdiction

- ✓ R27 par. 2: Disputes related or connected with sport
- ✓ R27 par. 1: Valid arbitration agreement
 - ❖ Arbitration clause in a contract
 - ❖ Later arbitration agreement
 - ❖ Arbitration clause in the statutes or regulations of an association, federation, or sports-related body
- ✓ Exhaustion of internal legal remedies



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Structure of the CAS

- ✓ The ICAS
- ✓ Three Arbitration Divisions with one President each
 - ❖ ± 400 arbitrators from 90 countries
 - ❖ ± 50 ADD arbitrators and presidents
- ✓ One Mediation Division (± 70 mediators)
- ✓ Two Ad hoc Divisions
- ✓ CAS Court Office (1 Director General, 5 Heads of services, 11 counsels, 26 administrative staff, 1 librarian)



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The CAS Court Office

- ✓ Supervises the arbitration and mediation procedures
- ✓ Organises and prepares the Ad hoc Divisions
- ✓ Advises the arbitrators and the parties (procedure and case law)
- ✓ Informs the scholars and the general public (seminars, publications, Internet site, jurisprudence database, library, etc.)



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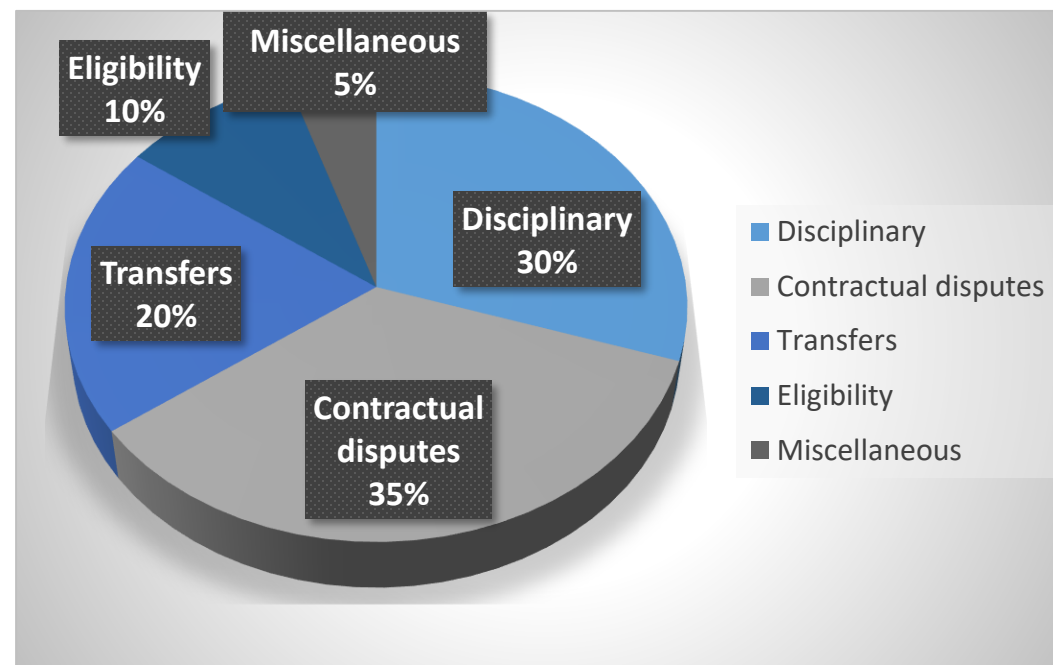
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Statistics

- ✓ Number of CAS procedures per year
 - ❖ 1984 to 2003 : from 5 to 109
 - ❖ 2004 to 2020 : from 250 to 950
 - ❖ More than 8000 cases registered
- ✓ Distribution of CAS procedures (see chart)
- ✓ Challenge of CAS awards
 - ❖ 243 dismissed or not admissible
 - ❖ 14 upheld in total or in part



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2. THE CAS E-FILING PORTAL



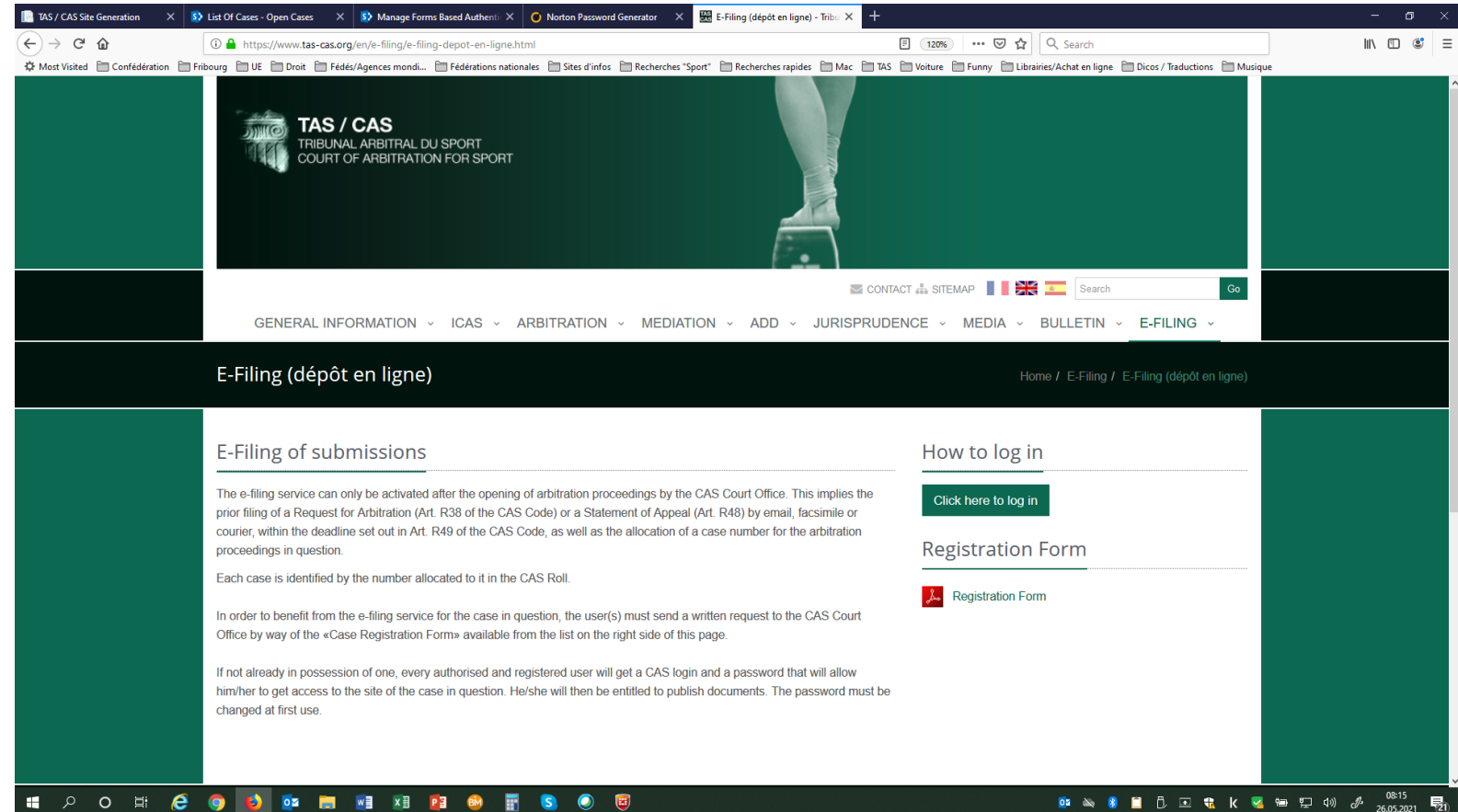
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The CAS e-filing service

- ✓ Can only be activated after the opening of arbitration proceedings
- ✓ Written request by way of a «Case Registration Form»



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The Case Registration Form

CAS E-Filing Registration Form_V2 20.03.20.docx - Word

Jean-Philippe DUBEY

File Home Insert Draw Design Layout References Mailings Review View Help Design Layout Tell me what you want to do

Clipboard Font Paragraph Styles

Case Registration Form

NB: With the CAS login, a person involved in more than one case can access a portal where all the cases in which this person intervenes are listed. If the user does not disclose his/her existing login when registering for a new case, he/she will get a different login and will therefore not be able to see all his/her cases on the same portal.

Case reference:

Party:

User 1 (Person Responsible/Leading Counsel)

I already have a CAS login and I would like to use it for this case

Login:

e-mail (for alerts):

I do not have a CAS login and I would like to obtain one for this case

Surname:

First name:

(if needed) Sporting organisation:

e-mail (for alerts):

The location where I will upload/download/open the documents (town, country):

User 2 (if needed)

I already have a CAS login and I would like to use it for

Login:



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Type the CAS case reference here

Case reference:	Click or tap here to enter text.
Party:	Click or tap here to enter text.

User 1 (Person Responsible/Leading Counsel)

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	e-mail (for alerts): Click or tap here to enter text.
	Surname: Click or tap here to enter text.
	First name: Click or tap here to enter text.
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	e-mail (for alerts): Click or tap here to enter text.
The location where I will upload/download/open the documents (town, country)	Click or tap here to enter text.

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I do not have a CAS login and I would like to obtain one for this case	Surname: Click or tap here to enter text.
	First name: Click or tap here to enter text.
	(if needed) Sporting organisation: Click or tap here to enter text.
	e-mail (for alerts): Click or tap here to enter text.
The location where I will upload/download/open the documents (town, country)	Click or tap here to enter text.

User 2 (if needed)

I already have a CAS login and I would like to use it for	Login: Click or tap here to enter text.
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Page 1 of 1 7 of 346 words English (United States)

16:14 27.05.2021



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	e-mail (for alerts): Click or tap here to enter text.
	Surname: Click or tap here to enter text.
	First name: Click or tap here to enter text.
I do not have a CAS login and I would like to obtain one for this case	(if needed) Sporting organisation: Click or tap here to enter text.
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Page 1 of 1 7 of 346 words English (United States)

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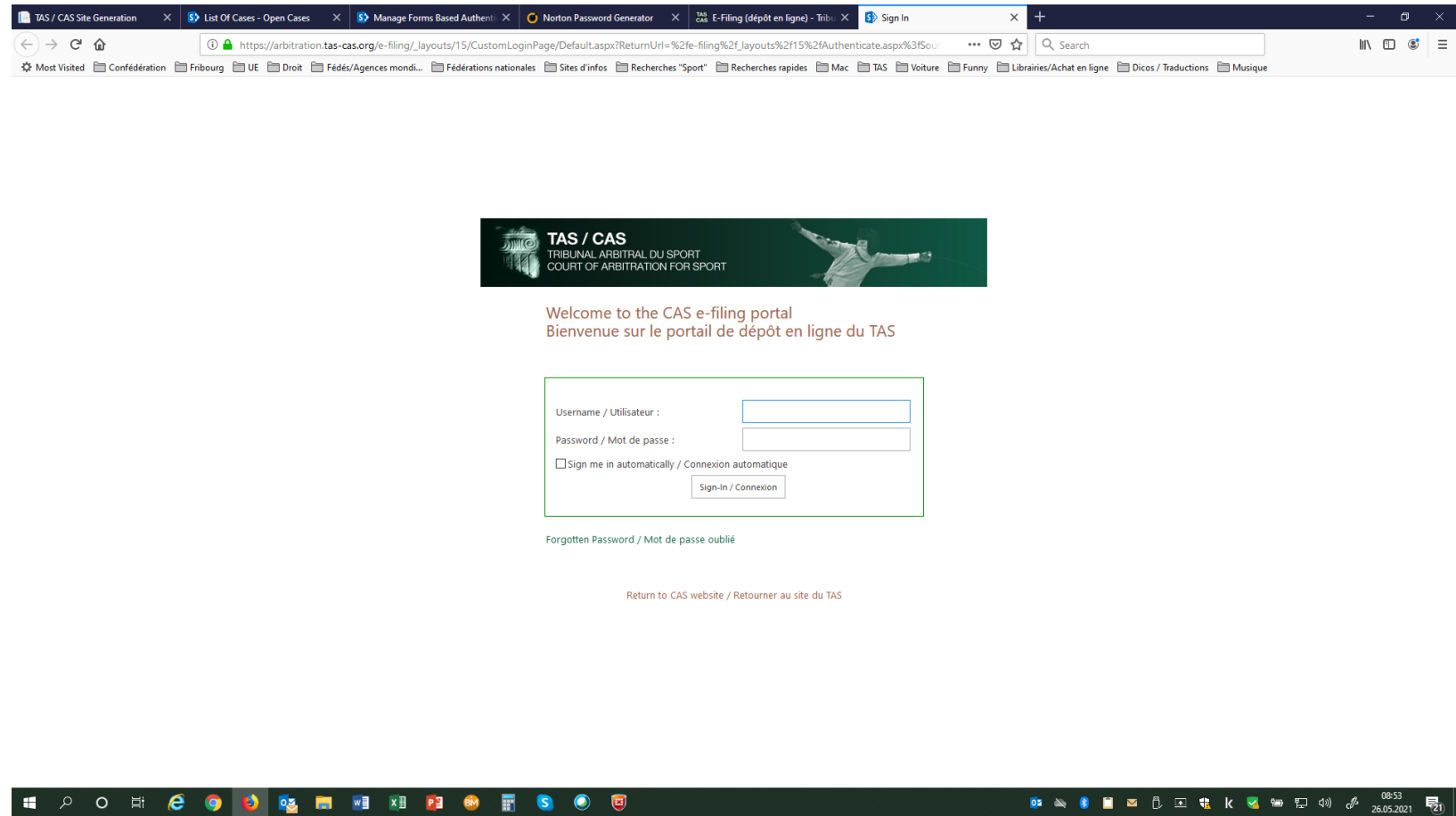
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The CAS e-filing portal

- ✓ Each user receives a login and a password
- ✓ Same login and password for all his/her cases at CAS



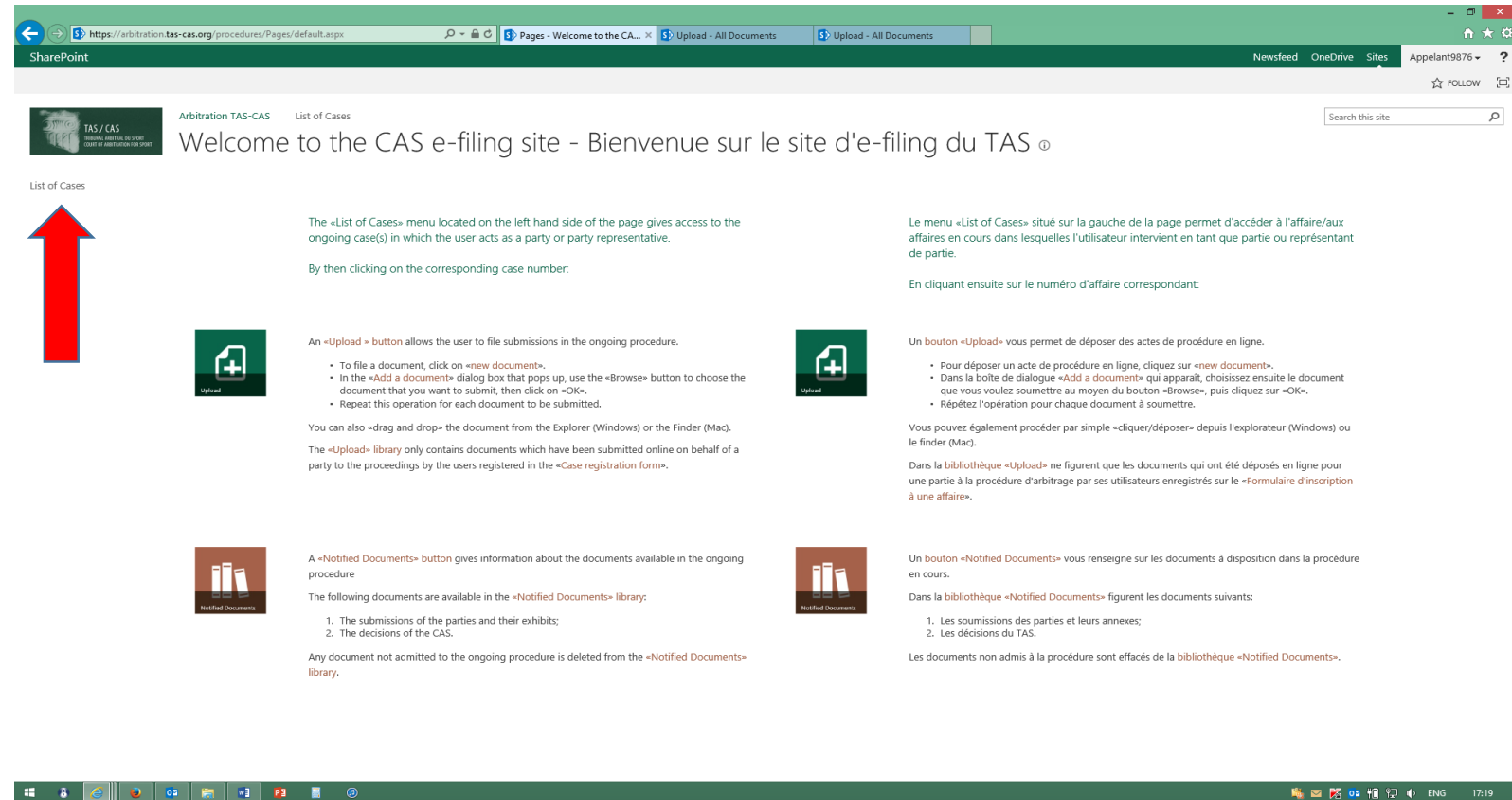
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The CAS e-filing portal

- ✓ Welcome page of his/her personal portal
- ✓ The «List of Cases» link gives access to the ongoing case(s) in which s/he acts as a party or party representative



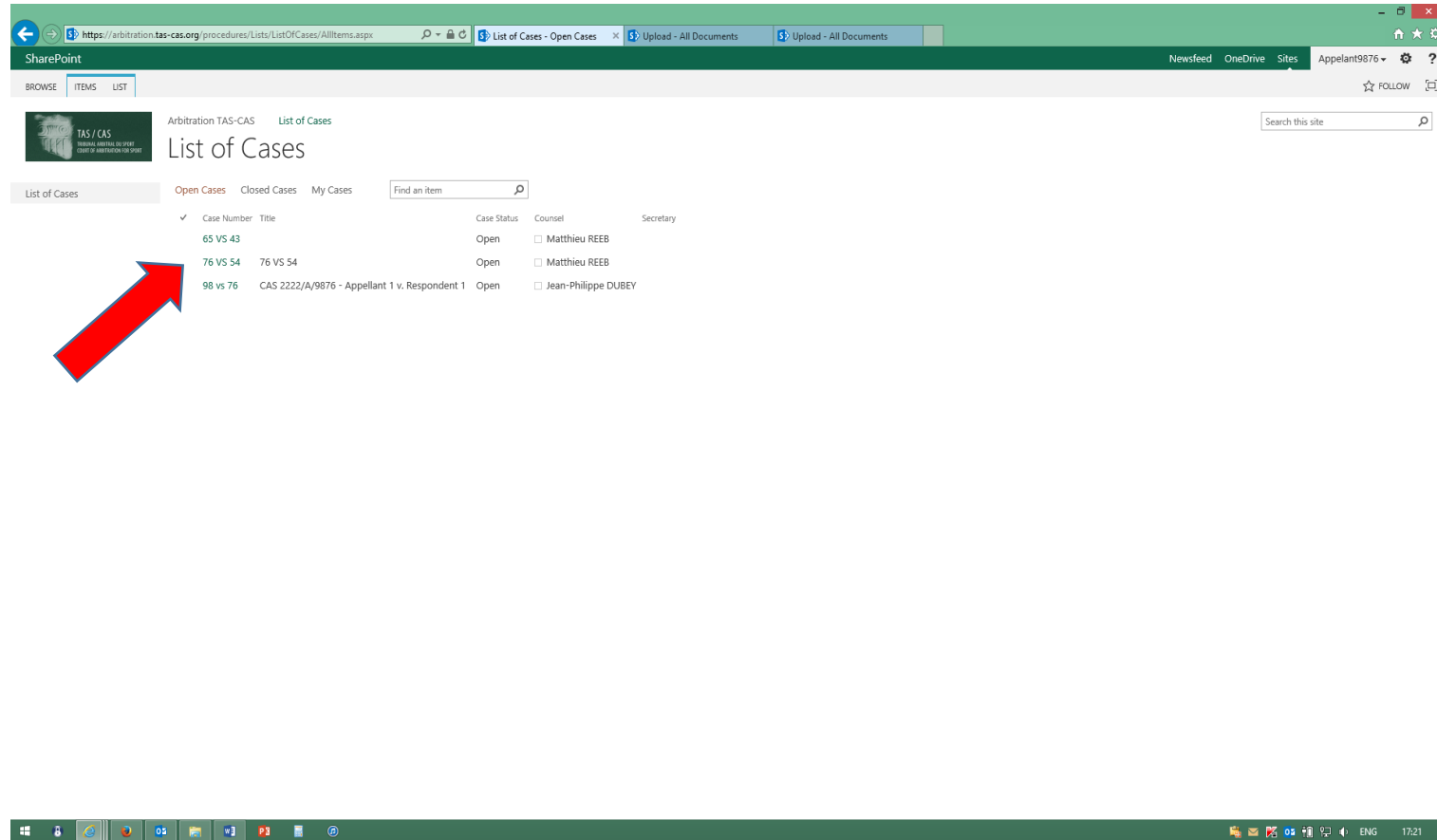
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The CAS e-filing portal

- ✓ Each case is identified by its reference number
- ✓ By clicking on the number in the «**Case Number**» column, the user gets access to the site of the case in question



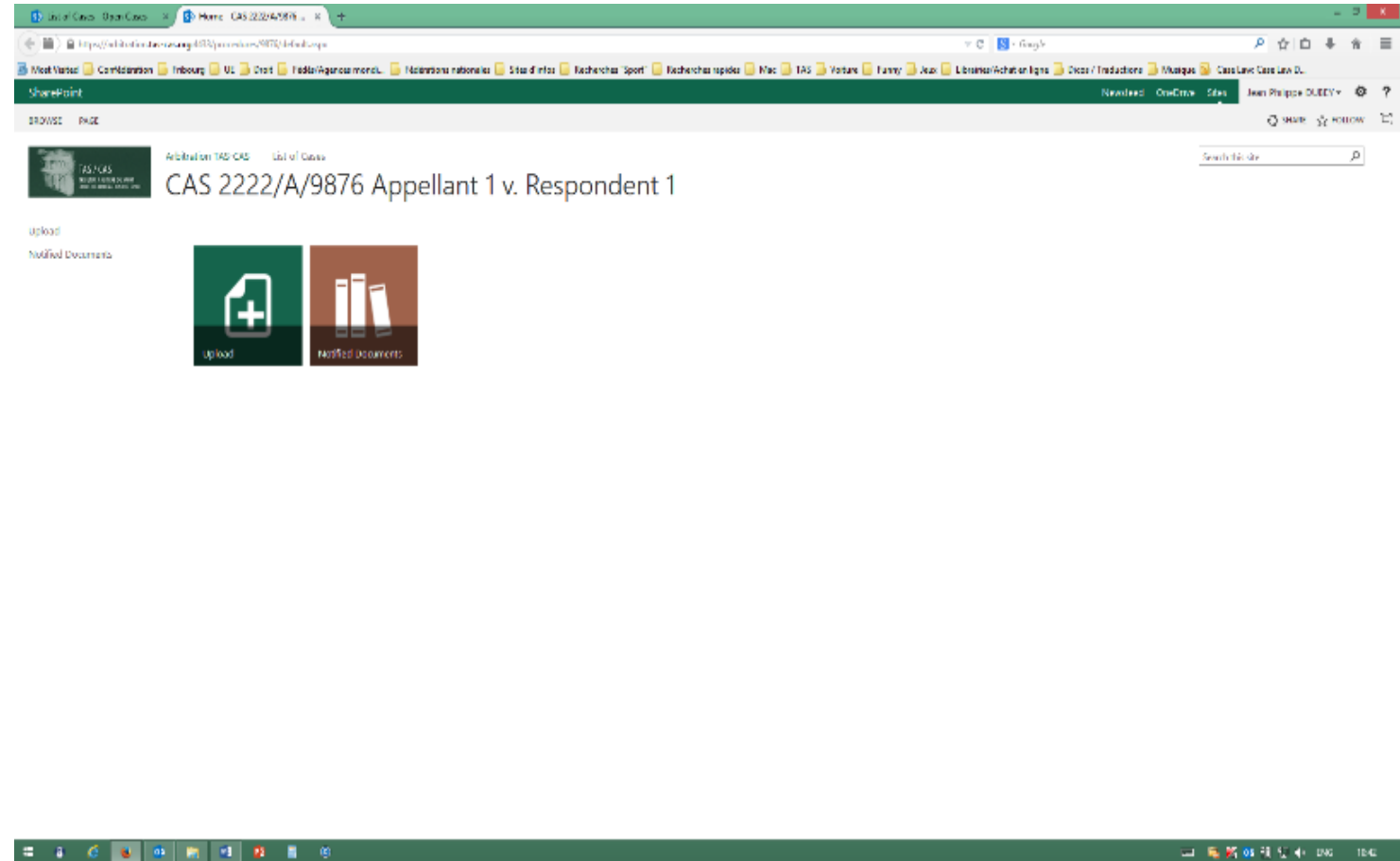
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The CAS e-filing portal

- ✓ The site of a case is composed of two libraries:



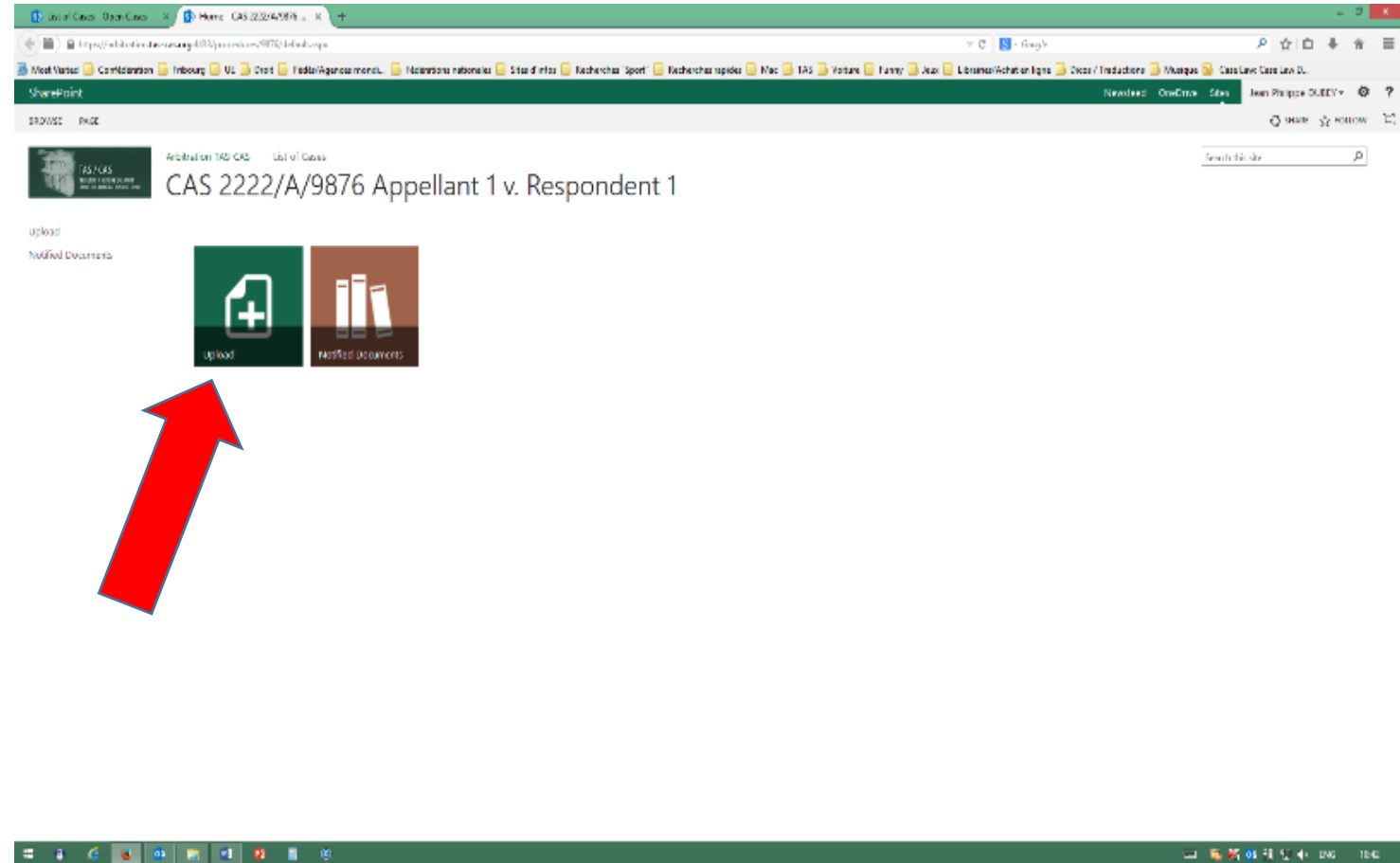
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The CAS e-filing portal

- ✓ The site of a case is composed of two libraries:
 - ❖ an «Upload» library



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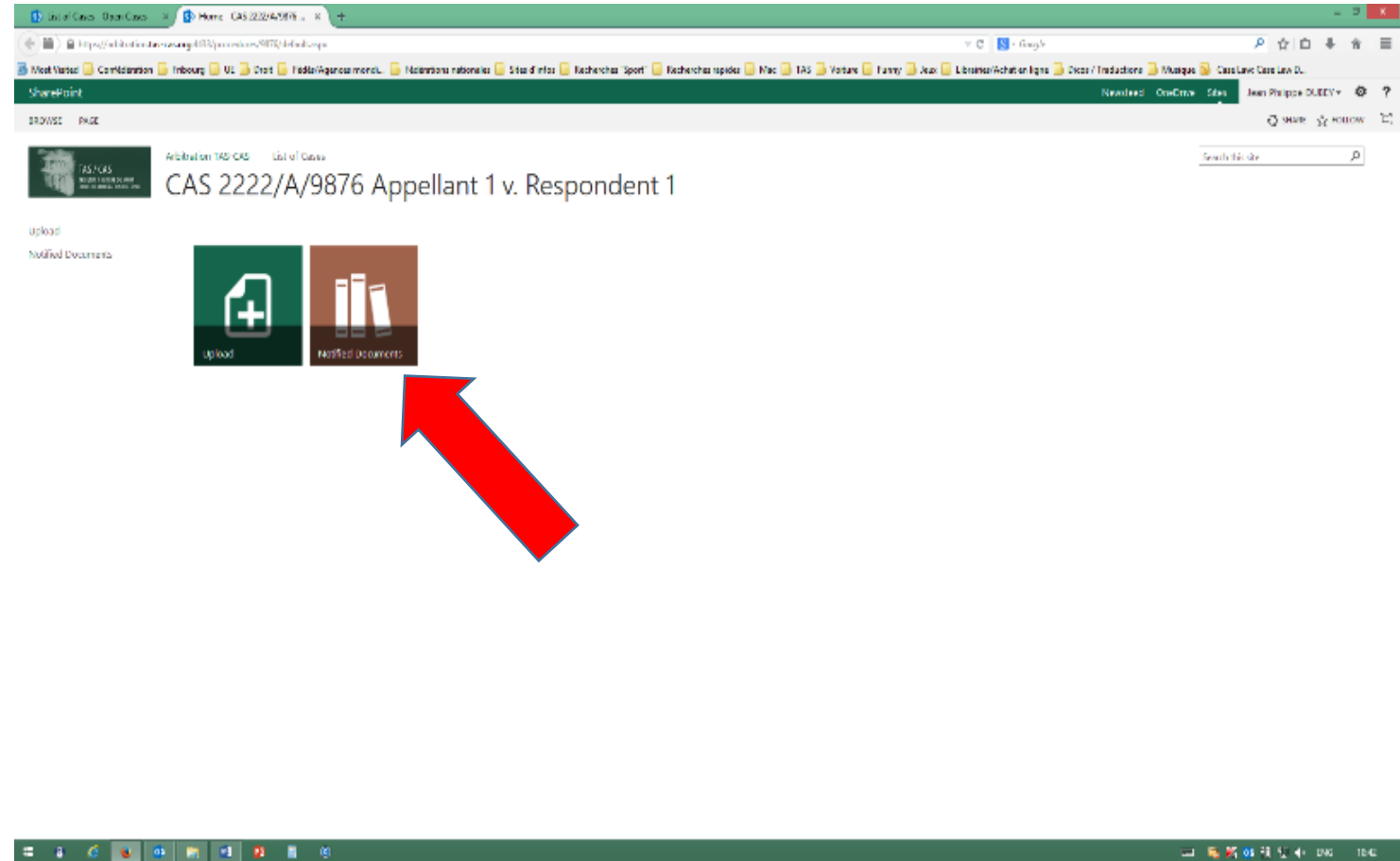
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The CAS e-filing portal

✓ The site of a case is composed of two libraries:

- ❖ an «Upload» library
- ❖ a «Notified Documents» library



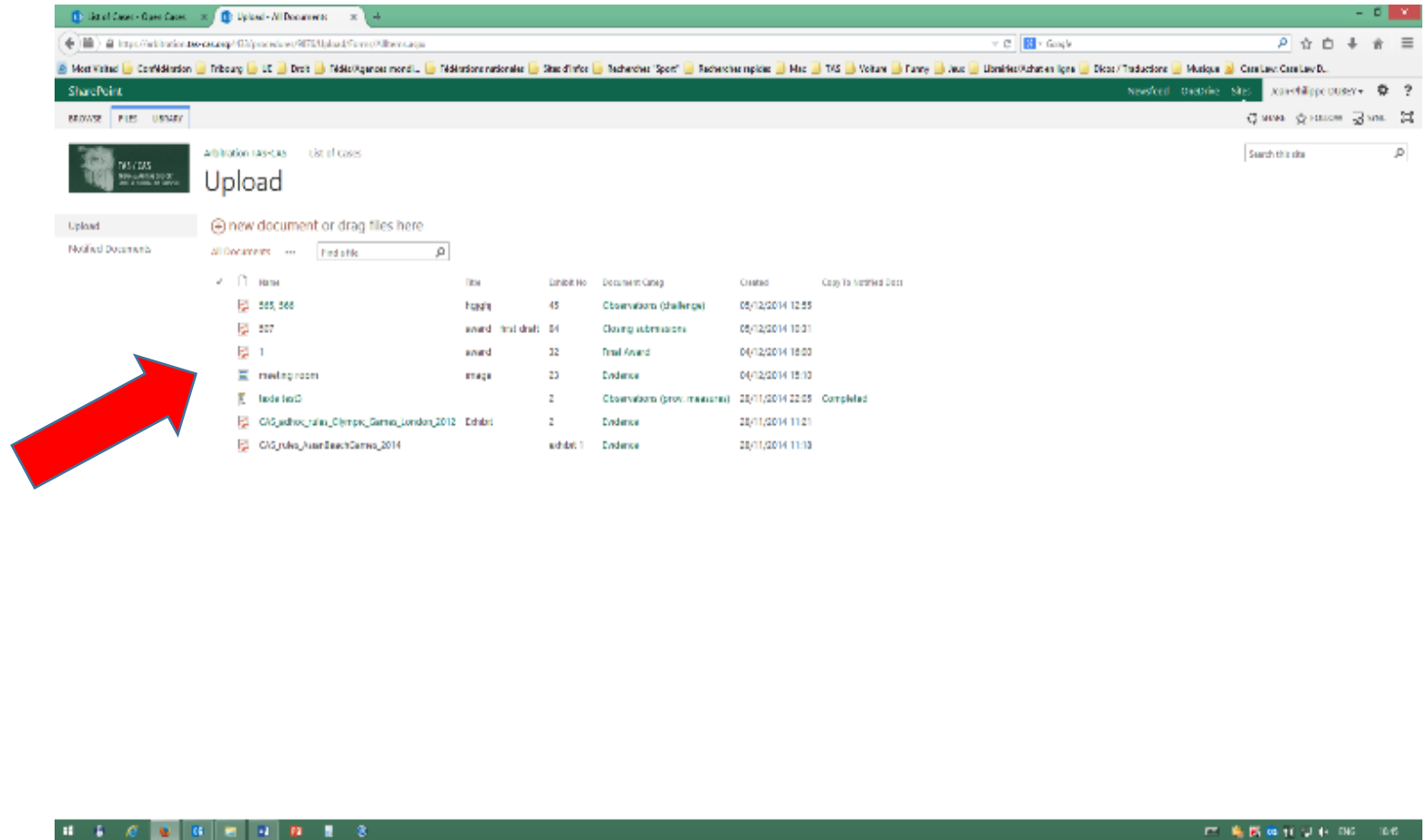
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The «Upload» library

- ✓ Allows the user to file submissions in the ongoing procedure



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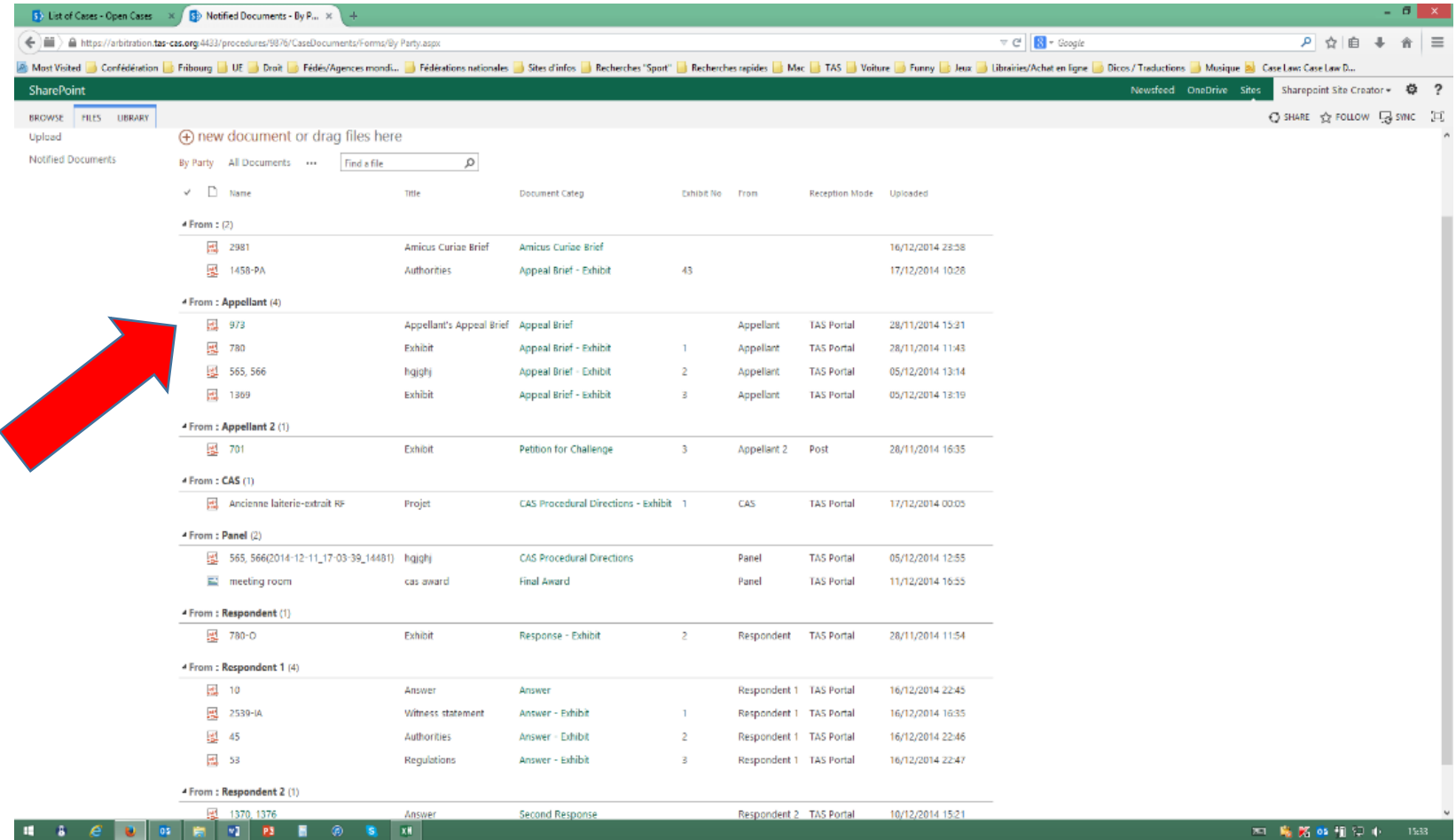
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The «Notified Documents» library

✓ Lists all the documents available in the ongoing proceedings

✓ By user («From»)



✓	Name	Title	Document Category	Exhibit No	From	Reception Mode	Uploaded
From : (2)							
2981	Amicus Curiae Brief	Amicus Curiae Brief					16/12/2014 23:38
1458-PA	Authorities	Appeal Brief - Exhibit	43				17/12/2014 10:28
From : Appellant (4)							
973	Appellant's Appeal Brief	Appeal Brief			Appellant	TAS Portal	28/11/2014 15:21
780	Exhibit	Appeal Brief - Exhibit	1	Appellant	TAS Portal	28/11/2014 11:43	
565, 566	Hqighj	Appeal Brief - Exhibit	2	Appellant	TAS Portal	05/12/2014 13:14	
1309	Exhibit	Appeal Brief - Exhibit	3	Appellant	TAS Portal	05/12/2014 13:19	
From : Appellant 2 (1)							
701	Exhibit	Petition for Challenge	3	Appellant 2	Post	28/11/2014 16:35	
From : CAS (1)							
Ancienne laiterie-extrait RP	Projet	CAS Procedural Directions - Exhibit	1	CAS	TAS Portal	17/12/2014 00:05	
From : Panel (2)							
565, 566(2014-12-11_17-03-39_14481)	Hqighj	CAS Procedural Directions		Panel	TAS Portal	05/12/2014 12:55	
meeting room	cas award	Final Award		Panel	TAS Portal	11/12/2014 16:55	
From : Respondent (1)							
780-O	Exhibit	Response - Exhibit	2	Respondent	TAS Portal	28/11/2014 11:54	
From : Respondent 1 (4)							
10	Answer	Answer		Respondent 1	TAS Portal	16/12/2014 22:45	
2539-IA	Witness statement	Answer - Exhibit	1	Respondent 1	TAS Portal	16/12/2014 16:35	
45	Authorities	Answer - Exhibit	2	Respondent 1	TAS Portal	16/12/2014 22:46	
53	Regulations	Answer - Exhibit	3	Respondent 1	TAS Portal	16/12/2014 22:47	
From : Respondent 2 (1)							
1370, 1376	Answer	Second Response		Respondent 2	TAS Portal	10/12/2014 15:21	



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The CAS e-filing service

- ✓ Same service for the arbitrators



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The CAS e-filing service

- ✓ Same service for the arbitrators
- ✓ With their login and password, the arbitrators have access to all the notified documents of the case
 - ❖ no need to copy the documents and send the file by courier
 - ❖ all documents at disposal on personal computer



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 - ❖ no need to copy the documents and send the file by courier
 - ❖ all documents at disposal on personal computer
- ✓ Once the award is notified, the case is closed
- ✓ No more documents can be added

The screenshot displays the 'List Of Cases' form in the CAS e-filing system. The form is titled 'List Of Cases' and contains the following fields:

- Title: CAS 2021/A/7778 WADA v. Finnish Center for Integrity in Sports &
- Case Number: 7778
- Counsel: Andrea SHERPA-ZIMMERMANN x
- Secretary: Stefanie HERRICK x
- Case Status: Closed (dropdown menu)
- Case ID: (empty field)
- Created: 21 15:30 by TAS/CAS Site Creator
- Last: 03.2021 15:30 by TAS/CAS Site Creator

A red arrow points to the 'Case Status' dropdown menu, which is currently set to 'Closed'. The dropdown menu also shows 'Open' and 'Case Status' as options.



3. THE CAS JURISPRUDENCE DATABASE



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The CAS jurisprudence database

- ✓ Based on Sharepoint
- ✓ Free version that allows anonymous connections
- ✓ No need to get a login and password
- ✓ Free version not supported anymore, need for a new system



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4. THE CAS LIBRARY



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The CAS library

- ✓ Based on BiblioMaker
- ✓ More than 7000 titles
 - ❖ Books
 - ❖ Journals
 - ❖ Articles
 - ❖ Regulations

BiblioMaker - [Titles 7 083 / 7 083]

File Edit Action Data Window Help

New Modify Delete Find Show all Links Update Hide Print Other

Shelf mark	Title	Publ....	Type	Authors index	Num...	Langua...	Series	Date modified	Order date
00 BEN	Guide de conjugaison / Henri BÉnac, Pierre Burney	1984	Mono...	BÉNAC, Henri	2023	Français		04.05.18	
00 BES	Football Dictionary : English - German - French = Dictionnaire du football : angl...	2010	Mono...	Football Dicti...	1149	Français		22.06.15	
00 BES	La grammaire pour tous : dictionnaire de la grammaire en 27 chapitres ; index ...	1997	Mono...	BESCHEREL...	2032	Français			
00 BES2	La conjugaison pour tous : dictionnaire de 12 000 verbes / [Louis Nicolas] Besc...	1997	Mono...	BESCHEREL...	2033	Français		18.05.18	
00 BLE	Guide d'orthographe / Odette Bled, Edouard Bled ; avec la collaboration de Hen...	1974	Mono...	bled, Odette	2022	Français		04.05.18	
00 BOU	Conjugaison : 10 000 verbes : 115 conjugaisons / [réd. par Danielle Bouix-Lee...	1989	Mono...	Conjugaison ...	2024	Français		18.05.18	
00 BOV	Glossaire juridique / Christian Bovet, Angela Carvalho	2017	Mono...	BOVET, Chri...	1972	Français	(Quid iuris ? ; 17)		
00 CAH	Langenscheidt Grammatik Französisch / von Michelle Cahuzac und Christine ...	1997	Mono...	CAHUZAC, M...	1148	Deutsch			
00 CLA	Harrap's English usage / John O. E. Clark	1990	Mono...	CLARK, John...	2031	English		18.05.18	
00 DOU1	Dictionnaire juridique et économique : tome 1, français-allemand = Wörterbuch ...	1997	Mono...	DOUCET, Mi...	1141	Français	(Beck'sche Rechts- und Wirtschaftswörterbücher)	22.06.15	
00 DOU2	Wörterbuch der Rechts- und Wirtschaftssprache : Teil 2, deutsch-französisch-d...	2002	Mono...	DOUCET, Mi...	1142	Deutsch	(Beck'sche Rechts- und Wirtschaftswörterbücher)	22.06.15	
00 DUR	Le grand Robert & Collins : dictionnaire français-anglais, anglais-français / [Dir...	2008	Mono...	grand Robert ...	1140	Français		19.06.15	
00 DUV	Le Robert & [et] Collins business : dictionnaire français-anglais, anglais-françai...	2005	Mono...	Robert & [et] ...	1143	Français		22.06.15	
00 GAR	Black's law dictionary / Bryan A. Garner, editor in chief	2005	Mono...	Black's law di...	94	English		18.05.18	
00 GEN	Nouveau dictionnaire des synonymes / par Emile Genouxier, Claude Désirat, T...	1977	Mono...	GENOUVRIE...	2027	Français			
00 GOU	Harrap's English idioms / William Gould	1990	Mono...	GOULD, Willi...	2030	English		18.05.18	
00 GRE	Le bon usage : grammaire française / Maurice Grevisse	1994	Mono...	GREVISSE, ...	2038	Français		18.05.18	
00 JAF	Concise English-English, English-Persian dictionary / compiled, translated and...	1998	Mono...	Concise Engl...	1144	Autres			
00 JOW	Workbook for lawyers using English as a foreign language / by Ben Jowett ; wit...	2003	Mono...	JOWETT, Ben	40	English		22.06.15	
00 KAM	Lexikon der 14000 Olympioniken = Who's who at the Olympics / Erich Kamper	1983	Mono...	KAMPER, Er...	1152	Deutsch		22.06.15	
00 KAT	Lexique olympique multilingue = multilingual olympic lexicon = léxico olímpico ...	1998	Mono...	Lexique olym...	1145	Français		22.06.15	
00 KLA	Langenscheidts Taschenwörterbuch der englischen und deutschen Sprache = ...	1988	Mono...	Langenscheid...	2008	English		27.04.18	
00 LAG	Grammaire : difficultés, usages. 4000 exemples / [René Lagane]	1989	Mono...	Grammaire : ...	2025	Français		04.05.18	
00 LAM	Dictionnaire orthographique : suivi d'une liste des verbes irréguliers et de remar...	1981	Mono...	LAMIZET, Boj...	2028	Français		18.05.18	
00 LAN	Langenscheidts Handwörterbuch Französisch / von Ernst Erwin Lange-Kowal	1992	Mono...	Langenscheid...	1146	Français		22.06.15	
00 LAN2	Langenscheidts Handwörterbuch Französisch / hrsg. von der Langenscheidt-Re...	2001	Mono...	Langenscheid...	1147	Français		22.06.15	
00 LAR/1	Larousse universel en deux volumes. Vol. 1	1982	Mono...	Larousse univ...	2005	Français		27.04.18	
00 LAR/2	Larousse universel en deux volumes. Vol. 2	1982	Mono...	Larousse univ...	2006	Français			
00 LAR2	Larousse de l'orthographe : [100 règles, 21000 mots]	1982	Mono...	Larousse de l...	2026	Français		04.05.18	
00 LEX	Harrap's English verbs / compiled by Lexus with Jane Goldie	1990	Mono...	GOLDIE, Jane	2029	English		18.05.18	
00 MCL	Dictionary of quotations / general editor W. T. McLeod	1980	Mono...	Dictionary of ...	2009	English	(Collins gem)	04.05.18	
00 MCL2	Business dictionary / general editor W. T. McLeod	1980	Mono...	Business dict...	2010	English	(Collins gem)	04.05.18	
00 MCL3	Thesaurus : a dictionary of synonyms and antonyms / general editor W. T. Mc...	1977	Mono...	Thesaurus : a...	2021	English	(Collins gem)	04.05.18	
00 NIO	Nouveau dictionnaire analogique / sous la direction de Georges Niobey ; avec l...	1983	Mono...	Nouveau dicti...	2036	Français			
00 PET	Glossaire LP : français - allemand - italien - anglais ; Glossar zum SchKG ; De...	2014	Mono...	PETER, Hans...	965	Français		30.01.15	
00 REY	Le nouveau Petit Robert : dictionnaire alphabétique et analogique de la langue f...	2005	Mono...	ROBERT, Paul	1150	Français			
00 REY2	Le Petit Robert des noms propres : alphabétique et analogique, illustré en coul...	2005	Mono...	Petit Robert d...	1151	Français		18.05.18	
00 REY3	Le nouveau Petit Robert : dictionnaire alphabétique et analogique de la langue f...	1994	Mono...	ROBERT, Paul	2039	Français		18.05.18	
00 REY4	Le Petit Robert 2 : dictionnaire universel des noms propres alphabétique et ana...	1987	Mono...	Petit Robert 2...	2040	Français		18.05.18	
00 THO	Dictionnaire des difficultés de la langue française / par Adolphe V. Thomas ; so...	1983	Mono...	THOMAS, Ad...	2035	Français		18.05.18	
00 THO2	Dictionnaire des difficultés de la langue française / par Adolphe V. Thomas ; so...	1986	Mono...	THOMAS, Ad...	2034	Français		18.05.18	
00 WEB	Webster's instant word guide	1972	Mono...	Webster's ins...	2007	English		27.04.18	

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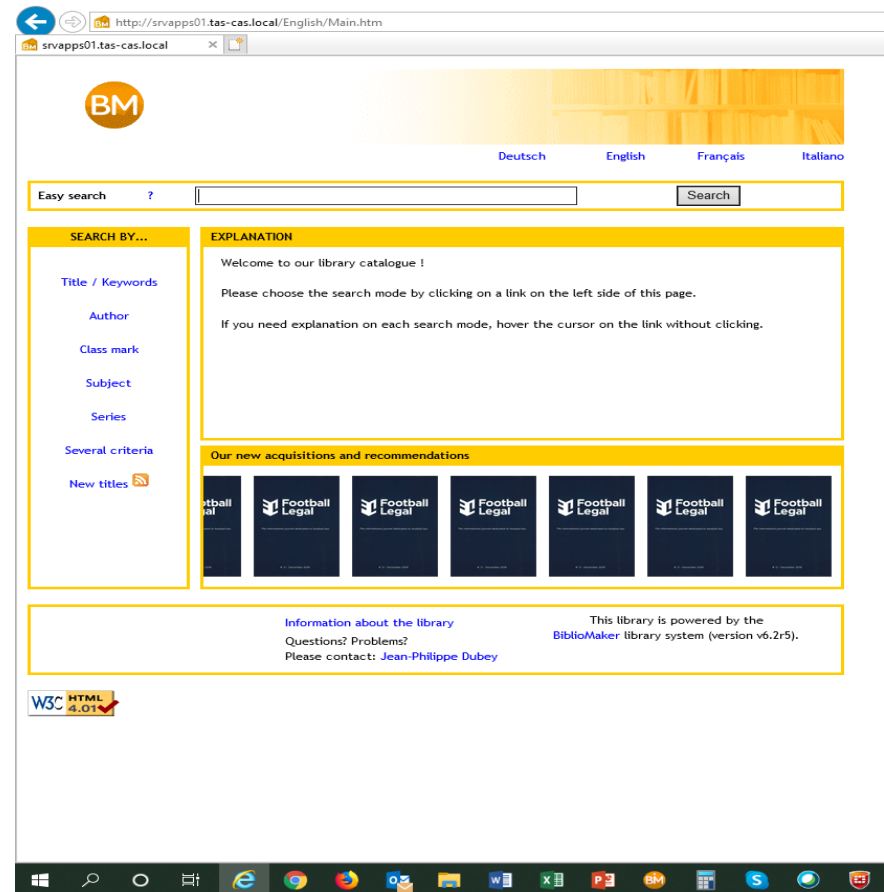


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THANK YOU FOR YOUR ATTENTION !

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