

The emergence of the Court of Arbitration Sports CAS And the evolution of its organizational structure

Dr. Sajer Al-Khaboor*

Abstract

The Court of Arbitration for Sports is a leading international judicial body in the field of settling disputes related to sport. Since its inception, its organizational structure has undergone many modifications to suit the needs of international sport and achieving independence and impartiality are one of the basic principles of arbitration.

In this research we will review the reasons for the existence of a legal system for sport and what are the main negative factors that prevent the presentation of sports disputes to national courts and the application of their national laws.

Then we review the historical development of the court and how was the birth of this distinctive judiciary, and then we will determine the legal basis of the jurisdiction of the court. This is in the first section.

In the second section we will review the historical development of the organizational structure of the Court and the most important changes that have occurred.

Starting with organizational structure that emerged with the promulgation of the Statute of the Tribunal in 1983, the need to modify it, and the organizational and financial separation between the Tribunal and the International Olympic Committee after the judgment in the case, to the conclusion of the Paris Convention and the establishment of the International Council for Sports Arbitration and the Special Arbitration Section.

For the Paper in Arabic Language See the Pages(35-54).

* Teacher at Faculty of Law -Department of International Law – Damascus University.