

Alternative dispute resolution in international sport with the emphasis on the Court of Arbitration for Sport

Key words: alternative dispute resolution, Court of Arbitration for Sport, UNCITRAL

Abstract

The goal of this thesis is to introduce basic methods for alternative dispute resolution currently available in the area of sport on the international level. First chapter deals generally about the term of alternative dispute resolution, reasons of its growing popularity particularly in the sporting sphere, its advantages and the perception of its use worldwide.

The second chapter comprises a detailed analysis of now probably the most important institution in the field of alternative dispute resolution in sport, which is the Court of Arbitration for Sport (CAS) with its seat in Lausanne, Switzerland. After more than 30 years of its existence, this institution is already an established brand that offers solutions to disputes within sport, primarily through arbitration. This takes place either within the Ordinary Division or the Appeals Division of the Court. Detailed description of the proceedings in disputes of this kind is the main part of this chapter, supplemented with practical findings. Special branch of arbitration offered by CAS is the resolution of disputes on major sporting events such as the Olympic Games or the football World Cup or European Championship. CAS ensures this via the so-called Ad Hoc Divisions operating right in the place of such events. Besides arbitration CAS also provides the ability to solve disputes through mediation. Finally, it should also be noted that CAS participates in the global fight against doping, being established as an appellate body for doping disputes by the World Anti-Doping Code.

In the last chapter the knowledge of the ordinary arbitration procedure before the CAS is used for comparison with the UNCITRAL Arbitration Rules. This comparison aims to show whether and to what extent the rules of procedure before the CAS are similar to the UNCITRAL rules, which are generally perceived as model rules for conducting arbitration between private parties.