Amendments in Paris convention

Bring a fresh player to ICAS team

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Main question:

Is there any reasonable doubt in neutrality of CAS?

Evidence that will be used:

- Code of CAS
- Paris convention
- Pechstein Awards

Significant in sport law:

• Due to irreplaceable rule of CAS in constitution of sport law through its awards, related structure shall be overviewed.

Exploring the Pechstein story.

Revision of Code of CAS and Paris convention.

Suggestion and conclusion.

Pechstein story

1st chapter:

She was banned by ISU from international competition due to doping violation.



2nd chapter

In German Courts

Arguments of the Local court of Munich

- Arbitration agreement is void since forced upon her.
- Unfair bias in favor of federation.
- Plaintiff bound by judgment.

In German court

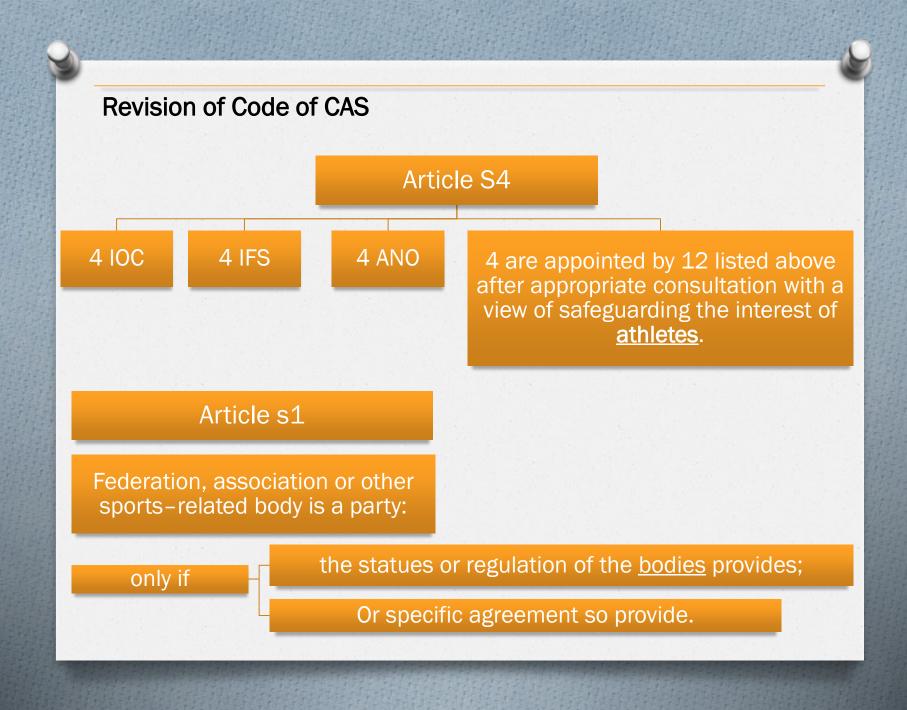
Arguments of the Higher Regional Court

- Requiring athletes to sign arbitration clause lawful.
- Violation of German Anti-Trust and Competition Law
- Structure and composition of ICAS affect neutrality

In German court

Arguments of German Federal Court

- No abuse of market position.
- Arbitration agreement is not invalid since existing fair proceeding.
- Code of CAS safeguarding interests of athletes



Article S5

Renewal appointing periods of 4 years leads to more predominance of sport organization.

Article s6.2

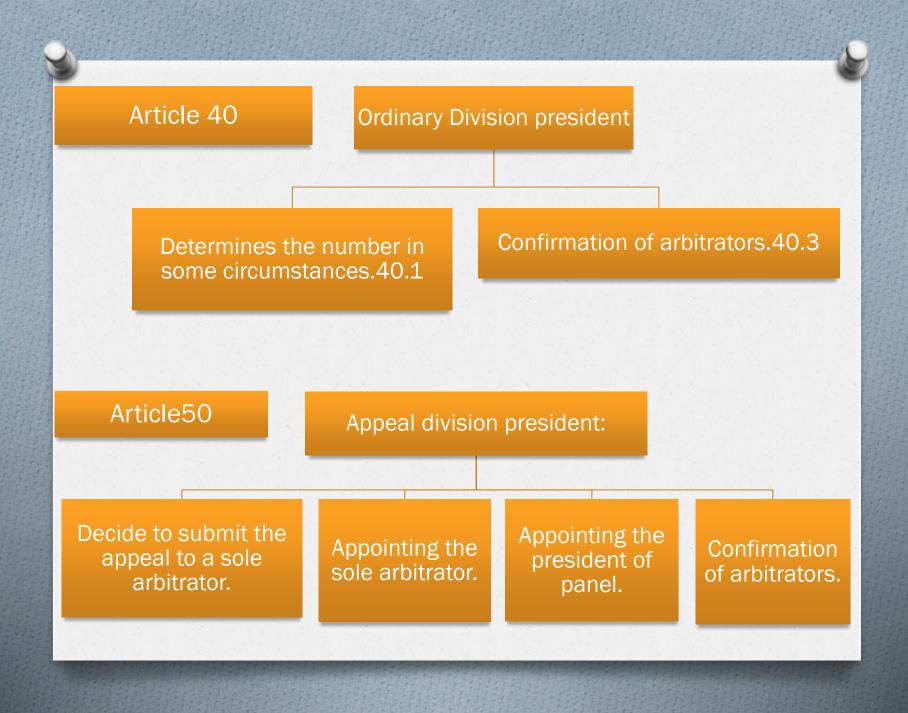
Election of president and vice president

Take place after consultation with IOC/IFS/AN OC

ICAS
exercises its
function
through
board

Quorum of board: 3 of 5

Article 11: no specific rule for challenging.



Amendment in ICAS and Paris convention

2 IOC 2 Athletes Commission

1CAS

2 ANOC 2 Athletes Commission

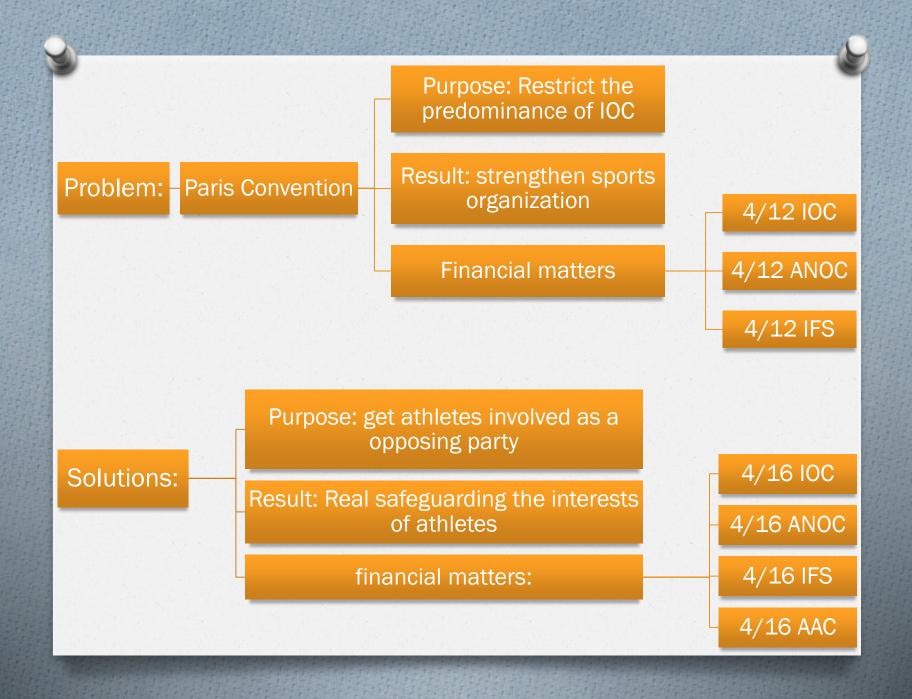
2 IFS 2 Athletes Commission

Establishing Athletes commission:

Consists of active athletes shall be independent:

Structural elected by athletes

Financial budget allocated by athletes



References

- Code of CAS
- Paris convention
- www.TAS/CAS.com