

# THE COURT OF ARBITRATION FOR SPORT (CAS) AND ITS AD HOC DIVISION AT THE PARIS 2024 OLYMPIC GAMES

**Alkis Papantoniou**  
*Lawyer, Greece*

**Abstract:** *The CAS Ad Hoc Division refers to a specific mechanism within the Court of Arbitration for Sport (CAS) that allows for the resolution of disputes in a timely manner, particularly in relation to sporting events, such as Olympics. This division is often used for urgent cases, such as doping violations or eligibility issues, especially when a quick decision is needed to avoid disruptions in competitions. The Ad Hoc Division operates during major sporting events, like the Olympics, where it can provide expedited arbitration processes to address disputes that arise during the event. This ensures that decisions are made swiftly to maintain the integrity of the competition. In our presentation, we will embark on a historical journey through sports arbitration, tracing its evolution from ancient Greece to the establishment of the Court of Arbitration for Sport (CAS). We will also explore the structure and functioning of the Ad Hoc Division. Finally, we will review the most significant decisions and cases handled by the CAS Ad Hoc Division during the Paris 2024 Olympic Games. The aim of this study is to map the functioning of the Ad Hoc Division of CAS and to aid in understanding its role and procedures.*

**Keywords:** *Olympic Games, arbitration, justice, Ad Hoc Division*

## Introduction

Dispute resolution through arbitration, in sports, is not a recent legal innovation- it is a practice deeply rooted in ancient tradition. In Ancient Greece, even mythological narratives reference arbitral processes. For example, Homer recounts how Menelaus and Antilochus submitted a sports-related dispute to an arbitrator, during a chariot race. Similarly, during the ancient Olympic Games, the Hellanodikai served as both organizers and judges of disputes, including those involving doping, briber, or unsportsmanlike conduct.

In this historic continuum, the Court of Arbitration for Sport (CAS) represents the modern institution of sports arbitration. Since its foundation in 1984, CAS has evolved into the preeminent international tribunal for resolving sport-related disputes. During major international events, such as the Olympic Games, it operates a specialized Ad Hoc Division to provide swift justice, when time is of the essence for urgent disputes arising during the competition.

## I. Historical Evolution of CAS

Founded by the International Olympic Committee (IOC), CAS was initially considered as an internal body “under the Olympic umbrella”. Its jurisdiction was questioned in the early 1990s, most notably in the *Gundel case (1992)*, where the Swiss Federal Tribunal recognized CAS as a proper arbitral tribunal but raised serious concerns about its independence from the IOC.

This criticism led to a comprehensive reform in 1994, including the establishment of the International Council of Arbitration for Sport (ICAS), which now oversees CAS’s administration and financing. ICAS is structured to maintain the tribunal's autonomy and ensure a balance of influence among Olympic stakeholders, including international federations, national Olympic committees, and athlete representatives.

Today, CAS functions in various capacities, handling ordinary disputes, appeals, and Anti-Doping matters, offering athletes and sports organizations a specialized forum for resolution. It operates through several divisions, the ordinary division (for the first-instance disputes), the appeal division, the Anti-Doping division, the ad- hoc divisions (during events like the Olympics), and runs a mediation service, for amicable settlements. Its seat remains in Lausanne, Switzerland, although hearings may be held somewhere else.

## II. The CAS Ad Hoc Division: Purpose and Operation

One of the most innovative features of CAS is its *Ad Hoc Division*, first introduced at the 1996 Atlanta Olympic Games. It was created in response to the need for *rapid, final, and independent* dispute resolution during major sports events, such as the Olympic Games.

The Ad Hoc Division operates under tight deadlines and is physically present at the Games. Arbitrators are selected from an official CAS list, and reside on-site throughout the event. Disputes are adjudicated within 24 hours of filing, ensuring minimal disruption to competition schedules.

While proceedings may happen anywhere, *Lausanne, Switzerland* remains the legal seat of arbitration. The applicable law includes the Olympic Charter, the International Federations’ rules and general principles of law, while all evidence is typically presented during a single hearing, with all of the decisions being- always - final and binding. Therefore, due to those “key features”, it’s obvious that the main goal of this particular division is to balance the procedural fairness with the need for extreme efficiency. A vision that today proved to be completely true.

## III. Notable Cases from the Paris 2024 Olympic Games

The Paris 2024 Olympics brought several, impactful examples of how the CAS Ad Hoc Division operates in practice. For instance:

**a. CAS OG 24/12: *David Sanchez Lopez v. Turkish Weightlifting Federation (TWF)***

Lopez, a Spanish weightlifter, challenged the inclusion of a Turkish athlete in his category, citing prior doping violations by others in the Turkish Federation.

However, the panel dismissed his claim and considered that Lopez lacked legal standing as a third-party competitor under IWF rules, this example highlights how procedural barriers can limit an athlete's ability to seek redress.

Lopez as a third party had no direct right to appeal the federation's sanction decision.

**b. CAS OG 24/15 & 24/16: *Federation Romanian Gymnastics (FRG), Ana Maria Barbosu and Sabrina Maneca-Voinea v. Federation Internationale de Gymnastique (FIG)***

Two Romanian athletes contested the timing of a U.S. athlete's score appeal, arguing it was submitted after the one-minute deadline.

CAS agreed, stating that all the procedural rules are mandatory and must be fully respected. The decision reinstated Romania's podium placement, demonstrating the panel's commitment to regulatory integrity, even under the Olympic pressure. The verbal inquiry was considered invalid due to a clear breach of the one-minute deadline.

**c. CAS OG 24/09: *Canadian Olympic Committee & Canada Soccer v. FIFA & others***

Following a drone surveillance scandal, Canada's women's team was penalized with a six-point deduction. Specifically, it turned out that a staff member from the Canada women's football team, had recorded the training sessions of Canada's rival New Zealand, on 20 and 22 July 2024.

While Canada acknowledged the violation, they argued the punishment unfairly impacted uninvolved athletes. CAS upheld the penalty, noting that team – wide responsibility remains central to sports governance.

**d. CAS OG 24/05, 24/06 & 24/07: *Avancini, Batista, Bezerra v. World Athletics (WA)***

Three Brazilian athletes were initially banned from competing due to non-compliance with last – minute enhanced Doping testing requirements.

CAS accepted their applications, citing that the combination of misinterpreted regulations and other limitations created "truly exceptional circumstances", justifying an exemption. If all of those didn't arise, the athletes would have been appropriately tested.

## **Conclusion**

Despite its imperfections, CAS has profoundly shaped the global sports justice system. Its jurisprudence has helped harmonize regulations across federations, protect athletes' procedural rights, and support fair play at the highest levels of competition.

Therefore, concerns over arbitrator independence, transparency in appointments, and access to justice for all the athletes must continue to be addressed decisively, if CAS is to maintain credibility and legitimacy across all the parties. Not just the federations, but also the athletes themselves.