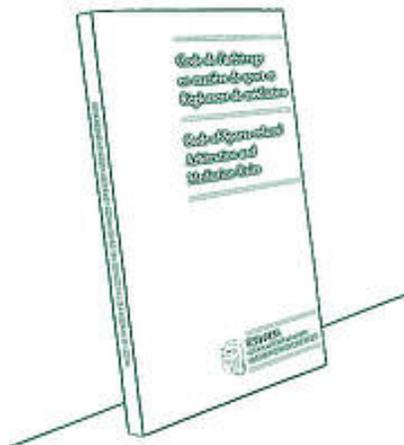


**INTERNATIONAL COUNCIL OF  
ARBITRATION FOR SPORT (ICAS)**

**2020 Annual Report and Financial Statements**



17 December 2021

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## Message from the ICAS President

As President of the International Council of Arbitration for Sport (ICAS), the governing body of the Court of Arbitration for Sport (CAS), I am pleased to present the 2020 Annual Report and Financial Statements. Going forward it is our intention to include more information and analysis on ICAS/CAS activities.

As we are all aware, in 2020 the COVID-19 pandemic created unprecedented challenges and pressures (and continues to do so), but I am pleased to note the outstanding management of CAS matters during these difficult times. The CAS staff, arbitrators and mediators continued to work efficiently and diligently despite the fact that a record number of disputes were referred to CAS in 2020. Implementing and adapting to remote work practices has been a challenge to which all have risen admirably and I sincerely thank all the CAS staff, arbitrators and mediators, as well as the parties themselves, for their continuous efforts in this regard.

The members of ICAS have also adapted to the new circumstances and were able to take appropriate measures promptly in order for ICAS to be able to operate remotely in an efficient manner and in compliance with its statutes.

Overall, many lessons have been learned which we will take forward in the future evolution of both ICAS and CAS.

In this respect, I look forward to the completion of the new CAS headquarters at the Palais de Beaulieu in Lausanne which will provide world class facilities for sports dispute resolution. I inspected the new premises last week and am impressed by the quality of the work and the fact that we only suffered minor delays due to the pandemic with the inauguration envisaged in the Spring of 2022. The support of the Canton of Vaud

and the City of Lausanne with this project is acknowledged and sincerely appreciated.

Having attained gender equality among athletes at the Olympic Games, I take this opportunity to encourage sports bodies to propose more female candidates for CAS membership with a view to addressing the current imbalance of approximately 18% female and 82% male among CAS members.

I also encourage parties to nominate more female arbitrators as panel members.

I highlight ICAS's increased attention to issues of human rights in sport through the establishment of a working group on human rights and the publication of the report "Sport and Human Rights: Overview from a CAS perspective" which is available on the home page of the CAS website.

In conclusion, I trust that readers of this Annual Report will find it instructive and a helpful addition to our other CAS communications.



John Coates AC  
President  
International Council of  
Arbitration for Sport  
(ICAS)

## Message from the CAS Director General

I am pleased to publish this Annual Report presenting the 2020 ICAS Financial Statements. It will be followed by a detailed 2021 Annual Report in the course of next year, including additional information on the structure and activities of both ICAS and CAS as well as statistics, in addition to the financial statements.

2020 was a new record year in terms of numbers, despite the COVID-19 pandemic which has taken many twists and turns since March 2020. Between 1 January and 31 December 2020, 957 procedures were registered with the CAS: 129 ordinary procedures, 811 appeal procedures, 8 Anti-Doping Division (ADD) procedures and 9 mediation procedures.

Following the reorganization of the FIFA judicial instances, many decisions related to football were issued in 2020, and many of them were challenged before the CAS which explains the impressive 2020 statistics compared to the previous years (606 cases in 2018 and 609 in 2019).

Unfortunately, due to the sanitary restrictions, it was difficult to conduct public hearings in 2020. It is likely that more public hearings will be requested once it is possible to meet in-person again. The future CAS premises will be able to accommodate such public hearings (up to a certain capacity).

In parallel to the day to day running of the CAS, I continued to work closely with ICAS to maintain its efficient governance of our institution. I am proud of the way that CAS adapted and adjusted to the challenges that the pandemic has placed upon us, even more so when I recall the impressive number of cases referred to CAS in 2020. All areas of the CAS administration were impacted by the increased workload. I sincerely thank the CAS staff, the ICAS members and the CAS members for their support and flexibility.

In 2020, 27 appeals against CAS awards were filed at the Swiss Federal Tribunal (SFT). 25 were dismissed or withdrawn and 2 were upheld (WADA/Sun Yang & FINA and CD Tuluà/CA Nacional). Among the SFT judgments rendered, I highlight the decision in Ustyugov/IBU, strengthening the jurisdiction of the CAS ADD, and the one in Cardoso/UCI, confirming that, thanks to the CAS legal aid scheme, access to CAS justice is available to all.

While remote working, online hearings and seminars may have become the norm, at least temporarily, we look forward to throwing open the doors to the new CAS headquarters at the Palais de Beaulieu in Lausanne in 2022.

The move away from the Château de Béthusy and our second office in Avenue de Rhodanie to this dedicated space signals the beginning of a new chapter in the history of the CAS which we look forward to with great positivity.



Matthieu Reeb  
Director General  
Court of Arbitration for  
Sport (CAS)

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## **Organizational Overview**

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The International Council of Arbitration for Sport (ICAS) is the governing body of the Court of Arbitration for Sport (CAS). It is a Swiss foundation of private law and of public interest. The ICAS is composed of 20 Members.

The Court of Arbitration for Sport (CAS) operates under the aegis of ICAS and resolves sports-related legal disputes through arbitration and mediation. It is organised into three areas of activity: the CAS appeal and ordinary arbitration procedures, the Anti-Doping Division, which issues first-instance decisions in procedures related to doping matters, and mediation. Ad hoc structures for the Olympic Games and other major sports events are established by ICAS when required.

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## The International Council of Arbitration for Sport (ICAS)

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- I. Overview
- II. Structure
- III. Composition 2019-2022
- IV. Division Presidents:
  - a. President Appeals Arbitration Division
  - b. President Ordinary Arbitration Division
  - c. President Anti-Doping Arbitration Division
- V. Commissions
  - a. Challenge Commission
  - b. Legal Aid Commission
  - c. Membership Commission

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### I. Overview

The International Council of Arbitration for Sport (ICAS) is the governing body of the Court of Arbitration for Sport (CAS). The purpose of ICAS is to facilitate the resolution of sports-related disputes through arbitration or mediation and to safeguard the independence of CAS and the rights of the parties. ICAS exercises the following functions:

- It adopts and amends the Code of Sports-related Arbitration;
- It elects from among its members for one or several renewable period(s) of four years:
  - the President;
  - two Vice-Presidents;
  - the President and Deputy President of the CAS Appeals Arbitration Division of the CAS;
  - the President and Deputy President of the CAS Ordinary Arbitration Division;
  - the President and Deputy President of the CAS Anti-Doping Division.
- It appoints the permanent commissions;
- It appoints the arbitrators who constitute the list of CAS arbitrators and the mediators who constitute the list of CAS mediators on the proposal of the CAS Membership Commission. It can also remove them from those lists;
- It resolves challenges to and the removal of arbitrators through its Challenge Commission, and performs any other functions identified in the Procedural Rules;
- It is responsible for the financing of and financial reporting by CAS. For such purpose, inter alia;
  - it receives and manages the funds allocated to its operations;
  - it approves the ICAS budget prepared by the CAS Court Office and the CAS Anti-Doping Division Office;
  - it approves the annual report and financial statements of ICAS prepared in accordance with the requirements of Swiss Law;
- It appoints the CAS Director General and may terminate her/his duties upon proposal of the President;
- It provides for regional or local, permanent or ad hoc arbitration, including at alternative hearing centres;

- It creates a legal aid fund to facilitate access to CAS arbitration for individuals without sufficient financial means and CAS legal aid guidelines for the operation of the funds, including a Legal Aid Commission to decide on requests for legal aid;
- It may take any other action which it deems necessary to protect the rights of the parties and to promote the settlement of sports-related disputes through arbitration and mediation.

The ICAS Statutes can be consulted [here](#).

## **II. Structure**

ICAS is composed of twenty members; five of which are elected to the Board.

- Four members are appointed by the International Federations (IFs). Three of these members are appointed by the Association of Summer Olympic IFs (ASOIF), from within or outside its membership; and one member is appointed by the Association of the Winter Olympic IFs (AIOWF), from within or outside its membership;
- Four members are appointed by the Association of the National Olympic Committees (ANOC), from within or outside its membership;
- Four members are appointed by the International Olympic Committee (IOC), from within or outside its membership;
- Four members are appointed by the twelve members of ICAS listed above, after appropriate consultation, with a view to safeguarding the interests of the athletes;
- Four members are appointed by the sixteen members of ICAS listed above and are independent of the bodies designating the other members of the ICAS.

The CAS Director General takes part in ICAS decision-making and discussions with a consultative voice and acts as Secretary to ICAS.

### III. ICAS Composition 2019-2022 (status on 31.12.2020)



**CORINNE SCHMIDHAUSER**

President – Appeals Division  
SUI (AIOWF)



**TJASA ANDREE-PROŠENC**

Vice President  
SLO (Athlete)



**JOHN COATES AC**

**President**  
AUS (ANOC)



**MICHAEL LENARD OLY**

Vice President  
USA (Athlete)



**CAROLE MALINVAUD**

President – Ordinary Division  
FRA (Independent)

#### ICAS BOARD



**ABDULLAH AL-HAYYAN**

ICAS Member  
KUW (ANOC)



**ANTONIO F. ARIMANY**

ICAS Member  
ESP (ASOIF)



**ENRIQUE ARNALDO-  
ALCUBILLA**  
ICAS Member  
ESP (ASOIF)



**MOYA DODD**

ICAS Member  
AUS (Athlete)



**IVO EUSEBIO**  
President – Anti-Doping  
Division  
SUI (Independent)



**ELLEN GRACIE-  
NORTHFLEET**  
ICAS Member  
BRA (Independent)



**MONIQUE JAMETTI**

ICAS Member  
SUI (Independent)



**YVONNE MOKGORO**

ICAS Member  
RSA (IOC)



**GIULIO NAPOLITANO**  
Dep. President – Ordinary  
Division  
ITA (ANOC)



**MIKAEL RENTSCH**

ICAS Member  
SWE-SUI (ASOIF)



**DAVID W. RIVKIN**  
Dep. President – Anti-  
Doping Division  
USA (ANOC)



**PATRICK ROBINSON**

ICAS Member  
JAM (IOC)



**TRICIA SMITH**

ICAS Member  
CAN (Athlete)



**ELISABETH STEINER**  
Dep. President – Appeals  
Division  
AUT (IOC)



**HANQIN XUE**

ICAS Member  
CHN (IOC)

## **IV. Division Presidents**

### **a. President/Deputy President Appeals Arbitration Division**

The President of the Appeals Arbitration Division presides over the Appeals Arbitration Division of the CAS. The role primarily involves issuing orders on procedural matters and appointing CAS arbitrators as Panel Presidents and Sole Arbitrators, or as arbitrators where a party has failed to nominate an arbitrator.

For the period 2019-2022:

President of the Appeals Arbitration Division: Ms Corinne Schmidhauser

Deputy President of the Appeals Arbitration Division: Dr Elisabeth Steiner

### **b. President/Deputy President Ordinary Arbitration Division**

The President of the Ordinary Arbitration Division presides over the Ordinary Arbitration Division of the CAS. The role primarily involves issuing orders on procedural matters and appointing CAS arbitrators as Panel Presidents and Sole Arbitrators, in accordance with the arbitration rules set out in the Code of Sports-related Arbitration.

For the period 2019-2022:

President of the Ordinary Arbitration Division: Ms Carole Malinvaud

Deputy President of the Ordinary Arbitration Division: Prof. Giulio Napolitano

### **c. President/Deputy President Anti-Doping Division**

The President of the Anti-Doping Division presides over the Anti-Doping Division of the CAS. The role primarily involves appointing CAS arbitrators as Panel Presidents and Sole Arbitrators, in accordance with the arbitration rules applicable to the CAS Anti-Doping Division.

For the period 2019-2022:

President of the Anti-Doping Division: Mr Ivo Eusebio

Deputy President of the Anti-Doping Division: Mr David W. Rivkin

## **V. Commissions**

### **a. Challenge Commission**

The ICAS Challenge Commission resolves any petitions for challenge raised against CAS arbitrators. It is chaired by an independently-appointed member and composed of the three division presidents and the three deputy division presidents.

The President and Deputy President of the division in which a petition for challenge has been raised do not participate in its resolution.

Composition 2019-2022:

Chair: Justice Ellen Gracie Northfleet

Members:

President of the Appeals Arbitration Division: Ms Corinne Schmidhauser

President of the Ordinary Arbitration Division: Ms Carole Malinvaud

President of the Anti-Doping Division: Mr Ivo Eusebio

Deputy-President of the Appeals Arbitration Division: Dr Elisabeth Steiner  
Deputy-President of the Ordinary Arbitration Division: Prof. Giulio Napolitano  
President of the Anti-Doping Division: Mr David W. Rivkin

#### **b. Legal Aid Commission**

The ICAS Legal Aid Commission considers all requests for legal aid filed in accordance with the CAS Legal Aid Guidelines. It is chaired by the ICAS President and composed of the four ICAS members nominated as athletes' representatives.

Composition 2019-2022:

Chair: Mr John Coates AC

Members:

Athlete representative: Ms Tjasa Andréa-Prosenč

Athlete representative: Ms Moya Dodd

Athlete representative: Mr Michael Lenard

Athlete representative: Ms Tricia Smith

#### **c. Membership Commission**

The ICAS Membership Commission reviews the lists of CAS arbitrators and mediators as well as the applications of potential new CAS members. It is currently chaired by an independently-appointed member and composed of the three division presidents, the three deputy division presidents and an athlete representative.

Composition 2019-2022:

Chair: Judge Monique Jametti

Members:

President of the Appeals Arbitration Division: Ms Corinne Schmidhauser

President of the Ordinary Arbitration Division: Ms Carole Malinvaud

President of the Anti-Doping Division: Mr Ivo Eusebio

Athlete representative: Ms Tricia Smith

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## The Court of Arbitration for Sport (CAS)

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- I. Introduction
  - II. Premises
  - III. Areas of operation:
    - a.) Director General
    - b.) Finance & administration
    - c.) Court Office – Arbitration Services
    - d.) Court Office – Mediation Services
    - e.) Court Office – Scientific Department
- 

### **I. Introduction**

Created in 1984, the Court of Arbitration for Sport, commonly referred to by its acronym “CAS”, provides dispute resolution services to the sports world. Since its creation, it has settled disputes involving athletes, coaches, federations, sponsors, agents, clubs, leagues and organizers of sports events from almost every country in the world through arbitration and mediation procedures.

All Olympic sports federations and many other international, continental and national federations confer jurisdiction to CAS to resolve their disputes.

### **II. Premises**

The CAS has been based at the Château de Béthusy in Lausanne, Switzerland, since 2005. In 2019, a second office was opened in Avenue de Rhodanie, Lausanne, Switzerland to house the Anti-Doping Division. In 2022, CAS will move to new purpose-built premises at the Palais de Beaulieu in Lausanne, Switzerland.

### **III. Areas of operation**

#### **a). Director General**

The CAS Director General is the link between ICAS, the Court Office and the Finance and Administration team. The Director General manages the day to day operations at the CAS Court Office and is responsible for public relations and communications.

#### **b). Finance & Administration**

The CAS Finance and Administration Director is responsible for finance, HR and facilities management.

#### **c). Court Office – Arbitration Services**

The Head of CAS Arbitration Services and a team of legal counsels, clerks and secretaries work on the appeal and ordinary arbitration procedures.

**d). Court Office – Mediation Services**

CAS mediation procedures are overseen by the Head of CAS Mediation Services.

**e). Court Office – Scientific Department**

The Head of the Scientific Department manages a team of legal counsels who maintain the CAS jurisprudence database, conduct legal research and share knowledge at seminars and events.

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## The CAS Ad Hoc Divisions

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- I. Overview
  - II. Ad Hoc Divisions in 2020
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### **I. Overview**

Since 1996, ICAS has created a temporary division for each edition of the Olympic Games in order to provide Games participants with access to a free of charge dispute resolution service on the site of the Games that allows for the resolution of disputes within a timeframe compatible with the competition schedule. Similar structures have been created by ICAS for other sports events such as the Commonwealth Games, the UEFA European Championship, the FIFA World Cup and the Asian Games.

### **II. Ad Hoc Divisions in 2020**

2020 Tokyo Olympic Games (postponed to 2021)

ICAS had already put in place the necessary structure to operate an Ad Hoc Division onsite at the Tokyo 2020 Olympic Games when the decision was taken to postpone the Games until 2021 due to the COVID-19 pandemic (details to be included in the 2021 Annual Report to be published in 2022).

2020 UEFA European Championship (postponed to 2021)

Plans to operate a remote Ad Hoc Division for the 2020 UEFA European Championship were put on hold when the decision was taken to postpone the tournament until 2021 due to the COVID-19 pandemic (details to be included in the 2021 Annual Report to be published in 2022).

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## The CAS Anti-Doping Division (CAS ADD)

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- I. Introduction
- II. Court Office
- III. Procedures
  - a. First Instance
  - b. Ad hoc ADD arbitrations
  - c. Activity in 2020

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### I. Introduction

The CAS ADD simplifies anti-doping procedures for the International Federations (IFs) by providing for first-instance adjudication of doping matters by an independent authority composed of anti-doping specialists, a harmonization of decisions and principles, as well as reduced costs.

It first operated on a temporary basis at the Rio 2016 Olympic Games and the PyeongChang 2018 Olympic Winter Games, and became a permanent division of CAS in January 2019.

### II. Court Office

The Anti-Doping Division is overseen on a daily basis by its Managing Counsel, Fabien Cagneux, assisted by the ADD secretariat.

### III. Procedures

#### a. Permanent ADD

The CAS ADD conducts its procedures in accordance with the applicable anti-doping rules of the sports federations and/or bodies concerned and is tasked with establishing whether or not there has been a violation of the anti-doping rules, as well as deciding any sanction, if applicable, in accordance with the World Anti-Doping Agency (WADA) Code.

The arbitration rules applicable to the CAS ADD are published [here](#).

#### b. Ad hoc ADD

A temporary CAS ADD is created on the occasion of each Olympic Games or Olympic Winter Games and is charged with resolving anti-doping-related matters arising during the Games as a first-instance authority. Potential doping cases are referred to it by the International Testing Agency (ITA) in accordance with the International Olympic Committee (IOC) Anti-doping Rules.

#### c. Activity in 2020

The CAS ADD conducted 8 procedures in 2020.

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## ICAS Financial Statements 2020

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The Foundation International Council of Arbitration for Sport (ICAS), domiciled in Lausanne, Switzerland, is a non-profit foundation which was established in Lausanne on 22 November 1994. It is governed by the rules of the Swiss Civil Code and overseen by the [\*Autorité de surveillance LPP et des fondations de Suisse occidentale\*](#).

As a private foundation of public interest, the ICAS is exempted from the payment of taxes.

The financial statements 2020 were prepared in accordance with the commercial accounting provisions of the Swiss Code of Obligations (Articles 957 to 963b, in force since 1 January 2013) and were audited by PricewaterhouseCoopers SA (PWC). The financial statements 2020 were approved during the ICAS Meeting of May 2021.

The presentation currency and financial currency is the Swiss franc (CHF).

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**Balance sheet as at 31 December 2020**

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	<b>2020</b>	<b>2019</b>
	<b>CHF</b>	<b>CHF</b>
<b>Assets</b>		
<b>Current assets</b>		
Cash and cash equivalents	29 535 048	22 379 318
Term investments	4 000 000	-
Trade and other receivables	1 599 218	5 069 741
Other current assets	554 464	907 257
	<b>35 688 730</b>	<b>28 356 316</b>
<b>Non-current assets</b>		
Property, plant and equipment	14 121 311	7 590 313
	<b>14 121 311</b>	<b>7 590 313</b>
<b>Total assets</b>	<b>49 810 041</b>	<b>35 946 629</b>
<b>Liabilities</b>		
<b>Current liabilities</b>		
Trade and other payables	4 387 952	3 550 683
Other current liabilities	19 596 953	11 943 356
Provisions	800 000	780 000
	<b>24 784 905</b>	<b>16 274 039</b>
<b>Non-current liabilities</b>		
Long term debts	4 000 000	-
	<b>4 000 000</b>	<b>-</b>
<b>Total liabilities</b>	<b>28 784 905</b>	<b>16 274 039</b>
<b>Equity</b>	<b>21 025 136</b>	<b>19 672 590</b>
<b>Total liabilities and equity</b>	<b>49 810 041</b>	<b>35 946 629</b>

## Income Statement for the year ended 31 December 2020

	Accounts 2020 CHF	Accounts 2019 CHF
<b>Revenue</b>		
Contribution of the Olympic Movement	7 500 000	7 500 000
Contribution of the Olympic Movement for the CAS ADD	166 740	163 400
Contribution of FIFA	1 500 000	1 500 000
Other contribution	5 430	5 434
Contribution of the parties to the costs of proceedings	8 835 287	7 662 168
Other income	50 138	30 861
<b>Total revenue</b>	<b>18 057 595</b>	<b>16 861 863</b>
<b>Operating expenses</b>		
Expenses of arbitration	7 791 181	7 628 365
Expenses of the CAS ADD	5 250	5 400
Personnel expenses	6 658 508	5 549 635
Subscriptions, books, publications	16 615	15 216
Vehicule costs	18 760	17 106
Office equipment	15 247	37 371
Servicing computer equipment and internet	45 861	61 224
Rent and expenses	409 877	279 646
Management costs	265 445	466 815
CAS seminars	35 821	273 476
CAS Ad Hoc Divisions	4 780	14 622
Administrative costs	409 617	495 719
Beaulieu fees and expenses	282 901	355 467
Depreciation of property, plant and equipment	83 333	6 700
Allocation to provision for free arbitration procedures	20 000	5 000
Bad debt losses	280 006	131 693
<b>Total operating expenses</b>	<b>16 343 202</b>	<b>15 343 455</b>
<b>Surplus before financial income</b>	<b>1 714 393</b>	<b>1 518 408</b>
<b>Financial income (costs)</b>		
Finance income (costs)	(34 710)	(43 960)
Net foreign exchange profit (loss)	(12 011)	(3 460)
<b>Total financial income (costs)</b>	<b>(46 721)</b>	<b>(47 420)</b>
<b>Surplus for the year</b>	<b>1 667 672</b>	<b>1 470 988</b>

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## Changes in equity for the year ended 31 December 2020

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	Capital	Reserve for legal aid	Reserve for building works	Retained earnings	Total
	CHF	CHF	CHF	CHF	CHF
<b>Equity as at 1 December 2019</b>	171 383	191 215	13 000 000	4 961 243	18 323 841
Surplus for the year	-	-	-	1 470 988	1 470 988
<b>Total comprehensive income for the year</b>				1 470 988	1 470 988
Allocation to reserve for legal aid	-	800 000	-	(800 000)	-
Use of the reserve for legal aid	-	(122 239)	-	-	(122 239)
<b>Equity as at 31 December 2019</b>	171 383	868 976	13 000 000	5 632 231	19 672 590
Surplus for the year	-	-	-	1 667 672	1 667 672
<b>Total comprehensive income for the year</b>				1 667 672	1 667 672
Use of the reserve for legal aid	-	(315 126)	-	-	(315 126)
<b>Equity as at 31 December 2020</b>	171 383	553 850	13 000 000	7 299 903	21 025 136