

Olympic Jurisprudence and the Internet
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ABSTRACT

The presentation will focus on the relationship between the jurisprudence of the Court of Arbitration for Sport (CAS) and the Internet. The use of the word “Court” is a misnomer. CAS which is best known for its work at the Olympic Games, is not a court but an arbitration institution created in 1983. The use of the word “jurisprudence” is also a misnomer. The CAS does not deliver judgments and this is not a reference to judge-made legal principles. A CAS award is only legally binding on the parties to the arbitration in which the award was made. The phrase “CAS jurisprudence” is a reference to the legal principles that have emerged from the arbitration awards made by arbitrators using the CAS arbitration rules. The structure and nature of CAS and its development into one of the world’s leading arbitration institutions will be analysed. The early stages of this development which preceded the internet, were slow. However the advent of the World Anti-Doping Agency in 1999 and the UNESCO International Convention against Doping in Sport made in Paris in 2005, has resulted in CAS becoming the single global appeal court for all international doping-related disputes in particular. The continuing development of CAS and its widespread acceptance, has increased the ongoing demand for access to CAS jurisprudence and led to the recent inclusion of some CAS jurisprudence to the Worldlii International Law pages on the Internet.