# COURT OF ARBITRATION FOR SPORT (CAS)

## ARBITRATION RULES FOR THE FIBA WOMEN'S BASKETBALL WORLD CUP 2026

**ARBITRATION RULES FOR THE**
**FIBA WOMEN'S BASKETBALL WORLD CUP 2026**

**Article 1 Application of the Present Rules and Jurisdiction of the Court of Arbitration for Sport (CAS)**

The purpose of the present Rules is to provide for the resolution by arbitration of any disputes covered by Article 1-195 FIBA Internal Regulations ("FIBA IR"), and by the arbitration clause inserted in the entry form for the FIBA Women's Basketball World Cup 2026 ("FIBA WWC" or the "Event"), insofar as they arise during the FIBA WWC between 4 and 13 September 2026 and are related to such Event.

**Article 2 Ad hoc Division**

For the period fixed in Article 1, the ICAS shall establish an ad hoc Division of the CAS (hereinafter the "ad hoc Division"), the function of which is to provide for the resolution by arbitration of the disputes covered by Article 1 by means of Panels set up in accordance with the present Rules.

The ad hoc Division consists of arbitrators appearing on a special list, a President and a Court Office.

**Article 3 Special List of Arbitrators**

The ICAS, acting through its Board, shall draw up the special list of arbitrators referred to in Article 2.

This special list consists only of arbitrators who appear on the CAS general list of arbitrators and who are available during the FIBA WWC.

The special list of arbitrators shall be established before the opening of the FIBA WWC. It may be subsequently modified by the ICAS Board where necessary.

**Article 4 Presidency**

The President of the ad hoc Division is the President of the CAS Appeals Arbitration Division, who may be replaced by the Deputy President of the CAS Appeals Arbitration Division. The President shall perform the functions conferred upon him/her by the present Rules and all other functions relevant to the proper operation of the ad hoc Division.

The President must be independent of the parties.

**Article 5 Court Office**

The Court Office of the ad hoc Division is located in Lausanne, Switzerland. Such office shall be placed under the authority of the CAS Director General.

**Article 6 Language of Arbitration**

The arbitration shall be conducted in English.

**Article 7 Seat of Arbitration and Law Governing the Arbitration**

The seat of the ad hoc Division and of each Panel is in Lausanne, Switzerland. However, the ad hoc Division and each Panel may carry out all the actions which fall within their mission in the host countries of the Event or in any other place they deem appropriate.

The arbitration is governed by Chapter 12 of the Swiss Act on private International Law.

**Article 8 Representation and Assistance**

The parties may be represented or assisted by persons of their choice insofar as circumstances permit, particularly with regard to the time limit set for the award. The names, addresses, email addresses, telephone and facsimile numbers of the persons representing the parties shall appear in the application referred to in Article 10 or be submitted at the start of the hearing.

**Article 9 Notifications and Communications**

a) All notifications and communications from the ad hoc Division (Panel, Presidency or Court Office) shall be given as follows:
   - to the claimant : at the electronic mail address specified in the request;
   - to the respondent : at the electronic mail to his/her/its office or place of residence at the site of the FIBA WWC.

   The ad hoc Division may also give notifications and communications by telephone and confirm them subsequently in writing, by electronic mail. In the absence of written confirmation, the communication is nevertheless valid if the addressee had actual knowledge of it.

b) Notifications and communications from the parties shall be emailed to the Court Office (adhocdivision@tas-cas.org).

**Article 10 Application**

Any individual or legal entity wishing to bring before the ad hoc Division of the CAS a dispute within the meaning of Article 1 of the present Rules shall file a written application with the Court Office.

The application shall include:

- a copy of the decision being challenged, where applicable;
- a brief statement of the facts and legal arguments on which the application is based;
- the claimant's request for relief;
- where applicable, an application for a stay of the effects of the decision being challenged or for any other preliminary relief of an extremely urgent nature;
- any appropriate comments on the basis for CAS jurisdiction;
- the claimant's address at the site of the FIBA WWC and, where applicable, the electronic mail address at which the claimant can be reached for the purposes of the proceedings and, where applicable, the same information for the person representing the claimant.

The application shall be written in English. A standard application form is available to the parties at the Court Office and on the CAS website (www.tas-cas.org). The application shall be brief and, if not, the Panel may request the Applicant to limit it to the relevant issues. If the application shall be filed again, the time limit provided by Art. 18 starts to run when the new application is filed.

If the National Federations concerned are not parties to the proceedings and do not receive a copy of the application in that capacity, this application shall be communicated to them for information purposes.

**Article 11 Formation of the Panel**

Upon receipt of the application, the President of the ad hoc Division appoints a Sole arbitrator or a Panel composed of three arbitrators appearing on the special list within the meaning of Article 2 of the Rules (the "Panel") and appoints the President of such Panel.

If an application is filed which is related to an arbitration already pending before the ad hoc Division, the President of the ad hoc Division may assign the second dispute to the Panel appointed to decide the first dispute. In order to decide upon such assignment, the President of the ad hoc Division shall take into account all the circumstances, including the relation between the two cases and the progress already made in the first case.

The Court Office shall convey the application to the Panel.

**Article 12 Independence and Qualifications of the Arbitrators**

All arbitrators must have legal training and possess recognized competence with regard to sport. They must be independent of the parties and disclose immediately any circumstance likely to compromise their independence.

All arbitrators must be available during the FIBA WWC for the ad hoc Division at any time.

No arbitrator may act as counsel for a party or other interested person before the ad hoc Division.

**Article 13 Challenge, Disqualification and Removal of Arbitrators**

An arbitrator must disqualify him- or herself spontaneously or, failing that, may be challenged by a party if circumstances give rise to legitimate doubts as to his or her independence. The President of the ad hoc Division is competent to take cognizance of any challenge requested by a party. He shall decide it as soon as possible after giving the parties and the arbitrator concerned the opportunity to be heard, insofar as circumstances permit. The challenge must be brought as soon as the reason for the challenge becomes known.

Any arbitrator may be removed by the President of the ad hoc Division if he or she is prevented from carrying out the assignment or fails to perform his or her duties in accordance with the present Rules.

If an arbitrator disqualifies him- or herself spontaneously or if the President of the ad hoc Division accepts a challenge by a party or removes an arbitrator, the President of the ad hoc Division shall immediately appoint an arbitrator to fill the vacancy.

**Article 14 Stay of Decision Challenged and Preliminary Relief of Extreme Urgency**

In case of extreme urgency, the President of the ad hoc Division or the Panel, where already formed, may rule on an application for a stay of the effects of the challenged decision or for any other preliminary relief without hearing the respondent first. The decision granting such relief ceases to be effective when the Panel gives a decision within the meaning of article 20 of the present Rules.

When deciding whether to award any preliminary relief, the President of the ad hoc Division or the Panel shall consider whether the relief is necessary to protect the applicant from irreparable harm, the likelihood of success on the merits of the claim, and whether the interests of the applicant outweigh those of the opponent or of other persons or entities involved in the FIBA WWC.

**Article 15 Procedure before the Panel**

a) Defence of lack of jurisdiction

Any defence of lack of jurisdiction of the Panel must be raised at the start of the proceedings or, at the latest, at the start of the hearing.

b) Procedure

The Panel organizes the procedure as it considers appropriate while taking into account the specific needs and circumstances of the case, the interests of the parties, in particular their right to be heard, and the particular constraints of speed and efficiency specific to the present ad hoc procedure. The Panel shall have full control over the evidentiary proceedings.

c) Hearing

Except where it considers another form of procedure more appropriate, the Panel shall summon the parties to a hearing on very short notice immediately upon receipt of the application. It shall append a copy of the application to the summons to appear addressed to the respondent. Unless the Panel decides

otherwise, the hearing shall be held by videoconference or by telephone conference.

At the hearing, the Panel shall hear the parties and take all appropriate action with respect to evidence. The parties shall introduce at the hearing all the evidence they intend to adduce and produce the witnesses, who shall be heard immediately.

If it considers itself to be sufficiently well informed, the Panel may decide not to hold a hearing and to render an award immediately.

d) Other evidentiary measures

If a party requests an opportunity to introduce additional evidence which, for legitimate reasons, it was not able to produce at the hearing, the Panel may permit it to the extent necessary to the resolution of the dispute.

The Panel may at any time take any appropriate action with respect to evidence. In particular, it may appoint an expert and order the production of documents, information or any other evidence. It may also, in its discretion, decide whether to admit or exclude evidence offered by the parties and assess the weight of evidence. The Panel shall inform the parties accordingly.

e) Failure to appear

If one party or both parties fail to appear at the hearing or to comply with injunctions, summonses or other communications issued by the Panel, the Panel may nevertheless proceed.

**Article 16 The Panel's Power to Review**

The Panel shall have full power to review and establish the facts on which the application is based.

**Article 17 Law Applicable**

The Panel shall rule on the dispute pursuant to the applicable FIBA regulations and, additionally, Swiss law.

**Article 18 Time limit**

The Panel shall give a decision within 24 hours of the lodging of the application. In exceptional cases, this time limit may be extended by the President of the ad hoc Division if circumstances so require.

**Article 19 Decision-making, Form and Communication of the Decision**

The decision is taken by a majority or, in the absence of a majority, by the President of the Panel. It shall be written, dated and signed by the Sole Arbitrator/President of the Panel and, in principle, brief reasons will be stated. Before the award is signed, it shall be reviewed by the President of the ad hoc Division, who may make amendments of form and, without affecting the Panel's freedom of decision may also draw the latter's attention to points of substance.

It shall be communicated to the parties immediately. The Panel may decide to communicate the holding of the award, prior to the reasons. The award shall be final from such communication.

If the National Federations concerned are not parties to the proceedings and do not receive a copy of the award in that capacity, this award shall be communicated to them for information purposes.

**Article 20 Enforceability and Scope of the Decision**

a) Choice of final award or referral

Taking into account all the circumstances of the case, including the claimant's request for relief, the nature and complexity of the dispute, the urgency of its resolution, the extent of the evidence required and of the legal issues to be resolved, the parties' right to be heard and the state of the record at the end of the ad hoc arbitration proceedings, the Panel may either make a final award or refer the dispute to arbitration by the CAS in accordance with the Code of Sports-related Arbitration. The Panel may also make an award on part of the dispute and refer the unresolved part of the dispute to regular CAS procedure.

b) Preliminary relief in case of referral

If it refers the dispute to regular CAS procedure, the Panel may, even where the parties have made no application to that effect, grant preliminary relief which

will remain in effect until the arbitrators decide otherwise in the regular CAS procedure.

c) Referral

If the Panel refers the dispute to regular CAS procedure, the following provisions shall apply:

i) The Panel may set a time limit for the claimant to bring the case before the CAS according to Articles R38 and R48 of the Code of Sports-related Arbitration or provide for referral on its own motion ("ex officio referral"). In either case, the time limits laid down by the statutes or regulations of the bodies the decision of which is being challenged or by Article R49 of the Code of Sports-related Arbitration do not apply.

ii) Depending on the nature of the case, the CAS Court Office shall assign the arbitration to the Ordinary Arbitration Division or to the Appeals Arbitration Division.

iii) The Panel formed during the FIBA WWC remains assigned to the resolution of the dispute for purposes of regular CAS procedure and, by submitting to the present Rules, the parties waive any provision to the contrary in the Code of Sports-related Arbitration or in their agreement concerning the number of arbitrators and the way in which the Panel is formed.

iv) In the event of *ex officio* referral, the CAS Court Office shall take any appropriate action which may facilitate the initiation of the regular CAS procedure, having special regard to the present provision.

**Article 21 Enforceability; no Remedies**

The decision is enforceable immediately and may not be appealed against or otherwise challenged.

**Article 22 Costs of the Proceedings**

(a) Subject to item f) below, each party shall pay for the costs of its own legal representation, experts, witnesses and interpreters.

(b) If the Panel appoints an expert or an interpreter, or orders the examination of a witness or an expert, such costs shall be included in the arbitration costs.

(c) At the end of the proceedings, the Panel shall determine the final amount of the arbitration costs, which shall include:

- the administrative costs of the CAS calculated in accordance with the CAS scale,
- the costs and fees of the arbitrators,
- the costs of witnesses, experts and interpreters incurred by the parties.

(d) The final amount of the arbitration costs may either be included in the arbitral award or communicated separately to the parties.

(e) In the arbitral award, the Panel shall determine which party shall bear the arbitration costs or how they shall be allocated to each of the parties. However, proceedings regarding appeals against decisions issued by FIBA in disciplinary matters shall be free of charge. In such case, the costs and fees of the arbitrators, calculated in accordance with the CAS fee scale, together with the costs of CAS are to be borne by CAS.

(f) In all cases, the Panel has discretion to grant the prevailing party a contribution towards its legal fees and other expenses incurred in connection with the proceedings and, in particular, the costs of witnesses and interpreters. When granting such contribution, the Panel shall take into account the complexity and the outcome of the proceedings, as well as the conduct and financial resources of the parties.

**Article 23 Miscellaneous Provisions**

The present Rules have been adopted by the ICAS Board in Lausanne on 6 July 2023, on the basis of Article 1-195 FIBA IR and of Articles S6, paragraphs 1, 8 and 10, S8, S23 and R70 of the Code of Sports-related Arbitration. They form an integral part of the Code of Sports-related Arbitration.

The present Rules may be amended by the ICAS pursuant to Article S8 of the Code of Sports-related Arbitration.

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