

SPORT DISPUTE RESOLUTION CENTRE OF CANADA (SDRCC)  
CENTRE DE RÉGLEMENT DES DIFFÉRENDS SPORTIFS DU CANADA (CRDSC)

N° : SDRCC 12-0164

Sébastien Michaud  
(Claimant)

and

Taekwondo Canada  
(Respondent)

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REASONED DECISION ON JURISDICTION

Having considered all of the submissions of the Parties on jurisdiction in this arbitration, the Arbitrator finds that the SDRCC has jurisdiction.

Article 3.1(b) of the SDRCC Code provides: "Unless otherwise agreed or set out herein, and if the dispute involves a NSO, where a Person applies to the SDRCC for the resolution of a Sports-Related Dispute, the Person must first have exhausted any internal dispute resolution procedures provided by the rules of the applicable NSO."

The internal dispute resolution procedures provided by the rules of the Respondent, namely the Appeal Policy submitted as exhibit R-02b, do not apply to the matters raised by the Claimant in this arbitration. Article 3.2d of the Appeal Policy states clearly that it does not apply to questions related to the substance, content or establishment of team selection criteria, which is what is raised in this arbitration. The Respondent refers to its Olympic Games 2012 team selection criteria (exhibit R-02a). However, this is not applicable to the matters raised by the Claimant in this arbitration, either, as it applies after the team has been selected, not before. All of this is confirmed in the Respondent's own correspondence with the Claimant and in the Respondent's submissions in this arbitration (see for example, exhibits R-04 and R-06).

Accordingly, there are no applicable internal dispute resolution procedures provided by the rules of the Respondent for the Claimant to exhaust. Therefore, the SDRCC has jurisdiction in this arbitration.



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Andrew McDougall  
Arbitrator  
10 January 2012