

International Public Order in Sports Law

1. Introduction.

Public Order or Public Policy (*ordre public* in French) is a fundamental principle in law that safeguards essential societal values, legal stability, and the public interest. It acts as a legal limit on individual and corporate freedoms whenever fundamental rights, public morality, security, or sovereignty may be threatened. In the context of international public order, these legal principles extend beyond national borders and incorporate globally recognized legal norms.

The interaction between international public order and sports law has become a critical issue, particularly regarding the autonomy of sports governing bodies such as *Fédération Internationale de Football Association* (FIFA) and the Court of Arbitration for Sport (CAS) this one the so-called “Supreme Court” of Sports. These institutions wield significant power in regulating international sports, often bypassing national and supranational legal frameworks, including European Union (EU) law. This raises concerns over the lack of judicial oversight, the potential violation of EU fundamental rights, and the need for regulatory intervention to uphold the principles of international public order.

1.1. Concepts and Doctrinal Definitions of Public Order.

Public order is widely recognized in legal scholarship as a mechanism to preserve social stability and fundamental values. According to scholars such as René (1982), public order represents a set of mandatory rules and principles that override private agreements when the public interest is at stake. Other scholars have also contributed to the definition of public order. For instance, Carbonnier (2004) understands public order as the set of imperative norms necessary for the functioning of society that cannot be derogated from by private agreements. On their part, Malaurie & Aynès (2019) emphasize that public order includes not only legal and security concerns but also social and economic stability.

Therefore, it is possible to assert that Public Order refers to the set of imperative legal principles and norms that safeguard the fundamental interests of a society, overriding private agreements when public interest is at stake. It encompasses not only legal and

security concerns but also social and economic stability, reflecting a balance between state sovereignty and universally recognized legal principles.

According to legal literature, Public Order is traditionally classified into two categories:

- i. Internal Public Order, which governs national laws, ensuring the maintenance of legal and social stability. This refers to the legal framework within a country that preserves essential state interests, public security and morality, and social order.
- ii. International Public Order, which protects the overarching legal framework in transnational interactions. This concept extends to global legal standards, ensuring that no contractual or private agreement violates universally recognized transnational norms, human rights, and fundamental principles of justice.

1.2. Concepts and definitions of International Public Order.

In light of the foregoing, International Public Order could be understood as the fundamental legal principles that transcend national borders and apply universally in the international legal framework. It ensures that international norms, particularly those related to human rights, fundamental principles of justice, and dispute resolution take precedence over conflicting domestic laws or private agreements. This principle is essential for maintaining global legal stability and protecting fundamental rights in cross-border disputes, including those in sports law.

In simple words, International Public Order serves to harmonize domestic and international legal frameworks, preventing national laws from undermining global legal principles. The following examples are illustrative of its function:

- i. International treaties such as the International Labor Organization (ILO) Conventions and the United Nations (UN) Protocol to Prevent, Suppress and Punish Trafficking in Persons override national labor laws that may fail to provide adequate protections. These conventions set minimum standards for labor rights, including protections against forced labor, child labor, discrimination, and other workers' rights violations. These conventions are ratified by countries and once adopted, take precedence over conflicting national labor laws to ensure international labor standards are upheld.

- ii. The World Anti-Doping Agency (WADA) Code establishes a uniform set of international anti-doping regulations that all national sports federations must enforce, ensuring consistency, fairness, and integrity in global sports competitions. By mandating compliance with these rules, the WADA Code takes precedence over any national laws (or lack thereof) that permit or tolerate the use of performance-enhancing substances. This ensures that no country can unilaterally undermine the principles of fair play, athlete health, and competitive equity, thereby safeguarding the integrity of international sports.
- iii. The New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention), plays a crucial role in safeguarding public order on two levels. First, it ensures that arbitration awards adhere to fundamental international public policy principles, preventing the enforcement of decisions that may violate human rights, competition laws, or other internationally recognized legal standards (International Public Order compliance). Second, it provides a safeguard for internal public order by allowing national courts to refuse the enforcement of arbitral awards that conflict with domestic laws designed to protect national interests, sovereignty, or public policy concerns (Internal Public Order compliance). This dual mechanism serves to balance arbitration with both international legal norms and national regulatory frameworks, preventing potential conflicts between private arbitration decisions and overarching public policy objectives.

2. Relationship between International Public Order and Sports Law.

2.1. Concepts and doctrinal definitions of Sports Law.

Sports Law is a specialized legal field regulating professional and amateur sporting activities. It encompasses contract law, competition law, human rights law, and arbitration mechanisms within the sports industry.

Nafziger (2004) considers that sports law is a body of laws, regulations, and case law specifically governing sports organizations and athletes, ensuring compliance with national and international legal standards. Parrish (2003) explains that sports law could

be understood as a combination of different legal disciplines, including labor law, commercial law, and EU law, tailored to the specific needs of the sports sector. These definitions emphasize the interdisciplinary nature of sports law, demonstrating how it intersects with various fields of legal practice to regulate global sporting activities.

2.2. The interrelation between Sports Law and Public Order.

Public Order is reinforced through a range of legal instruments that establish binding principles to ensure consistency, fairness, and the protection of fundamental rights. These principles frequently intersect with sports law regulations, shaping the governance and enforcement of international sports norms. The following examples illustrate how international treaties, and legal frameworks regulate public order within the realm of sports law, ensuring compliance with global legal standards while addressing conflicts between private sports regulations and public policy considerations.

i. The European Convention on Human Rights (ECHR).

The ECHR, established by the Council of Europe, enshrines fundamental human rights and freedoms that member states must uphold. It acts as a safeguard against national laws or private agreements that may infringe on essential rights such as fair trial rights (Article 6 ECHR), freedom of association (Article 11 ECHR), non-discrimination (Article 14 ECHR), among others.

The European Court of Human Rights has jurisdiction to review cases where national or international regulations—including those of FIFA and CAS—are alleged to breach human rights principles, reinforcing the importance of public order in sports arbitration and governance.

ii. The UN Convention on Contracts for the International Sale of Goods (CISG).

The CISG, established under the United Nations Commission on International Trade Law (UNCITRAL), provides a uniform framework for cross-border commercial transactions. While not directly related to sports law, it reinforces international public order by standardizing contract rules to prevent conflicts between national contract laws. It ensures legal certainty in international transactions, reducing the risk of contractual exploitation or unfair business practices.

In the sports industry, CISG principles are often invoked in sponsorship, merchandising, and transfer agreements, ensuring that contractual obligations align with international commercial law and public order principles.

iii. International Sports Arbitration Rules (FIFA & CAS Regulations).

While FIFA and CAS claim autonomy in governing sports disputes, their regulations must comply with international public order principles, particularly fair competition and market access under EU law. Fundamental human rights protections exist under the ECHR. For example, the right to fair hearing and judicial review as established in international arbitration regulations.

3. Public Order in the EU and its impact on Sports Law.

3.1. Public Order within the Treaty on the Functioning of the EU (TFEU) and Treaty on the EU (TEU).

Public Order principles within the EU legal system serve to ensure the stability of the internal market, protect fundamental rights, and prevent distortions of competition. The treaties establish a legal framework in which public order considerations take precedence over private agreements, particularly in areas affecting economic and social policies, including Sports Law.

Among the most relevant provisions, are included the following:

i. Article 45 of the TFEU.

Establishes the free movement of workers within the EU, prohibiting restrictions that hinder employment opportunities, including those that affect professional athletes moving between clubs or leagues.

ii. Article 101 of the TFEU.

Prohibits anti-competitive agreements between entities, ensuring that no sport's governing body imposes unlawful restrictions that limit fair competition among clubs, leagues, or sponsors.

iii. Article 102 of the TFEU.

Prevents the abuse of dominant market positions, which is particularly relevant in cases where FIFA or UEFA impose rules that restrict club operations or player transfers.

iv. Article 6 of the TEU.

Affirms the binding nature of fundamental rights as recognized by the Charter of Fundamental Rights of the European Union (CFR), ensuring that athletes and clubs are not subjected to unlawful disciplinary measures or unfair arbitration procedures that undermine their legal protections.

The aforementioned provisions illustrate how EU law serves as a safeguard against the excessive control exerted by private sports' governing bodies, reinforcing the principle that international Public Order prevails over self-regulated sports regulations. However, conflicts persist between EU Public Order principles and the regulatory autonomy of sports federations. This issue will be further explored in the context of Sports Law, Governance, and EU legal interventions in the following sections.

3.2. Public Order and Sports Law & Governance in the EU.

International Public Order plays a crucial role in mitigating the tensions existing between private sports entities and EU regulations by preventing sports governance structures from operating beyond legal scrutiny. One of the most pressing concerns is the CAS, which, despite being an essential body in resolving sports disputes, functions under Swiss law with limited external oversight, leading to potential violations of EU competition and fundamental rights laws.

Several aspects of the current self-regulated legal framework of sports federations and CAS raise concerns regarding their compatibility with International Public Order in the EU, particularly when it:

- i. Restrict athletes' access to national courts, forcing them into arbitration procedures with limited judicial review.

- ii. Violates EU competition laws by imposing monopolistic structures on leagues and clubs.
- iii. Enforces disciplinary measures that contradict fundamental rights principles, including the right to a fair trial and labor rights protections.

Such scenarios have led to conflicts with EU law, as seen in cases where FIFA's regulations on player transfers, competition restrictions, and dispute resolution mechanisms have been challenged for violating fundamental principles of EU competition law and fair trial rights. These ongoing conflicts illustrate the tension between sports autonomy and legal oversight. While sports federations argue that autonomy is necessary for efficiency and governance, EU law imposes necessary constraints to ensure that private regulations do not infringe on fundamental legal principles.

3.3. The application of EU Public Order to Sports Law.

The European Court of Justice (CJEU) has played an increasingly significant role in ensuring that the regulations of FIFA and CAS –among other sports federations and entities–, comply with EU law, particularly in relation to competition law, free movement rights, and fundamental rights protections. The CJEU has ruled against FIFA's restrictive regulations in multiple instances, emphasizing that the governance of sports must align with EU legal principles rather than operate independently from them.

Through landmark rulings, such as the following, the CJEU has forced FIFA, CAS and other sports entities to revise and reshape their legal landscapes of sports governance, ensuring that sports law remains subject to EU legal principles.

- i. C-415/93 – Bosman Case (1995).

The case challenged FIFA and UEFA's transfer system, which imposed transfer fees on out-of-contract players moving between clubs, restricting their free movement rights under Article 45 of the TFEU.

The CJEU ruled that FIFA's transfer system violated EU law, stating that players must be free to move without transfer fees once their contracts expire. FIFA was therefore

forced to abolish mandatory transfer fees for out-of-contract players, fundamentally reshaping the transfer system in European football.

ii. C-519/04 P – Meca-Medina Case (2006).

The case involved two professional long-distance swimmers banned for doping under Olympic regulations. They argued that anti-doping rules should be subject to EU competition law under Articles 101 and 102 of the TFEU.

The CJEU confirmed that sports regulations must comply with EU competition law, stating that restrictions on athletes must be proportionate and justified. In consequence, the ruling clarified that sports rules are not immune from EU competition law. FIFA and other governing bodies have to ensure their disciplinary rules were proportionate and justified.

iii. C-124/21 P – International Skating Union Case (2023).

This case involved the International Skating Union (ISU), which had exclusive control over international skating competitions and imposed harsh penalties on athletes who participated in unauthorized events. The case challenged whether such restrictions violated EU competition law under Articles 101 and 102 of the TFEU.

The CJEU ruled that ISU's regulations were anti-competitive, as they prevented skaters from accessing alternative competitions and restricted fair market access. The Court emphasized that sports federations cannot abuse their dominant position by imposing unjustified restrictions on athletes.

This ruling directly influenced FIFA and UEFA's rules on competition exclusivity, reinforcing that federations cannot use their power to unlawfully restrict fair competition, banning or penalizing clubs and players for participating in rival leagues, strengthening the precedent set by the European Super League case (found below).

iv. C-333/21 P – European Super League Case (2023).

The case challenged FIFA and UEFA's rules prohibiting the creation of a breakaway Super League, arguing that blocking new football competitions violated EU competition law.

The CJEU ruled that FIFA and UEFA's monopoly over football competitions must comply with EU competition law and cannot impose disproportionate sanctions on clubs forming rival tournaments. This ruling forced FIFA and UEFA to revise and reassess their regulations to ensure that competition restrictions are not anti-competitive or unfairly prevent clubs from organizing alternative tournaments.

v. C-680/21 – Royal Antwerp FC Case (2023).

The case focused on FIFA's player transfer and training compensation rules, which imposed financial restrictions on clubs signing players who trained elsewhere. Royal Antwerp FC argued these rules violated EU free movement and competition rules.

The CJEU found that FIFA's compensation system must be proportionate and must not unreasonably restrict player mobility. As a result, FIFA had to revise its compensation structure to ensure it complied with EU free movement principles, preventing excessive financial burdens on clubs signing young players.

The aforementioned rulings reinforce the principle that international sports law cannot override fundamental EU legal principles. FIFA, UEFA, and CAS, among other sports entities, must continuously adapt their regulations to comply with EU and other international law.

3.4. The expanding role of the CJEU in ensuring EU Law compliance.

The CJEU has played a crucial role in ensuring that Sports Law aligns with EU Public Order principles. Through its rulings, the CJEU has consistently reaffirmed that the autonomy of sports governing bodies, such as FIFA and CAS, cannot override fundamental rights and EU legal standards.

A new, prominent example of which is Case C-600/23 (Royal Football Club Seraing), which challenges FIFA's mandatory arbitration system. The case argues that requiring all disputes to be resolved exclusively by CAS—without access to national courts—violates athletes' right to a fair trial under Article 6 of the TEU and the Charter of Fundamental Rights of the European Union.

As of today, FIFA's rules obligate clubs and players to settle disputes exclusively through CAS, preventing access to independent national courts. The Belgian Royal Football Club Seraing has challenged this system, arguing that it infringes upon the fundamental right to judicial review and fair trial guarantees.

In this regard, the CJEU's Advocate General has issued an opinion emphasizing that CAS must operate within the framework of the New York Convention, which grants national courts the authority to refuse enforcement of arbitral decisions that contradict fundamental public order principles. However, the lack of external judicial oversight in CAS proceedings, combined with FIFA's self-sufficient authority to enforce such decisions, has raised serious concerns about whether these rulings and sanctions adequately uphold fundamental rights and due process standards, particularly within the EU legal framework. As a result, the Advocate General has argued that these issues must be properly addressed and reformed to ensure effective legal oversight and compliance with EU law, reinforcing the need for greater judicial control and safeguards in sports arbitration.

The decision is still pending, but if the CJEU follows the General Advocate's opinion, their ruling could force FIFA and CAS to allow greater judicial oversight, ensuring that athletes and clubs have the right to access national courts rather than being confined to a closed private arbitration system. This would challenge FIFA's monopoly over sports dispute resolution, strengthening judicial accountability in international Sports Law.

4. International Public Order in the Object of Sports Law.

4.1 The arbitral award should generally comply with the rules of the international public order, whether objective public order (*"l'ordre public ou fondorder"* in French) or procedural public order (*"L'ordre public procedural"* in French), without which the award might be non-executable out of the jurisdiction of the issuing country.

The same approach applies to arbitration in sports disputes, where the sports arbitral award should comply with the object international public order in sports law. The sports arbitral award breach of object public order in sports law

renders the arbitral award issued by the Court of Arbitration for Sport “CAS” null before the Federal Court of Switzerland, according to Article 190-2 of the Swiss Private International Law.

Furthermore, the breach of the object international public order in sports law by the national sports bodies or athletes might be grounds for international sports federations to impose penalties on such sports bodies or athletes, which could amount to the penalty of suspension of sports activities.

4.2 Doctrinal Definitions of Object International Public Order in Sports Law.

The rules of the object international public order of Sports Law are “peremptory” or “absolute” norms that affect national orders. The sports public order, having the nature of absolute public order, which cannot be breached, can be interpreted and justified that its rules are not affected by the other interests of the sports actors, whether individual or collective, and cannot be neglected, discussed or argued.

furthermore, the sports object international public order is an absolute public order since it is governed by sports ethics, which are international ethics and “a form of international custom” practiced and recognized by all sports actors, to ensure the smooth running of sports competitions in terms of organization and practice. This also arises from the recognition of these ethics not only by the sports actors but also by international public opinion.

The fundamental peremptory norms constituting the norms of sports international public order are not always easy to detect, as they may occur as hidden principles or may be evident in the rules of the International Sports Movement (International Sports Federations), while they are often obviously embodied in CAS decisions as general principles of sports law or the so-called “Lex Sportiva”.

Some Doctrines define the international object public order in sports law as “the fundamental rights of athletes”, as defined by Mr. MARGARET BADDELEY, who called for the review of the basic rights of athletes and to consider them part of the sports public order. In my opinion, the basic rights of athletes are one of the components of the sports international object public order, like the player’s right to the salary, given that CAS decided on 29 January 2016 and many cases that the player not receiving his/her salary or the delay of payment shall be considered fair grounds for termination, particularly if the failure to make the payment occurs more than once, this shall be fair grounds for the termination of the player’s contract, since the salary payment is a primary obligation on the club towards the player. CAS decided on 29 January 2016 “In the case of a club unlawfully failing to pay a player at least two monthly salaries on their due dates, the player will be deemed to have a just cause to terminate his contract, provided that he has put the debtor club in default in writing and has granted a deadline of at least 15 days for the debtor club to fully comply with its financial obligation(s)”. also CAS decided on 29 January 2016 “The non-payment or late payment of remuneration by an employer does in principle - and particularly if repeated as in the present case - constitute “just cause” for termination of the contract”

Other fundamental rights of the player include the right to take part in sports competitions, medial treatment, practice, the right to transfer to another club, since a player may not be actually or judicially forced to play with a certain club.

The object international public order also includes the basic rules stipulated in the international sports regulations which may not be breached by national federations, for example the rules of terminating the players’ contracts, the rule of prohibiting the termination of a player’s contract during the protected period, the rules of fair play and integrity, anti-doping rules, rules of players’ transfers, rule of prohibiting third party ownership of players)TPO(, and the sports

technical rules, which are considered part of the object international public order in sports law, and may not be breached by the sports federations, players or clubs.

Moreover, the rules of the object international public order in the sports law include the rules prohibiting any speech or act of political, ideological, religious, trade union nature or any racism or discrimination acts, which shall constitute an obstacle to the smooth running of sports competitions. This type of object rules may be called the rules of “sports competitions and event impartiality”, which are one of the most important components of the object international public order in sports.

This was applied by the Council of State of France in the case of the hijabi female players, who has challenged before the court the legitimacy of Article 1 of the French Football Federation regulations, which prohibits since 2016 wearing symbols or clothing ostentatiously displaying one's political, philosophical, religious or trade union affiliation, where Article 1 of the French Football Federation Articles of Association stipulates the following:

“The Federation and its decentralized bodies, as bodies charged with a public service mission delegated by the State, uphold the fundamental values of the French Republic and must implement the means to prevent any discrimination or attack on the dignity of a person, in particular based on their gender, sexual orientation, ethnic origin, social status, physical appearance, beliefs, or opinions. Furthermore, compliance with the prescribed attire and Rule 50 of the Olympic Charter ensures the neutrality of sports in the venues where it is practiced. For this reason, the following are prohibited during the competitions or events organized on the territory of the Federation or in connection with them:- any speech or act of a political, ideological, religious, or union nature; or wearing a symbol or clothing that ostentatiously demonstrates political, philosophical, religious, or union affiliation...”.

The Council of State of France has decided that the female players are user to a public service, and are not therefore subject to the duty of “impartiality”, yet they have the freedom to express their beliefs like all other public servants, nevertheless the French Football Federation might to enact a laws it deems necessary for the “smooth running” of Sports competitions, where such rules constitute the sports public order which is different from the general public order. Here, we find a difference between the rules of sports public order, which constitute the sports peremptory norms, and the rules of general public order which may not cover sports competitions, like what happened in the present case, where the Council of State of France decided that the (athletes) selected for representing the French national team are public servants, who are not subject to the rule of political or religious impartiality while doing their work, however they are subject to other rules of the EUFA and French Football Federation regulations that prohibit wearing any symbol or clothing ostentatiously displaying one's political, philosophical, religious or trade union affiliation during sports competitions, where the second constitute the sports object public order (“*ordre public du sport*” in French), which must be applied in case of conflict with the general public order (“*ordre public general*” in French).

5. Public Order in non-EU jurisdictions.

5.1. Public Order in other jurisdictions and its impact on Sports Law.

Global Sports Law regulations are designed to ensure uniformity in professional sports governance. However, these rules often come into direct conflict with national legal systems, particularly in areas concerning contract law, labor rights, human rights, and criminal law. An example outside of the EU would the National Basketball Association (NBA)’s marijuana policy conflicting with state and national law.

The NBA and the National Basketball Players Association (NBPA) reached an agreement to remove marijuana from the league’s banned substances list in 2023 (NORML, 2023).

This means that NBA players can no longer be suspended or penalized for using marijuana, reflecting a shift toward a more lenient stance on cannabis consumption.

While the NBA has removed restrictions, it is important to note that the use of marijuana in the United States is still illegal at the federal level. While some states have legalized its use at the state level, using marijuana anywhere in the United States is federal illegal. Although some have legalized its use, many U.S. states still classify marijuana as an illegal drug and impose criminal penalties for possession and use. For example, in states like Idaho, South Carolina, and Kansas, marijuana remains fully illegal (Breen & Johnston, 2024), meaning that players residing in or traveling to these states could technically face legal consequences despite the NBA's policy allowing its use.

This creates an inconsistency where NBA players are permitted to use marijuana within the league's framework, but state law or national law enforcement could still prosecute them if they are caught with the substance, depending on the jurisdiction. The conflict between federal sports policies, state and national laws could lead to complications for player contracts, team policies, and law enforcement actions in states that refuse to legalize cannabis.

If an NBA player is arrested for marijuana possession in a state where it remains illegal, state law will obviously take precedence over the NBA's lenient testing policies. This highlights the broader legal challenge in sports governance, where leagues create internal policies that do not always align with national or state-level legal systems, leading to uncertainty in enforcement and potential legal disputes.

5. Conclusion and final reflections.

The continuous necessity of the International Public Order in shaping International Sports Law cannot be overstated. As sports governance structures such as FIFA and CAS continue to assert regulatory autonomy, conflicts inevitably arise between self-imposed rules and fundamental legal principles, particularly in areas such as human rights, competition law, and access to justice.

International Public Order serves as a safeguard against unregulated power within the sports industry, ensuring that governing bodies do not operate beyond the reach of legal oversight. The intervention of institutions such as the CJEU has been crucial in

maintaining legal equilibrium, preventing FIFA, CAS, and other sports organizations from imposing regulations that contradict fundamental principles of justice, fairness, and market competition.

The cases analyzed above demonstrate that Sports Law must remain subject to legal accountability, and International Public Order plays a vital role in correcting imbalances, addressing abuses, and ensuring compliance with higher legal norms. Whether through EU law, national legal frameworks, or international treaties, the presence of regulatory oversight is essential to uphold athletes' rights, fair competition, and access to justice.

As international sports continue to grow in economic and social influence, the role of International Public Order will become even more critical in preserving fairness, legal compliance, and fundamental rights within global sports governance. The challenge moving forward is not merely to recognize the necessity of the International Public Order, but to reinforce its mechanisms and ensure its proper enforcement to prevent the erosion of legal protections in sports.

6. References.

Bibliographic references.

- Breen, K., & Johnston, T. (2024, May 17). *Maps show states where weed is legal for recreational, medical use in 2024*. Retrieved from CBS News: https://www.cbsnews.com/news/legal-weed-map-states/?utm_source=chatgpt.com
- Carbonnier, J. (2004). *Droit civil: Introduction, les personnes, la famille*. Paris: Presses Universitaires de France (PUF).
- David, R. (1982). *Les grands systèmes de droit contemporains*. Paris: Dalloz.
- Malaurie, P., & Aynès, L. (2019). *Droit civil: Les obligations*. Paris: Librairie Générale de Droit et de Jurisprudence (LGDJ).
- Nafziger, J. A. (2004). *International Sports Law*. New York: Transnational Publishers.
- NORML. (2023, July 6). *NBA Removes Cannabis from Prohibited Substances List*. Retrieved from NORML: https://norml.org/news/2023/07/06/nba-removes-cannabis-from-prohibited-substances-list/?utm_source=chatgpt.com

Parrish, R. (2003). *Sports Law and Policy in the European Union*. Manchester: Manchester University Press.

Legal references.

Council of Europe. (1950). *European Convention on Human Rights (ECHR)*. European Court of Human Rights. Retrieved from: https://www.echr.coe.int/documents/convention_eng.pdf

European Union. (2012). *Charter of Fundamental Rights of the European Union (CFR)*. Official Journal of the European Union, C 326/391. Retrieved from: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012P%2FTXT>

European Union. (2012). *Treaty on European Union (TEU)*. Official Journal of the European Union, C 326/13. Retrieved from: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012M%2FTXT>

European Union. (2012). *Treaty on the Functioning of the European Union (TFEU)*. Official Journal of the European Union, C 326/47. Retrieved from: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012E%2FTXT>

Fédération Internationale de Football Association. (2025). *Regulations on the status and transfer of players (RSTP)*. FIFA. Retrieved from: <https://digitalhub.fifa.com/m/696d877ea35ca761/original/Regulations-on-the-Status-and-Transfer-of-Players-January-2025-edition.pdf>

International Labor Organization. (n.d.). *ILO Conventions*. ILO. Retrieved from <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>

United Nations. (1958). *Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention)*. United Nations Treaty Series, 330, 3. Retrieved from: <https://www.newyorkconvention.org/>

United Nations Commission on International Trade Law. (1980). *United Nations Convention on Contracts for the International Sale of Goods (CISG)*. United Nations. Retrieved from: https://uncitral.un.org/en/texts/salegoods/conventions/sale_of_goods/cisg

United Nations. (2000). *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*. United Nations Treaty Series. Retrieved from: <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>

World Anti-Doping Agency. (2021). *World Anti-Doping Code*. WADA. Retrieved from: <https://www.wada-ama.org/en/resources/world-anti-doping-code>

Cited case references.

European Court of Justice. (1995). *Case C-415/93: Union Royale Belge des Sociétés de Football Association ASBL v. Jean-Marc Bosman*. Retrieved from: <https://curia.europa.eu/juris/showPdf.jsf?text=&docid=99445&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=15719687>

European Court of Justice. (2006). *Case C-519/04 P: David Meca-Medina and Igor Majcen v. Commission of the European Communities*. Retrieved from: <https://curia.europa.eu/juris/showPdf.jsf?text=&docid=57022&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=15720313>

European Court of Justice. (2023). *Case C-124/21 P: International Skating Union v. European Commission*. Retrieved from: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=280763&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=15720801>

European Court of Justice. (2023). *Case C-333/21 P: European Super League Company SL v. Union of European Football Associations (UEFA) and Fédération Internationale de Football Association (FIFA)*. Retrieved from: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=280765&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=15721130>

European Court of Justice. (2023). *Case C-680/21: Royal Antwerp Football Club v. Union Royale Belge des Sociétés de Football Association ASBL (URBSFA)*. Retrieved from: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=280764&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=15721526>

European Court of Justice. (2023). *Case C-600/23: Royal Football Club Seraing v. Fédération Internationale de Football Association (FIFA) et al.* Retrieved from: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=294268&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=15721820>

Juan de Dios CRESPO PÉREZ

The president of the Sports Law Section of the Valencia Bar Association, Spain
Professor of Courses and Masters in Sports Law, among them the FIFA Master of the Center for the International Study of Sport CIES - Neuchâtel (Switzerland), and a guest professor in Paris, Spanish, British and Latin American Universities, The managing partner of the firm specialising in Sports Law, RUIZ-HUERTA & CRESPO, Spain. a lawyer and advisor to football clubs and professional sportsmen, agents, Spanish and foreign professional federations and leagues, especially before international sports bodies such as UEFA, FIFA, or CAS.

Moataz AFIFI

A legal Expert at the Government of Dubai, UAE
Vice-President of the State Lawsuits Authority in Egypt and former Assistant
Member of the Advisory Committee of the UAE Centre for Sports Arbitration
Former Assistant Professor of Civil Procedure, Arbitration and Sports Law, City University,
Ajman, UAE

Matthew Collins

Attorneys at Sports Law, Ruiz-Huerta & Crespo Sports Lawyers Valencia – Spain

Víctor F. Armaza Pacheco

Legal Intern, Ruiz-Huerta & Crespo Sports Lawyers Valencia – Spain