

Jurisprudence

COURT OF ARBITRATION FOR SPORT

**CAS: CAS released a statement regarding the decision issued by the European Court of Human Rights in the case Mutu and Pechstein v. Switzerland ([CAS Media Release](#))**

(02.10.2018)

The Court of Arbitration for Sport released a statement regarding the recent decision issued by the European Court of Human Rights concerning the case Mutu and Pechstein v. Switzerland, stating that the judgment is another confirmation that CAS is a genuine arbitration tribunal that fulfils the requirements of independence and impartiality, and that CAS jurisdiction on sports-related disputes is necessary for uniformity in sport.

EUROPEAN COURT OF HUMAN RIGHTS

**CAS arbitration: the ECHR decided that CAS proceedings are not against human rights ([Decision](#) and [ECHR Press Release](#))**

(02.10.2018)

The European Court of Human Rights issued its judgement in the case Mutu and Pechstein v. Switzerland. According to the findings of the decision, the procedures followed by the Court of Arbitration for Sport complied with the right to a fair hearing, apart from the refusal to hold a public hearing.

UEFA

**Football: UEFA Appeals Body reduced the suspension imposed on AS Roma's President James Pallotta ([UEFA Disciplinary Updates](#))**

(25.09.2018)

The UEFA Appeals Body partially upheld the appeal filed by AS Roma against the sanctions imposed on its President Mr James Pallotta by the UEFA Control, Ethics and Disciplinary Body's decision of 19 July 2018.

The suspension imposed on AS Roma's President "from carrying out his role during UEFA club competitions" has been reduced from 3 months to 1 month.

TENNIS INTEGRITY UNIT

**Tennis: Oliver Anderson convicted of tennis match-fixing charges ([TIU Media Release](#))**

(21.09.2018)

The Australian tennis player Oliver Anderson has been sanctioned with a 19 month suspension (already served) after admitting that he deliberately lost the first set of a match at the Latrobe City Traralgon ATP Challenger tournament in October 2016. Although he ultimately won the match and received no financial benefit, his conduct was in breach of the Tennis Anti-Corruption Program (TACP).

#### USADA

**Archery: two-year suspension on archer Bob Eyer for doping violation ([AAA Award](#))**  
(28.09.2018)

An independent arbitrator of the American Arbitration Association imposed a two-year period of ineligibility on archer Bob Eyer on the grounds that he did not familiarise himself with the applicable rules prior to competing.

Eyer tested positive for propranolol and carboxy-tetrahydrocannabinol, the principal psychoactive constituent of marijuana and/or hashish after winning the Vegas Shoot.

#### ENGLAND

**Football: the arbitration clause contained in the regulations of a sport governing body can bind sports parties regardless of the existence of a contractual relationship between them ([2018 EWHC 1567 Ch](#))**

(12.07.2018)

In a dispute between an intermediary and a football club, the High Court stated that even without a contractual bound, sports parties can be bound by an arbitration clause contained in the regulations of a sport governing body by means of an “implied horizontal contract”.

#### ITALY

**Football: The Lazio TAR rejected the appeal filed by Pro Vercelli in relation to the composition of the Serie B league ([Press Release](#))**

(27.09.2018)

The Lazio Regional Administrative Court rejected the appeal filed by Pro Vercelli against the decisions rendered by the *Collegio di Garanzia*, which declared the claims lodged in relation to the composition of the Serie B league inadmissible. The TAR stated that since the remedies made available by sports tribunals have not been exhausted, the administrative court does not have jurisdiction to decide the case.

#### Documents and Reports

**Doping: WADA published the 2019 List of Prohibited Substances and Methods ([2019 Prohibited List](#) – [2019 Summary of Major Modifications and Explanatory Notes](#) – [2019 Monitoring Program](#))**

(28.09.2018)

The World Anti-Doping Agency published the 2019 List of Prohibited Substances and Methods, which was approved by WADA's Executive Committee on 20<sup>th</sup> September 2018, and comes into force on 1<sup>st</sup> January 2019.

**Football: FIFA Football Stakeholders Committee endorsed ground-breaking reforms**  
([FIFA Media Release](#))

(25.09.2018)

On 24<sup>th</sup> September 2018, the FIFA Football Stakeholders Committee endorsed landmark reforms of the transfer system aimed at increasing the transparency of the system, protecting its integrity and reinforcing solidarity mechanisms for training clubs. The proposals will now be submitted to the FIFA Council for approval.