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RDES
RIVISTA DI DIRITTO ED ECONOMIA DELLO SPORT



WEBINAR via Zoom

11 January 2024, 5 pm CET

EU, SUPERLEAGUE, ISU AND HGPR STILL (FALSE) FRIENDS?

On 21 December 2023 the Court of Justice delivered three landmark judgements in the *Super League*, *ISU*, and *Royal Antwerp Football Club* (UEFA Home Grown Players Rules) cases.

In the *Super League* case the Court found that the FIFA and UEFA provisions making any new interclub football competition - such as the Super League - subject to their prior approval, and prohibiting clubs and players from playing in those competition, are against EU law to the extent that there is no framework for substantive criteria and detailed procedural rules for ensuring that those rules are transparent, objective, precise and non-discriminatory.

In the *ISU* case the Court reached the same conclusions on the ISU's prior authorization of skating competitions and added that the CAS arbitration clause shall be regarded as reinforcing the

anticompetitive nature of ISU's eligibility rules to the extent that the Court having jurisdiction to review the CAS awards cannot confirm that those awards comply with Articles 101 and 102 TFEU and is not entitled, or required, to refer a question to the ECJ under Article 267 TFEU.

In the *Royal Antwerp Football Club* case the Court found that the UEFA's HGPR may infringe Article 101 TFEU if it is established, first, that this rule has either as its object or its effect the restriction of competition between professional football clubs, unless, in the second of those scenarios, it is demonstrated that the rule can be justified by the pursuit of one or more objectives that are legitimate and strictly necessary for that purpose.

The UEFA rule may also violate Article 45 TFEU unless it is established that such a rule is suitable for ensuring the attainment of the objective of encouraging, at local level, the recruitment and training of young professional football players, and that it does not go beyond what is necessary to achieve that objective.

Further to those rulings, international sports associations are facing new challenges, but they can start from these judgements to improve their governance (and some of them have already done so).

Academics and practitioners gather together to examine this important jurisprudence and its impact on sports stakeholders and the regulations that they adopt and enforce.

FINAL PROGRAMME

Welcome

SALVATORE CIVALE: Italian Association of Sports Lawyers

MICHELE COLUCCI: Associazione Italiana Avvocati dello Sport (AIAS)

ESTHER QUERALTO: Spanish Association of Sports Lawyers

JOSÉ MIGUEL SAMPAIO E NORA: Associação Portuguesa de Direito Desportivo (APDD)

MIGUEL ANGEL VAQUERO: Asociación Española de Derecho Deportivo (AEDD)

Speakers:

STEFANO BASTIANON: University of Bergamo, CAS Arbitrator

MASSIMO COCCIA: University of Rome "La Sapienza"

ANTOINE DUVAL: Asser Institute (The Hague)

RICHARD PARRISH: Edge Hill University

CARMEN PÉREZ GONZÁLEZ: Universidad Carlos III de Madrid

The participation to the event is free but it is necessary to register by sending an email to:
events@slpc.eu