

THE SPORTS LAW
REVIEW

EIGHTH EDITION

Editor
Claude Ramoni

THE LAWREVIEWS

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PREFACE

The Sports Law Review is intended to be a legal guide for all stakeholders in the field of sport, including legal practitioners, academics, sports business entities, sports federations, clubs and athletes. It aims to provide an overview of the relevant legal framework in a wide range of selected jurisdictions, with an emphasis on the most significant developments and decisions of the past year. It shows that sports law – despite having an international dimension that culminates in the adoption of the regulations of international sports federations under the ultimate imprimatur of the Court of Arbitration for Sport – remains both interdisciplinary and subject to state authority. Local laws are particularly relevant in all areas that are not covered by sports regulations or that are subject to sovereign powers and mandatory provisions of state law.

The Sports Law Review is of particular interest to sports lawyers who intend to act internationally on behalf of sports federations, clubs and athletes, and must, therefore, be familiar with not only international private norms and the *lex sportiva* but also domestic laws, in a globalised world. The *Review* also allows comparative law and sports law lecturers to obtain a general understanding of the situation in the field of sport worldwide without having to undertake time-consuming research. It can be consulted as a hard copy or on The Law Reviews website, thus providing a unique and specialised resource, and one which is widely disseminated.

The *Review* chapters are traditionally structured in 10 sections, thereby treating all the countries examined similarly, to facilitate comparisons. It opens with the legal structure and organisation of sports clubs and governing bodies, and the dispute resolution system applicable to sports matters. It then presents issues related to the organisation of sports events, such as liability for injuries and riot prevention, and provides a description of the legislative framework governing the commercialisation of sports events, labour, antitrust and taxation. It also addresses topics specific to sports, including doping, betting, match-fixing and grey market sales, and it concludes with a review of the year, outlining recent decisions of courts or arbitral tribunals of interest to an international audience, as well as a summary and outlook for the coming period.

This eighth edition covers the period from July 2021 to July 2022. It gathers 18 chapters written by renowned sports law practitioners and experts based in key countries across all five continents. The year under review was far from being usual in the world of sport. Although the covid-19 outbreak was still present, sporting competitions could be resumed, under specific conditions. Two editions of the Olympic Games, the Summer Olympic Games in Tokyo (23 July–8 August 2021) and the Winter Olympic Games in Beijing (4–20 February 2022) took place within a time span of six months. Each of these Games gave rise to disputes,

notably in relation to athletes' qualification to compete, following numerous disruptions and last-minute adaptations caused by the covid-19 pandemic and the cancellation of the vast majority of the qualification events that were planned initially.

Immediately after the end of the Beijing Winter Olympic Games, Russia invaded Ukraine – during the period of the Olympic Truce. This triggered numerous reactions from national governments and sporting bodies, with significant effects on sport, particularly as Russia was a key actor in terms of the organisation of sporting events, the number of participating athletes and teams, and monetary investments in sport. The reaction of the sporting world to the invasion of Ukraine – with coordinated bans on Russian athletes and teams, and the cancellation not only of all events scheduled in Russia but also of most sponsorship deals with Russian companies – has resulted in numerous actual or potential legal disputes, the vast majority of which remain unresolved as this book goes to publication. Measures adopted at national level in reaction to the Russian invasion have sometimes contradicted the position adopted by international sports governing bodies, with unfortunate negative effects on athletes. Particularly noteworthy was the decision by the United Kingdom not to accept Russian and Belarusian players at the Wimbledon tournament, and the subsequent decision by the Association of Tennis Professionals and the Women's Tennis Association to strip the English Grand Slam tournament of its world ranking points.

International sport has entered a period of uncertainty. Since the end of the Cold War, sport had become a global market, with competitions taking place on all five continents, drawing athletes and investments from around the entire world. The situation has now changed. The Russian invasion of Ukraine, and the resulting decisions by governments and sports governing bodies, effectively mean that Russia (and Belarus) are now completely excluded from the worldwide sports system. In addition, the covid-19 crisis is not over and numerous countries still have restrictions in place, with consequences for the organisation of international competitions all over the globe. It could be said that the combined effect of the war in Ukraine and the covid-19 pandemic means the world of sports now has much less 'global' reach than in the recent past, because participation in international competitions now depends not only on sporting merit but also on the nationality or origin of the athletes, their vaccination status or the travel restrictions in place in their country of residence.

Even when dealt with at an international level, to a certain extent, these issues and their legal consequences will undoubtedly have jurisdiction-specific answers in each case, and this only confirms the interest of the *Review*.

As the editor of this publication, I would like to thank all the authors for their contributions. I also extend my gratitude to all the people involved at all stages of this process, from proofreading to production and distribution. I trust that readers will find this global survey informative.

Claude Ramoni

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