

4TH AIAF CONGRESS

ABU DHABI
MAY 1ST AND 2ND 2016

FOOTBALL
& LAW



ASSOCIATION
INTERNATIONALE DES
AVOCATS DU
FOOTBALL

the future of **JUSTICE IN FOOTBALL**

Justice has now become a familiar concept for Football stakeholders. But how does the system of Justice really work in Football?

During these last months, several cases have stressed the importance of the meeting of Football with Justice: the «Pechstein» case, the «Blatter/Platini» case, and also cases regarding regulations on minors, Article 17 RSTP, training compensation, TPO, etc.

Should the system of Justice be improved and what should such improvements consist of?

What legal guarantees should be provided to the Football stakeholders?

In short, what should be **the future of Justice in Football?**

All these questions - and many more - will be discussed during the 4th AIAF Congress.

In partnership with the **ABU DHABI SPORTS COUNCIL & SALEH ALOBEIDLI & CO Advocates and Consultants**, The 4th Congress of the International Association of Football Lawyers (AIAF) will be held on May 1st and 2nd 2016 at the **St Regis Abu Dhabi** (United Arab Emirates - UAE).

OFFICIAL PARTNERS

SALEH ALOBEIDLI & CO
ADVOCATES & CONSULTANTS

Abu Dhabi
Sports Council
مجلس أبوظبي الرياضي

ABOUT ABU DHABI SPORTS COUNCIL

Abu Dhabi Sports Council (ADSC) was established in 2006 by His Highness Sheikh Mohamed Bin Zayed Al Nahyan, Abu Dhabi Crown Prince and Deputy Supreme Commander of the UAE Armed Forces.

The Council promotes an effective, emirate-wide sports calendar that stimulates the desire to participate in quality sports among all Abu Dhabi residents and helps the talented and motivated reach their sporting potential.

The Council also hosts and supports the staging of international world-class sporting events, including the annual Abu Dhabi HSBC Golf Championship, the ITU World Triathlon Series, FINA High Dive, the Abu Dhabi Invitational, the Gary Player Invitational,

the FIBA 3x3 World Tour Final, the Red Bull Air Race, the hosting of the Volvo Ocean Race round-the-world sailing epic, the Abu Dhabi Cycling Tour and the 2015 Nomura Cup.

We at ADSC firmly believe that sporting events deliver a host of benefits for the emirate and its residents. These span improved health and wellness, the building of community spirit, the discovering of local talent and the delivery of international exposure of the emirate as a world-class sporting events hub.

**Whether it is
land, sea or air,
we have sport
covered.**

WORDS OF THE CHAIRMAN

ADSC is aligned to Abu Dhabi leadership vision to develop sports and youth activities, to stimulate all community segments to participate in quality sports, and to promote Abu Dhabi as a hub for international world-class sporting championships and events.



The support and care of His Highness Sheikh Mohamed bin Zayed Al Nahyan, Abu Dhabi Crown Prince and Deputy Supreme Commander of the UAE Armed Forces is a source of pride for all youths of our country.

The support of our leaders is monumental motivation to catalyze all needed endeavors to win new accolades, and to realize new sporting achievements at local and international levels.

Nahyan bin Zayed Al Nahyan
Chairman - Abu Dhabi Sports Council

the future of **JUSTICE IN FOOTBALL**

DAY 1: FOOTBALL JUDICIAL BODIES

MODERATOR

- François CARRARD, Lawyer, Chairman of the 2016 FIFA Reform Committee, Lausanne, Switzerland

8:30: RECEPTION OF THE DELEGATES

9:00: OPENING WORDS

- Patricia MOYERSON, Lawyer, AIAF President, Paris, France
- E. Major General Mohammed Khalfan AL ROMAITHI, member of the AFC Executive Office

9:15: INTRODUCTION

Should the system of Justice in Football be improved and what should such improvements consist of? What legal guarantees should be provided to the Football stakeholders?

- François CARRARD, Lawyer, Chairman of the 2016 FIFA Reform Committee, Lausanne, Switzerland

9:30: EXEMPLARY CASE: URUGUAYAN CLUBS V. CONMEBOL

- Daniel CRAVO SOUZA, Lawyer, Porto Alegre, Brazil
- Juan de Dios CRESPO PEREZ, Lawyer, Valencia, Spain

9:45: ACCESS TO JUSTICE AND LEGAL REMEDIES

Nature of the decisions issued by football bodies: Disciplinary bodies? Administrative bodies? What decisions are subject to appeal? Who can appeal? What is a party? What is an interested third party? Timeliness; The costs of the procedure; Transparency.

- Emilio GARCIA, Head of UEFA Disciplinary and Integrity, Nyon, Switzerland
- James KITCHING, Head of Sports Legal Services, Disciplinary and Governance AFC, Kuala Lumpur, Malaysia
- Stefano LA PORTA, Lawyer, Rome, Italy
- Nasr El Din AZZAM, Lawyer, Cairo, Egypt

11:00: COFFEE BREAK

11:30: INDEPENDENCE AND IMPARTIALITY

The composition of the committees; The role of the Disciplinary Officer; The independence and impartiality of the members of the judicial bodies.

- Emilio GARCIA, Head of UEFA Disciplinary and Integrity, Nyon, Switzerland

- Emanuel MACEDO DE MEDEIROS, ICSS CEO of Europe and Latin America, Geneva, Switzerland

- Markéta HAINDLOVA, Lawyer, Prague, Czech Republic

12:45: LUNCH

14:00: PROCEDURAL DEADLINES

The procedural timetable; Periods allowed for appeal; Time limits applying to the parties and to the committees.

- Juan de Dios CRESPO PEREZ, Lawyer, Valencia, Spain
- Majed GAROUB, Member of FIFA Legal Committee and Lawyer, Jeddah, Saudi Arabia
- Christian CHEVALIER, Lawyer, Paris, France

15:00: RESPECT OF THE RIGHTS OF THE DEFENCE

The access to the file; Communication of evidence and case file materials; Being entitled to a fair trial.

- Emilio GARCIA, Head of UEFA Disciplinary and Integrity, Nyon, Switzerland
- Lucien VALLONI, Lawyer, Zurich, Switzerland
- Yuliya MOROZOVA, Lawyer, Kiev, Ukraine

16:00: COFFEE BREAK

16:15: SANCTIONS AND PROPORTIONALITY

Balance of interests (personal interest and general interest); The conflict of interest.

- Emilio GARCIA, Head of UEFA Disciplinary and Integrity, Nyon, Switzerland
- Daniel CRAVO, Lawyer, Porto Alegre, Brazil
- Joachim RAIN, Lawyer, Ludwigsburg, Germany

17:15: CONCLUSION

- François CARRARD, Lawyer, President of the 2016 FIFA Reform Committee, Lausanne, Switzerland

17:30: PRESENTATION OF THE BOOK "THE FIFA REGULATIONS ON WORKING WITH INTERMEDIARIES" MICHELE COLUCCI (ED.)

19:30: COCKTAIL AND GALA DINNER FOR AIAF MEMBERS AND GUEST SPEAKERS

the future of **JUSTICE IN FOOTBALL**

DAY 2: THE COURT OF ARBITRATION FOR SPORT (CAS)

MODERATOR

- David CASSERLY, Lawyer, Lausanne, Switzerland

8:30: RECEPTION OF THE DELEGATES

9:00: OPENING WORDS

- Patricia MOYERSON, Lawyer, AIAF President, Paris, France

9:15: INTRODUCTION

- Why a private justice for Football? Advantage and disadvantage.
- David CASSERLY, Lawyer, Lausanne, Switzerland

9:30: EXEMPLARY CASE: BEN ARFA V. FIFA

- Christophe BERTRAND, Lawyer, Paris, France
- Jean-Jacques BERTRAND, Lawyer, Paris, France

9:45: CONSENT TO ARBITRATION AND APPLICABLE LAW

Who is subject to the arbitration clause? Is a third party to a contract bound by the CAS jurisdiction? CAS jurisdiction (compulsory or contractual?) Lex sportiva? Swiss Law? National Laws? International Conventions and Treaties? European Law? The law chosen by the parties?

- Matthieu REEB, CAS Secretary General, Lausanne, Switzerland
- Dennis KOOLAARD, Lawyer, Arnhem, Netherlands
- Lucas FERRER, Lawyer, Barcelona, Spain
- Joachim RAIN, Lawyer, Ludwigsburg, Germany

10:45: COFFEE BREAK

11:00: INDEPENDENCE AND IMPARTIALITY

The rules of nomination of the arbitrators.

- Matthieu REEB, CAS Secretary General, Lausanne, Switzerland
- Emanuel MACEDO DE MEDEIROS, ICSS CEO of Europe and Latin America, Geneva, Switzerland
- Marcelo AMORETTY SOUZA, Lawyer, Porto Alegre, Brazil

12:00: LEGAL REMEDIES AND PROCEDURAL DEADLINES

The nature of the awards of the CAS; What legal remedies are available? Who can appeal? What is a party? What is an interested third party? The procedural timetable; The periods allowed for appeals; Time limits applying to the parties and to the CAS.

- Matthieu REEB, CAS Secretary General, Lausanne, Switzerland

- Marcelo AMORETTY SOUZA, Lawyer, Porto Alegre, Brazil
- Patricia MOYERSON, Lawyer, AIAF President, Paris, France

13:00: LUNCH

14:00: RESPECT OF THE RIGHTS OF THE DEFENCE

Access to the file; Communication of evidence and case file materials; Being entitled to a fair trial; Costs of the procedure; The right to access to Justice.

- Matthieu REEB, CAS Secretary General, Lausanne, Switzerland
- Luiz RIBEIRO, Lawyer, Belo Horizonte, Brazil
- Saleh ALOBEIDLI, Lawyer, Dubai, UAE

15:00: SANCTIONS AND PROPORTIONALITY

The balance of interests (personal interest and general interest).

- Emin OZKURT, Lawyer, Istanbul, Turkey
- François KLEIN, Lawyer, Paris, France
- Daniel CRAVO SOUZA, Lawyer, Porto Alegre, Brazil

16:00: COFFEE BREAK

16:15: ENFORCEMENT OF CAS AWARDS

What enforcement for private justice?

- Juan de Dios CRESPO PEREZ, Lawyer, Valencia, Spain
- Christophe BERTRAND, Lawyer, Paris, France
- Lucien VALLONI, Lawyer, Zurich, Switzerland

17:00: RECENT DEVELOPMENTS IN MIDDLE EAST'S NEWLY ESTABLISHED SPORTS ARBITRATION CENTERS

What enforcement for private justice?

- Saleh ALOBEIDLI, Lawyer, Dubai, UAE
- Dr. Abdullah AL HAYYAN, Professor of Law, Member of ICAS, GCC Court of arbitration, Kuwait
- Bandar AL HAMIDANI, Deputy Chairman of the Disciplinary Committee of Saudi Arabian Football
- Nasr El Din AZZAM, Lawyer, Cairo, Egypt

17:45: CONCLUSION

- David CASSERLY, Lawyer, Lausanne, Switzerland

18:00: CLOSING OF THE CONGRESS

- Patricia MOYERSON, Lawyer, AIAF President, Paris, France
- Saleh ALOBEIDLI, Lawyer, Dubai, UAE