

THE 7th EDITION OF THE FIFA FOOTBALL LAW ANNUAL REVIEW (FLAR) 2025

The 7th edition of the **FIFA Football Law Annual Review (FLAR) 2025** took place on 27–28 February at the University of Miami School of Law, in collaboration with CONCACAF. This prestigious event brought together leading experts in football law and key stakeholders to discuss the most pressing legal matters affecting the sport. Among the attendees was **José Páez**, partner and founder of PZCR Legal.

Day 1: key legal developments and regulatory discussions

Emilio García Silvero opened the conference with an **overview of legal developments in 2024 and an outlook for 2025**. A key focus was *Case C-600/23, Royal Football Serain v. FIFA, UEFA & URBSFA / Doyen*. He discussed Advocate General Tamara Čapeta's opinion, delivered on 16 January 2025, which argues that rulings of the Court of Arbitration for Sport (CAS) should be subject to full judicial review by national courts within the European Union to ensure compliance with EU law. AG Čapeta distinguishes sports arbitration from commercial arbitration, highlighting FIFA's mandatory arbitration clauses and self-contained dispute resolution system. She requires direct access to national courts and a comprehensive review of CAS awards. She proposes that EU sport actors subject to FIFA's dispute resolution system must have direct access to national courts and the right to full judicial review against any and all rules of EU law, regardless of a final CAS award. This applies even when a CAS arbitral award applying FIFA rules has been confirmed by the Swiss Federal Supreme Court.

The Advocate General emphasises that Member States must enable this direct access to courts with the power to judicially review FIFA's rules for compatibility with EU law. If adopted by the Court of Justice of the European Union (CJEU), this opinion could significantly reshape the CAS dispute resolution ecosystem as we have known it for the past 40 years.

Another significant case under discussion was *Case C-209/23 (RRC Sport)*, which originates from a preliminary ruling request submitted by the Landgericht Mainz in Germany to the CJEU, challenging FIFA's new football agent regulations. The case primarily questions the compatibility of Article 15(2) of these regulations, which imposes a cap on agent remuneration, with EU law. Specifically, it examines potential breaches of EU competition law (Articles 101 and 102 TFEU) and the freedom to provide services (Article 56 TFEU), as well as FIFA's power to regulate in this area. Given recent CJEU rulings on sports regulations, the outcome of this case could have a major impact on FIFA's regulatory power over football agents and, more broadly, on the autonomy of sports governing bodies within the EU. The hearing was held on 12 February 2025, with the Advocate General's opinion expected on 8 May 2025.

Another key issue discussed was the *International Match Calendar (IMC)* and its legal implications. A legal claim has been filed before the Brussels Court of Commerce against FIFA and the Royal Belgian Football

Association (URBSFA) by the French National Union of Professional Footballers (UNFP), the Professional Footballers' Association (PFA), and the European Professional Footballers' Association (EuPFA). The claimants are not seeking provisional measures but rather a preliminary ruling from the CJEU on the legality of the IMC. They argue that FIFA's IMC violates Article 101 TFEU by imposing anti-competitive restrictions within the EU market. Additionally, the claim alleges breaches of the EU Charter of fundamental rights, including the prohibition of forced labour (Article 5), the freedom to choose an occupation and engage in work (Article 15), the right to collective bargaining (Article 28), and the right to fair and just working conditions (Article 35). The outcome of this case could have significant consequences for FIFA's control over the global football calendar and the rights of players and clubs within the EU.

Another session on day one of the FLAR was devoted to FIFA's ongoing efforts to combat **bridge transfers**, a practice whereby players are transferred through intermediary clubs to circumvent existing regulations. Kate Porter, General Counsel for Bay FC, outlined the key characteristics of this practice, the underlying reasons driving, and its wider implications for the football industry. In 2020, FIFA introduced Article 5bis of the Regulations on the Status and Transfer of Players (RSTP) to precisely tackle this issue, establishing a presumption of breach if a player is transferred twice within a 16-week period. The discussions at FLAR highlighted the importance of these regulations in preserving the integrity of player transfers, while also assessing the effectiveness of enforcement mechanisms to prevent regulatory loopholes.

Laura Corica provided an insightful session on the **process of matching football transfers within the FIFA Transfer Matching System (TMS)**. She highlighted best practices, common pitfalls, and procedural aspects that clubs and federations must adhere to when conducting international transfers. Her presentation emphasised the importance of accuracy in documentation, compliance with FIFA regulations, and the role of TMS in maintaining transparency and integrity in the transfer system.

Multi-club ownership (MCO) models were also a major topic of discussion, with Daniel Geey presenting an analysis of their rapid expansion. While this model offers advantages such as enhanced player development pathways, improved commercial synergies, and greater financial stability, it also presents challenges regarding competitive balance and regulatory oversight. The discussion explored potential conflicts of interest, implications for player movement, and the necessity of clearer guidelines to ensure fairness across competitions regulated by FIFA and regional confederations. Mr. Geey also examined existing regulations and provided perspectives on potential future solutions to address the legal and ethical concerns surrounding MCO structures.

The **rights of parties in proceedings before CAS** were also a prominent feature of the conference, with CAS Arbitrator Janie Soublière leading the discussion. CAS maintains exclusive and mandatory jurisdiction over disputes under FIFA regulations, yet recent legal challenges have questioned whether this system adequately upholds fundamental judicial protections under EU law. The debate focused on procedural safeguards, including the right to be heard, the right to legal representation, the right to present evidence, and the ability to challenge arbitrators. Some experts argued for potential reforms to enhance procedural fairness and transparency in CAS arbitration, particularly in cases involving EU-based parties.

Finally, Miguel Liétard and Carlos Schneider provided an in-depth analysis of **leading CAS football cases from 2024**, including CAS 2023/A/9867, CAS OG 24/09, and CAS 2023/A/9807. These cases set important

precedents in areas such as disciplinary sanctions, enforcement of CAS awards and regulatory compliance, shaping the evolving landscape of football law. PZCR Legal is proud that a case in which we have been counsel for the Appellant (CAS 2023/A/9867) was featured in this review.

Day 2: League models and contractual regulations

Specific league models were examined, with case studies on regulatory approaches in different football ecosystems. The Bundesliga's '50+1' rule, explained by Jan Räker, which requires clubs to retain majority ownership (50% + 1 share) to prevent external investor takeovers, was a focal point. While the rule remains in place, recent developments suggest that stricter conditions may be applied to clubs seeking exemptions. In contrast, Christina LaBrie explained the Major League Soccer (MLS) model is analysed for its distinctive single-entity structure, where the league itself centrally owns teams and player contracts. With 30 investor-operators overseeing its clubs as of 2025, MLS presents a unique framework that contrasts sharply with European football's decentralised ownership structures.

Additionally, Jorge Ibarrola made an exposition about **buy-out clauses, liquidated damages clauses, sell-on clauses and other clauses of transfer agreements**, exploring CAS awards on the topics, providing valuable insights into the relevance of the concept of true and common intention of the parties in the interpretation of contracts, in accordance with Article 18 SCO.

Discussions also extended to **major international tournaments**, including the FIFA World Cup™, CONMEBOL Copa América, and UEFA EURO. Academic and legal experts provided insights into the governance challenges and regulatory implications surrounding these competitions, offering a comparative perspective on legal frameworks across different footballing regions.

The FIFA FLAR 2025 proved to be a dynamic platform for exchanging expertise, fostering dialogue, and shaping the future of football governance. The event reaffirmed the importance of legal integrity in the sport and provided valuable insights into the ongoing evolution of football's regulatory framework.

PZCR Legal is already looking forward to the **2026 edition**, which will be hosted the Hungarian Football Federation, on the occasion of the 125th anniversary of its foundation. We will not miss it!