

Case Study

EUROPEAN FOOTBALL: LEX SPORTIVA AND ITS REGIONAL SPECIFICITIES

Marina Kamenecka-Usova*, Maxym Tkalych and Elina Greine

ABSTRACT

Background: Eastern European football faces unique legal challenges arising from the intersection of international sports law, club governance, and cross-border disputes. Despite the growing importance of regional leagues, the legal framework for resolving conflicts, especially in transfers, sporting succession, and contractual enforcement, remains underexplored. This study addresses the gap by systematically analysing how recent Court of Arbitration for Sport (CAS) decisions and national federation regulations shape dispute resolution in Eastern European football and assessing the extent to which these structures protect clubs, players, and federations in practice.

Method: The paper employs a doctrinal-comparative legal methodology, reviewing primary sources (CAS arbitral awards, national and EU legislation, and federation rules) and secondary literature (scholarly articles and reports). A purposive case-study approach examines selected landmark CAS awards in the region (e.g. Karpaty FC v FIFA, Valmiera FC v LFF) to unpack judicial reasoning and legal principles. Comparative analysis contrasts legal doctrines across jurisdictions, and qualitative synthesis identifies recurring trends, gaps, and legal risks.

DOI:

<https://doi.org/10.33327/AJEE-18-9.1-s000176>

Date of submission: 02 Oct 2025

Date of acceptance: 11 Dec 2025

Online First publication: 16 Jan 2026

Disclaimer:

The authors declare that their opinions and views expressed in this manuscript are free of any impact of any organisations.

Copyright:

© 2026 Marina Kamenecka-Usova,
Maxym Tkalych and Elina Greine

Results and Conclusions: *The analysis reveals several key findings. First, CAS jurisprudence increasingly applies the doctrine of sporting succession in ways that impose heavy financial liabilities on acquiring clubs, often without adequate procedural safeguards. Second, enforcement of CAS awards in domestic courts is uneven across Eastern Europe, with divergent interpretations of jurisdiction, public policy, and res judicata. Third, national association rules often lack clarity in dispute-resolution pathways, leaving ambiguities in appeal rights and remedial mechanisms. Fourth, despite EU instruments (e.g. Regulation 1215/2012, Rome I), their use in sports-related contract disputes is marginal due to the perceived autonomy of sports law. These findings point to obstacles in predictability, transparency, and enforceability.*

1 INTRODUCTION

Sport, especially football, occupies a unique position at the intersection of commercial, legal, and social dynamics. According to the Study on the Economic Impact of Sport by the European Commission (2018), sport-related activities account for 2.12% of the European Union's Gross Domestic Product, totalling €279.7 billion. In addition, sport-related employment represents 2.72% of total EU employment, corresponding to approximately 5,666,195 jobs. Sport involves a wide array of interactions, ranging from athlete-coach and club-agent to national federation-club relationships, where disagreements and disputes are highly probable.¹

A “sports dispute” might be defined as any disagreement or conflict that arises within the context of sports activities or relationships, involving any parties connected to the sports industry, such as athletes, coaches, agents, clubs, federations, supporters, or commercial partners.

As per Godin, sports disputes can be broadly categorised as follows:²

- *Contractual disputes*: relating to player contracts, sponsorship agreements, or commercial rights;
- *Regulatory disputes*: involving compliance with the rules of federations or governing bodies;
- *Disciplinary disputes*: typically arising from alleged breaches of conduct, anti-doping violations, or match-fixing allegations;

1 Ian Blackshaw, ‘The Court of Arbitration for Sport: An International Forum for Settling Disputes Effectively “Within the Family of Sport”’ (2003) 2(2) *Entertainment and Sports Law Journal* 4. doi:10.16997/eslj.139; Neil Goodrum, ‘Mediation in Sports Disputes: Lessons from the UK’ (*LS LawInSport*, 4 July 2013) <https://www.lawinsport.com/topics/regulation-a-governance/item/mediation-in-sports-disputes-lessons-from-the-uk> accessed 25 September 2025.

2 Paul Denis Godin, ‘Sport Mediation: Mediating High-Performance Sports Disputes’ (2017) 33(1) *Negotiation Journal* 25. doi:10.1111/nejo.12172.

- *Commercial disputes*: related to broadcasting, merchandising, and intellectual property;
- *Organisational disputes*: between clubs, federations, or between athletes and their governing bodies;
- *Eligibility disputes*: Team selection disputes, e.g. one or more athletes claiming they were wrongly excluded from a national team, as in the case of *Sieracki and Lindland v. America Wrestling Association*.³

In the context of this classification, it is important to clarify the distinction between contractual and commercial disputes, as they arise from different legal relationships within the sports industry. Contractual disputes concern obligations deriving directly from sports-specific agreements, such as employment contracts between players and clubs, representation agreements with agents, or transfer and training compensation arrangements between clubs. These disputes are inherently tied to the internal regulatory framework of sport and are, therefore, typically resolved through specialised mechanisms such as the Court of Arbitration for Sport (CAS), the FIFA Dispute Resolution Chamber, or national federation bodies. By contrast, commercial disputes arise from the broader economic activity surrounding sport, including sponsorship agreements, broadcasting rights, merchandising contracts, infrastructure services, and other business transactions. These disputes involve commercial actors operating in the general marketplace and are more likely to be governed by ordinary commercial law and resolved in general commercial arbitration or in civil courts. Recognising this distinction is essential, as it determines the applicable legal framework and identifies the competent forum for dispute resolution.

Given the specific nature and supranational context of sports relationships, traditional court proceedings are often not optimal for resolving sports disputes. The main mechanisms for resolving sports disputes include:

1. Arbitration is the most common method for resolving sports disputes, especially those of an international nature. Disputes are typically referred to arbitration tribunals, such as the Court of Arbitration for Sport (CAS), or to external committees of national or international federations, such as the FIFA Dispute Resolution Chamber or the Players' Status Committee.⁴ The advantages of arbitration include confidentiality, arbitrators' expertise in sports law, and the potential for faster resolution than in public courts. However, arbitration can still be time-consuming and costly, and the process is decided by a third party, which may not always be satisfactory to all stakeholders.

3 Review of the case *Sieracki and Lindland v. America Wrestling Association*, see: Jay E Grening, 'Arbitration of Olympic Eligibility Disputes: Fair Play and the Right to be Heard' (2001) 12(1) *Marquette Sports Law Review* 261.

4 Volker Hesse, 'Is Mediation Suitable to Resolve Sports Related Disputes?' (*LS LawInSport*, 5 November 2014) <https://www.lawinsport.com/topics/item/is-mediation-a-suitable-to-resolve-sports-related-disputes> accessed 25 September 2025.

2. Alternative Dispute Resolution (ADR), including mediation and negotiation, is increasingly used in sports to achieve peaceful, fast, and confidential resolutions. Mediation, in particular, facilitates dialogue between parties and seeks mutually acceptable solutions, creating preconditions for ongoing cooperation or competition. Unlike litigation or arbitration, mediation does not directly address jurisdiction or applicable law: it focuses instead on the parties' interests.

The use of ADR in sports is supported by international and national sports organisations, with some, such as National Olympic Committees and sports arbitration courts, successfully implementing mediation processes. ADR methods are often preferred for their potential to yield amicable, non-aggressive, and confidential outcomes, particularly valued in the sports industry.⁵

3. While *public courts* remain an option, they are generally considered less suitable for sports disputes due to issues such as: jurisdictional complexities, especially in international disputes; application of foreign laws if parties have not agreed on applicable law; high costs, publicity, and uncertainty of outcomes; and the supranational nature of many sporting competitions (Regulation (EC) No. 593/2008; Regulation (EU) No. 1215/2012).⁶

The international sports community, reflecting former IOC President Juan Antonio Samaranch's appeal to resolve disputes "within the family of sport", regards arbitration before CAS as the most appropriate and effective mechanism for settling sports-related disputes.⁷

At the national level, approaches to regulating sports disputes vary significantly across Eastern Europe. In Latvia, the regulatory framework remains underdeveloped. Latvian legislation does not define the concept of a *sports dispute*, nor does the Sports Law provide dedicated procedures for their resolution, apart from doping-related matters. Although certain sports federations, most notably the football federation, maintain internal dispute-resolution mechanisms within their organisational statutes, a systematic examination of those internal procedures and their jurisprudence is beyond the scope of this article. The absence of a clear statutory definition and a unified domestic system for adjudicating sports disputes continues to hinder the coherent development of Latvian sports law. Introducing a legally grounded concept of "sports dispute" and establishing specialised domestic adjudicatory bodies would enhance legal certainty, support institutional capacity-building, and align national practice with EU good-governance standards.

5 Ian Blackshaw, *Mediating Sports Disputes: National and International Perspectives* (ASSER International Sports Law Series, Springer 2002).

6 Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the Law Applicable to Contractual Obligations (Rome I) [2008] OJ L 177/6; Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters [2012] OJ L 351/1.

7 Ian Blackshaw, 'Introductory Remarks' in Alexander Wild (ed), *CAS and Football: Landmark Cases* (ASSER International Sports Law Series, Springer 2011). doi:10.1007/978-90-6704-808-8_2.

By contrast, Ukraine operates a more structured and multilayered system for sports dispute resolution. Ukrainian law combines the jurisdiction of internal federation bodies with the functions of the national Court of Arbitration for Sport at the National Olympic Committee, although this institution does not yet operate at full capacity, and preserves the possibility of review by state courts in contractual, labour, and civil matters. Doping cases are handled by the National Anti-Doping Center, with further appeals to CAS. While Ukraine does not have a single codified “Sports Disputes Act”, its legal framework is comparatively more developed, institutionally embedded, and aligned with international standards. Together, these national contexts provide an essential backdrop for understanding how football-related disputes from Latvia and Ukraine escalate to CAS and how *lex sportiva* interacts with uneven domestic legal infrastructures in the region.

This article examines the sports disputes and their legal challenges confronting football clubs in Eastern Europe, particularly in Latvia and Ukraine, with attention to recent *lex sportiva* from the CAS and the Swiss Federal Tribunal (SFT).

Lex sportiva, being the evolving body of legal principles and jurisprudence governing international sports, is shaped by the CAS and global sports institutions. It addresses issues such as doping, athlete-federation disputes, and regulatory enforcement. Combining elements of international and domestic law, *lex sportiva* serves as a transnational legal order imposing binding norms on the global sports community, particularly within the Olympic movement.⁸

To contextualise the analysis, it is worth noting that the Ukrainian Premier Liga - home to reigning champion Dynamo Kyiv and comprising sixteen teams, has a total market value of approximately €414.80 million as of the 2025 season (Transfermarkt, data on Premier Liga, 2025).⁹ In comparison, Latvia's top-tier league, the Virslīga, featuring ten clubs including reigning champion FK RFS, has a total market value of €49.20 million (Transfermarkt, data on Virslīga, 2025).¹⁰ Clubs across the region, especially in the Baltic states, must operate within a complex legal environment shaped by supranational regulations, financial volatility, and evolving models of sports governance. Within this framework, legal disputes involving clubs, national federations, and international governing bodies have become not only common but increasingly consequential, exposing deeper structural issues in the regional football ecosystem. Ukrainian football, in turn, is also compelled to operate under challenging geopolitical circumstances due to the ongoing war within the country.

8 Marina Kamenecka-Usova and others, 'Research Patterns in Sports Law and Sports Governance: A Scopus Bibliometric Study' (2025) 7 *Frontiers in Sports and Active Living* 1590858. doi:10.3389/fspor.2025.159085.

9 'Premier Liga: Ukraine' (Transfermarkt, 2025) <https://www.transfermarkt.com/premierliga/startseite/wettbewerb/UKR1> accessed 25 September 2025.

10 'Virslīga: Latvia' (Transfermarkt, 2025) <https://www.transfermarkt.com/virsliga/startseite/wettbewerb/LET1> accessed 25 September 2025.

By analysing cases involving Latvian and Ukrainian clubs, as well as landmark decisions such as Webster,¹¹ Matuzalem,¹² and Olympique Lyonnais,¹³ the article aims to identify procedural and substantive patterns in dispute resolution. Comparative elements with clubs from other jurisdictions are also explored to contextualise the unique issues faced by Eastern European football. The findings highlight recurring themes such as football reaction to geopolitics, financial instability, contractual non-compliance, and the importance of procedural fairness, which are discussed in detail in the subsequent chapters. The article further examines the precedential value of these cases for sports law in the region, with particular attention to player mobility, youth development funding, and the enforcement of financial obligations.

2 METHODOLOGY

This research adopts a qualitative, case-law-based approach to examine legal challenges in Eastern European football, with a particular focus on recent decisions by the CAS and the SFT. The methodology consists of the following key steps:

Document Analysis: The study systematically reviews CAS case law, SFT decisions, and FIFA regulatory documents, with a focus on disputes involving Latvian clubs (Valmiera FC and FK Liepāja) and Ukrainian clubs (Tymoshchuk, Karpaty, and Durai cases), as well as comparative cases from other jurisdictions.

Comparative Case Study: Cases are selected based on their relevance to key legal issues in Eastern European football, such as contractual compliance, licensing, procedural fairness, and financial obligations. Landmark cases (e.g., Webster, Matuzalem, Olympique Lyonnais) are included to provide a broader context and highlight precedential trends.

Thematic Analysis: Legal questions, procedural and substantive challenges, and outcomes are identified and categorised. Patterns and recurring themes, such as financial instability, regulatory enforcement, and the role of arbitration, are extracted from the case summaries and judicial reasoning.

Comparative Evaluation: Some cases are compared with similar disputes from other countries, as reported in CAS Quarterly Reports and SFT judgments, to highlight both

11 CAS 2007/A/1298 *Wigan Athletic FC v Heart of Midlothian*, and CAS 2007/A/1299 *Heart of Midlothian v Webster & Wigan Athletic FC*, and CAS 2007/A/1300 *Webster v Heart of Midlothian* (Court of Arbitration for Sport, 24 July 2007).

12 CAS 2008/A/1519 *FC Shakhtar Donetsk (Ukraine) v Mr Matuzalem Francelino da Silva (Brazil) & Real Zaragoza SAD (Spain) & FIFA*, and CAS 2008/A/1520 *Mr Matuzalem Francelino da Silva & Real Zaragoza SAD v FC Shakhtar Donetsk & FIFA* (Court of Arbitration for Sport, 19 May 2009).

13 CAS 2015/A/4137 *Olympique Lyonnais v AS Roma, Arbitration* (Court of Arbitration for Sport, 16 November 2015).

unique and common issues. This comparative perspective is used to assess the alignment of Eastern European practice with broader international trends.

Synthesis and Discussion: The findings are combined to draw conclusions about the implications of recent case law for sports law and governance in Eastern Europe, paying particular attention to procedural safeguards, contractual stability, and the redistribution of financial resources.

Data sources include CAS and SFT case reports, FIFA annual and quarterly reports, relevant academic literature, and regulatory texts. The research is primarily doctrinal, relying on legal analysis and interpretation, but is informed by empirical data on club histories and outcomes where relevant.

Within this methodological framework, the study intentionally confines its analytical focus to the jurisprudence of CAS and related decisions of the SFT, as these bodies constitute the primary generators of *lex sportiva* applicable to Eastern European football. Although sports disputes are also adjudicated within the internal regulatory structures of FIFA, UEFA and national federations, a systematic examination of those institutional processes and their full corpus of organisational acts falls outside the scope of this article. This limitation reflects the study's design, which prioritises supranational arbitral reasoning to identify doctrinal trends and interpretive patterns, while recognising that a comprehensive assessment of national-level adjudication and federation-specific procedures would require a separate and more extensive inquiry.

Accordingly, Section 3 incorporates selected landmark CAS cases because, as elements of *lex sportiva*, they form part of the transnational doctrinal framework that guides the interpretation of disputes occurring in Latvia and Ukraine, even though they are not formally integrated into national legislation.

3 ANALYSIS OF RECENT CAS AND SFT CASES INVOLVING LATVIAN CLUBS

This section examines key arbitration and judicial proceedings involving Latvian football clubs that have shaped the application of *lex sportiva* in the region, with particular focus on *Valmiera FC v. Latvian Football Federation* (CAS 2024/A/10627) and *FK Liepāja v. FIFA / SFT*. These cases, summarised in FIFA's Quarterly CAS Report (January - March 2025),¹⁴ illustrate how the principles of procedural fairness, contractual compliance, and institutional deference are interpreted by the Court of Arbitration for Sport (CAS) and the Swiss Federal Tribunal (SFT) in the context of Eastern European football governance.

14 FIFA, 'Quarterly Report on CAS Football Awards' (*Inside FIFA*, January - March 2025) <https://inside.fifa.com/legal/court-of-arbitration-for-sport/reports> accessed 25 September 2025.

3.1. CAS 2024/A/10627 Valmiera FC v. Latvian Football Federation

Valmiera FC, established in 1996 as Valmieras FK, is a Latvian football club based in Valmiera. It succeeded FK Gauja (1978–1993), the Soviet-era Latvian champions in 1990. The club initially competed in the Latvian First League before earning promotion to the Virslīga, Latvia's top division. Rebranded as Valmiera Glass/VIA in 2016 and later as Valmiera FC in 2020, the club experienced steady growth under head coach Tamaz Pertia. In 2022, Valmiera FC captured its first Latvian Higher League title, marking a historic milestone. The club has also participated in UEFA competitions, including the Europa League and the Conference League qualifiers. Despite these sporting achievements, financial instability emerged in 2025, leading to the loss of its Virslīga licence and relegation to the third tier. Valmiera FC is widely recognised for its strong youth development system and its contributions to the Latvian national team.¹⁵

Among the recent Latvian cases examined, the first - *Valmiera FC v. Latvian Football Federation* (CAS 2024/A/10627)¹⁶ arose when Valmiera FC appealed a decision by the Latvian Football Federation (LFF), challenging a licensing or eligibility ruling related to domestic competitions. The central legal issue was whether the LFF had correctly applied its licensing or registration regulations and respected the club's procedural rights during disciplinary or administrative proceedings.

This case illustrates how *lex sportiva* principles, as defined by CAS jurisprudence, are being operationalised within the unique financial and governance environment of Eastern European football. Specifically, it highlights the intersection between supranational legal norms and local regulatory enforcement discussed earlier.

The CAS panel dismissed Valmiera's appeal, upholding the decision of the Latvian Football Federation. This case is particularly noteworthy for illustrating CAS's approach to reviewing decisions of national associations and the degree of deference it grants to domestic regulatory frameworks, especially in when a national club escalates a local dispute to international arbitration.

3.2. The FK Liepāja cases SFT 4A_608/2024, SFT 4A_612/2024, and SFT 4A_614/2024

Founded in 2014 following the dissolution of FK Liepājas Metalurgs, FK Liepāja is a professional football club based in Liepāja, Latvia. The club quickly established itself in the Virslīga, winning the Latvian championship in 2015 and claiming the Latvian Football Cup in 2017 and 2020. Home matches are played at Daugava Stadium, reflecting the club's strong local support base. FK Liepāja has remained consistently competitive in domestic

15 *Valmiera FC* <https://valmierafc.com/lv> accessed 25 September 2025.

16 CAS 2024/A/10627 *Valmiera FC v Latvian Football Federation (LFF)* (Court of Arbitration for Sport, 3 March 2025).

competitions and has qualified for UEFA competitions.¹⁷ However, the club has recently faced legal challenges, including multiple appeals to SFT in 2025 concerning disciplinary sanctions imposed by FIFA. These disputes reflect broader issues surrounding contractual compliance and regulatory enforcement in Eastern European football. FK Liepāja continues to play a significant role in Latvian football, not only for its rapid sporting achievements but also for its involvement in legal precedents that contribute to the professionalisation of the regional football landscape.

Between January and March 2025, the Swiss Federal Tribunal ruled on three separate, but closely related, appeals filed by FK Liepāja against FIFA and CAS.¹⁸ Each case arose from disciplinary actions by FIFA against FK Liepāja for failing to pay overdue sums owed to players or other parties under contractual agreements. FIFA imposed sanctions following its non-compliance with financial obligations under FIFA Regulations on the Status and Transfer of Players (RSTP). The core legal question in each appeal was whether the CAS panels had violated procedural rights or Swiss public policy, grounds that represent the only basis for a successful appeal before the SFT in CAS-related matters.

In all three decisions, the Swiss Federal Tribunal dismissed FK Liepāja's appeals, confirming that the CAS decisions were procedurally sound and that FIFA had acted within its regulatory authority. The Tribunal concluded that none of the CAS awards violated Swiss public policy or breached due process under Swiss law, which governs CAS arbitration proceedings.

These cases are notable as the repetition of identical appeals by the same club highlights a pattern of regulatory non-compliance by FK Liepāja, potentially indicative of deeper financial instability within the club's operations.

3.3. Comparative and Doctrinal Observations

Taken together, the Valmiera FC and FK Liepāja proceedings illustrate how CAS and the STF balance respect for domestic regulatory autonomy with the need to safeguard due process guarantees under *lex sportiva* and Swiss arbitral law. Both sets of disputes confirm that while Latvian football bodies exercise primary jurisdiction over licensing and disciplinary matters, their decisions remain subject to procedural scrutiny within the international arbitration framework.

A consistent judicial pattern emerges. First, clubs rarely succeed in appeals that merely contest the substantive assessment of domestic regulations, whether relating to licensing, eligibility, or contractual compliance. Second, both CAS and SFT display marked reluctance to intervene unless a breach of fundamental procedural guarantees (impartiality, the right

17 FK Liepāja <https://fkliepaja.lv/lv> accessed 25 September 2025.

18 SFT 4A_608/2024, SFT 4A_612/2024, and SFT 4A_614/2024 *FK Liepāja v Fédération Internationale de Football Association (FIFA)* (Swiss Federal Supreme Court, 22 January 2025).

to be heard, or proportionality) is clearly established. Third, the repeated litigation by FK Liepāja highlights the structural vulnerability of financially unstable clubs, where regulatory non-compliance often recurs despite prior sanctions, revealing systemic weaknesses in national-level enforcement.

These outcomes collectively demonstrate the interaction between domestic self-governance and supranational oversight in football regulation. CAS jurisprudence affirms that national federations retain broad discretion in implementing FIFA and UEFA frameworks, yet that discretion derives legitimacy only through consistent adherence to procedural fairness. In Latvia's case, the decisions underscore a maturing yet still fragile legal ecosystem, in which institutional capacity, transparency in licensing decisions, and financial discipline remain central to aligning national practice with international standards.

Viewed in a broader Eastern European context, the issues in the Latvian cases are also evident in Ukraine. The same judicial logic, deference coupled with procedural oversight, reappears in CAS rulings involving Ukrainian clubs, suggesting a region-wide trend toward formal alignment with *lex sportiva* but uneven domestic implementation.

Comparative elements with other clubs from the same report:¹⁹

The case, CAS 2024/A/10627 *Valmiera FC v Latvian Football Federation*²⁰, can be compared with other CAS football-licensing disputes in which clubs challenged national federation decisions. For instance, CAS has repeatedly dismissed challenges to federations' regulatory autonomy, underscoring that procedural fairness does not necessarily require overturning licensing or eligibility decisions absent manifest procedural violations.²¹ This reflects a broader trend in CAS jurisprudence in which clubs frequently dispute administrative decisions but rarely succeed unless they identify significant procedural irregularities, reinforcing federations' discretion in domestic regulatory matters.

Similarly, FK Liepāja's CAS-related appeals to the SFT (SFT 4A_608/2024, SFT 4A_612/2024, SFT 4A_614/2024) may be compared to cases such as CAS 2019/A/6345 *Club Raja Casablanca v. Fédération Internationale de Football Association (FIFA)*²² and CAS 2017/A/5312 *José Carlos Ferreira Alves v. Al Ahli Saudi Club*.²³ In each instance, the clubs were sanctioned by FIFA for non-payment of financial obligations and later contested the procedural validity of the CAS decisions at the Swiss Federal Tribunal.

19 FIFA (n 14).

20 CAS 2024/A/10627 (n 16).

21 Madalina Diaconu, Surbhi Kuwelkar and André Kuhn, 'The Court of Arbitration for Sport Jurisprudence on Match-Fixing: A Legal Update' (2021) 21 *The International Sports Law Journal* 33-6. doi.org/10.1007/s40318-021-00181-3.

22 CAS 2019/A/6345 *Club Raja Casablanca v Fédération Internationale de Football Association (FIFA)* (Court of Arbitration for Sport, 16 December 2019).

23 CAS 2017/A/5312 *José Carlos Ferreira Alves v Al Ahli Saudi Club* (Court of Arbitration for Sport, 23 April 2018).

The Swiss Federal Tribunal rejected the appeals in all these cases, reaffirming the authority of CAS and the legitimacy of FIFA's disciplinary mechanisms. A clear judicial pattern emerges. Clubs that default on their financial obligations often pursue procedural appeals but rarely succeed unless they can demonstrate a violation of fundamental rights.

While the report in question does not explicitly list examples of successful appeals on these grounds, earlier decisions illustrate the rare circumstances in which appeals have been upheld. These include serious breaches such as denial of the right to be heard, conflicts of interest in tribunal composition, or enforcement of contracts in violation of national or EU public policy.

4 ANALYSIS OF RECENT CAS CASES INVOLVING UKRAINIAN CLUBS AND PLAYERS

This section examines the growing body of *lex sportiva* arising from disputes involving Ukrainian football stakeholders since 2022. Against the backdrop of ongoing institutional and political instability, several recent CAS awards demonstrate how the principles of legality, proportionality, and contractual continuity are applied in the region. Three cases, *Anatoliy Tymoshchuk v. Ukrainian Association of Football (UAF)*, *Karpaty FC v. UAF and FIFA*, and *Durai v. Karpaty FC*, highlight distinct but interrelated governance challenges: disciplinary autonomy, recognition of sporting succession, and evidentiary standards.

4.1. CAS 2023/A/9443 *Anatoliy Tymoshchuk v. Ukrainian Association of Football (UAF)*²⁴

In the case CAS 2023/A/9443, Anatoliy Tymoshchuk challenged the Ukrainian Association of Football's (UAF) decision to revoke his coaching licence, strip his national titles, and impose a lifetime ban from football-related activities in Ukraine. The sanctions followed his continued work with Russian club Zenit St. Petersburg and his failure to publicly condemn Russia's invasion of Ukraine.

The dispute centred on the legality and procedural validity of UAF's actions, the existence of any legal link between Tymoshchuk and UAF at the time, and the legitimacy of retroactively withdrawing titles earned years earlier. CAS examined whether UAF had acted within its authority and complied with procedural and legal standards under Ukrainian and international sports law.

CAS found that by March 2022, Tymoshchuk had no contractual or regulatory relationship with UAF and holding a UEFA Pro coaching licence did not create a sufficient legal link to justify sanctions. It further ruled that the revocation of titles earned through sporting merit was unlawful, as there were no allegations of misconduct tied to their award.

24 CAS 2023/A/9443 *Anatoliy Tymoshchuk v. Ukrainian Association of Football (UAF)* (Court of Arbitration for Sport, 18 November 2024).

Adopting a strict legal approach, CAS concluded that moral or political expectations, such as the duty to condemn Russia's actions, could not serve as a disciplinary basis in the absence of explicit legal provisions. The panel also found no evidence that Tymoshchuk's conduct had caused reputational harm to Ukrainian football under the applicable rules.

On 18th of November 2024, CAS annulled all sanctions, reinstating Tymoshchuk's licence and honours. The tribunal reminded federations that disciplinary measures must be grounded in codified law and due process, rather than in moral outrage or public pressure. Though UAF publicly rejected the ruling, it remains binding under international sports law.

CAS 2023/A/9443 stands as a pivotal affirmation of the rule of law in sports governance, demonstrating that even amid political upheaval, formal legal principles must prevail over emotional or symbolic considerations.

4.2. CAS 2023/A/10091 Karpaty FC LLC v FIFA & HNK Cibalia Vinkovci & FC Karpaty Halych²⁵

On 17th of May 2023, the FIFA Dispute Resolution Chamber made a decision ordering CPF Karpaty Ltd to pay EUR 48,986 in training compensation to HNK Cibalia Vinkovci. Upon non-payment, and at the request of HNK Cibalia, FIFA imposed a player registration ban on Karpaty FC LLC, a successor entity that had assumed the sporting identity of the original club. On 31 October 2023, Karpaty filed a Statement of Appeal with the CAS in accordance with Articles R47 and R48 of the CAS Code of Sports-related Arbitration against the Respondents. HNK Cibalia.

The principal issues examined by the CAS were:

- whether Karpaty FC LLC constitutes the sporting successor of CPF Karpaty Ltd, thus inheriting its financial obligations; and
- whether the registration ban imposed by FIFA on that successor entity was lawful under the FIFA Disciplinary Code and proportionate as a sanction for non-payment.

The CAS unanimously concluded that Karpaty FC LLC is indeed the sporting successor of CPF Karpaty Ltd. This determination was grounded in the continuation of identity, operational structure, branding, and integration into the relevant football infrastructure, even though legal restructuring had occurred. As such, Karpaty FC LLC was held liable for the outstanding training compensation debt of EUR 48,986 owed to HNK Cibalia. Regarding the FIFA registration ban, the CAS upheld it as both lawful and proportionate, affirming that FIFA's enforcement measures comply with the Disciplinary Code and are justified where a successor entity fails to satisfy inherited debts. The award confirmed Karpaty FC LLC's obligation to reimburse EUR 48,986 to HNK Cibalia Vinkovci. It also endorsed the validity of FIFA's preventive enforcement mechanism, namely the registration ban.

25 CAS 2023/A/10091 *Karpaty FC LLC v FIFA & HNK Cibalia Vinkovci & FC Karpaty Halych* (Court of Arbitration for Sport, 27 March 2025).

In sum, CAS 2023/A/10091 affirms that sports governing bodies and arbitrators will look beyond legal formalities to the continuity of sporting operation and identity when assigning responsibility for financial obligations. This decision reinforces a key jurisprudential principle: sporting succession is determined by substantive continuity of sporting identity, not merely by formal corporate reorganisations. Consequently, newly structured entities may assume predecessor liabilities even when legal formalities have changed. The case thus contributes significantly to CAS jurisprudence on sporting succession within FIFA's regulatory framework.

4.3. CAS 2021/A/7866 *Taras Durai v. Ukrainian Association of Football*²⁶

The case CAS 2021/A/7866 concerned Ukrainian footballer Taras Durai, who appealed a three-year ban imposed by the Ukrainian Association of Football (UAF) for alleged involvement in match-fixing while playing for FC Sumy. The case raised key issues regarding the evidentiary threshold in integrity-related cases, respect for due process, and the proportionality of disciplinary sanctions.

The UAF's Control and Disciplinary Committee found Durai guilty based on circumstantial evidence arising from an internal investigation into FC Sumy, a club suspected of systematic manipulation. Although no direct proof was presented, the UAF relied on behavioural and contextual indicators to conclude that there had been a breach of integrity provisions, a decision later upheld by its Appeals Committee.

Before CAS, Durai argued that the evidence was insufficient to meet the required standard of proof and that procedural guarantees, such as proper notice, the right to be heard, and impartial adjudication, had been violated.

The CAS panel, chaired by Espen Auber, applied the "comfortable satisfaction" standard of proof, confirming that circumstantial evidence could meet this threshold in integrity cases. CAS ruled that the UAF's process respected minimum due process standards and that the three-year sanction was proportionate given the seriousness of the offence and the need to protect the integrity of competition. Consequently, the appeal was dismissed, and the ban was upheld.

The decision reflects CAS's consistent stance in supporting governing bodies' efforts against corruption and match-fixing, recognising that indirect evidence can suffice if it convincingly demonstrates misconduct. It also emphasises players' personal responsibility to avoid and report manipulation.

In sum, CAS 2021/A/7866 reinforces the principle that safeguarding sporting integrity justifies firm disciplinary action based on well-substantiated circumstantial evidence, provided procedural fairness is duly observed.

26 CAS 2021/A/7866 *Taras Durai v Ukrainian Association of Football* (Court of Arbitration for Sport, 18 April 2023).

4.4. Comparative and Doctrinal Observations

The trilogy of recent CAS cases involving Ukrainian football stakeholders reveals a significant evolution in the regional *lex sportiva*, demonstrating how international sports law principles operate amid national instability and geopolitical disruption. Collectively, these decisions illuminate a core doctrinal tension between the autonomy of sports governance and the constraints of legality, procedural fairness, and proportionality that underpin the global regulatory framework.

In *Tymoshchuk v. UAF*, CAS reaffirmed that disciplinary autonomy cannot extend beyond the written law. The tribunal's approach demonstrates that, even in extraordinary moral or political circumstances, sanctions must rest on clear normative foundations rather than on ethical expectations or public sentiment. This judgment reinforces the centrality of the principle of legality (*nulla poena sine lege*) within sports disciplinary proceedings. It also underscores that due process is not merely a procedural formality but a structural safeguard against the instrumentalisation of sport for political purposes.

By contrast, *Karpaty FC LLC v. FIFA & others* illustrates how CAS relies on substantive continuity and economic reality to define obligations under the concept of sporting succession. The decision reflects a functionalist interpretation of sporting identity: formal corporate separation cannot be used to evade liabilities that persist through organisational or commercial continuity. In this sense, the award contributes to the consolidation of CAS jurisprudence treating football clubs as socio-economic entities bound by their sporting lineage rather than merely by legal incorporation.

Meanwhile, *Durai v. UAF* reaffirms the legitimacy of robust disciplinary enforcement when grounded in adequate evidence and procedural fairness. The tribunal's deference to the national association's findings, while confirming that the evidentiary standard of "comfortable satisfaction" was met, illustrates CAS's dual commitment to fighting corruption in sport and preserving procedural balance between national autonomy and international oversight.

Taken together, these awards illustrate how CAS jurisprudence continues to mediate between federative sovereignty and universal legal standards, ensuring that national associations remain both autonomous and accountable. In the Ukrainian context, they demonstrate that the resilience of sports law lies not in political conformity but in its fidelity to principles of legality, fairness, and institutional continuity, even amidst war and structural uncertainty.

All the above cases highlight several challenges that are particularly relevant to Ukrainian football governance and its interaction with international legal standards. First, there is a clear tension between the federations' practical need to protect the integrity of football and the legal obligation to act strictly within the limits of due process and clearly defined rules. The case of Anatoliy Tymoshchuk vividly illustrates the tension between the practical need

of sports federations to uphold the moral and reputational integrity of sport and the fundamental legal requirement that any disciplinary measures be implemented in strict accordance with procedural due process and clearly articulated legal bases. While the UAF sought to defend national values and public sentiment in a time of war, the CAS emphasised that even in exceptional circumstances, moral or political imperatives cannot override codified legal norms. This decision thus reaffirms that the legitimacy of sports governance depends on adherence to law, not on the intensity of public emotion. Second, Ukrainian clubs and institutions frequently face challenges related to financial instability and organisational restructuring, which, in turn, raise complex questions of succession, continuity, and liability. Third, while CAS is willing to afford deference to domestic disciplinary bodies in matters of integrity and anti-corruption, it will intervene where jurisdictional overreach or evidentiary insufficiency is evident. Therefore, the CAS decisions involving Ukrainian football actors underscore the importance of regulatory clarity, procedural rigor, and legal consistency in sports governance. For Ukrainian football institutions, these cases offer both cautionary lessons and potential guidance: the need to align disciplinary procedures with international standards, to document and legally insulate club restructuring processes, and to ensure that any exercise of regulatory authority is both substantively justified and procedurally sound.

A summary of the main legal outcomes and implications discussed above is provided in Table 1.

Table 1. A summary of the main legal outcomes and implications discussed above

Case / Club	Country	Legal Issue Type	Outcome (CAS/SFT)	Key Implications
<i>Valmiera FC v. LFF</i> (CAS 2024/A/10627)	Latvia	Licensing, Procedural Fairness	Appeal dismissed; LFF decision upheld	CAS deference to national federations; importance of procedural compliance
<i>FK Liepāja v. FIFA</i> (SFT 4A_608/2024, etc.)	Latvia	Contractual Non-Compliance	SFT dismissed all appeals	Repeated non-compliance leads to sanctions; SFT limits review to procedural grounds
<i>Tymoshchuk v. UAF</i> (CAS 2023/A/9443)	Ukraine	Federation Sanction, Reputational Grounds	Appeal upheld; sanctions annulled	National federations must act within legal competence; symbolic sanctions scrutinized

Case / Club	Country	Legal Issue Type	Outcome (CAS/SFT)	Key Implications
<i>Karpaty FC LLC v. FIFA</i> (CAS 2023/A/10091)	Ukraine	Sporting Succession, Financial Liability	Appeal dismissed; successor held liable	Corporate restructuring does not shield from liabilities; FIFA enforcement validated
<i>Durai v. UAF</i> (CAS 2021/A/7866)	Ukraine	Match-Fixing Allegations	Appeal dismissed; 3-year ban upheld	CAS accepts circumstantial evidence under “comfortable satisfaction” standard

5 LANDMARK CAS CASES: BROADER COMPARATIVE CONTEXT

Several landmark cases have significantly influenced CAS jurisprudence and shaped the application of legal principles in international football. By examining these cases within a broader context, one can discern key turning points and the evolving balance between players’ rights and contractual stability.

The first case to highlight is the Webster Case (CAS 2007/A/1298 *Webster v. Heart of Midlothian*).²⁷ In 2006, one year before the end of his contract with Heart of Midlothian, Andy Webster unilaterally terminated his agreement to join Wigan Athletic. He did so by invoking Article 17 of FIFA’s Regulations on the Status and Transfer of Players (RSTP), which allows termination after the “protected period,” if compensation is paid.

Previously, players required the club’s permission to leave before their contracts expired. The *Webster* ruling introduced a limited right of unilateral termination, giving players a mechanism akin to “buying out” their contract balance. CAS held that Webster was entitled to terminate the agreement and set compensation at approximately £150,000, based on his remaining wages.

This case became a landmark, affirming the enforceability of Article 17 and enhancing players’ freedom of movement. It also led to the informal term “Webster clause,” widely interpreted by clubs, agents, and lawyers as a strategic tool for mid-contract transfers without club consent.

Over time, subsequent rulings clarified and refined the scope of Article 17. Higher compensation obligations were imposed on elite players, helping limit the fear of widespread contract buyouts. Still, *Webster* marked a shift in jurisprudence by empowering players and opening the door to greater contractual autonomy within professional football.

²⁷ CAS 2007/A/1298 (n 11).

Another pivotal case is the Matuzalem Case (CAS 2008/A/1519 *Shakhtar Donetsk v. Matuzalem & Real Zaragoza*).²⁸ In 2007, Matuzalem unilaterally terminated his contract with Shakhtar Donetsk to join Real Zaragoza, also invoking Article 17 RSTP. Shakhtar demanded €25 million in compensation, citing a buy-out clause, while Zaragoza contended the compensation should be limited. CAS awarded Shakhtar €11.8 million, far exceeding Webster's amount, basing the award on the player's market value, wages, and the club's financial loss. After both Matuzalem and Zaragoza failed to pay, FIFA imposed a global playing ban. Matuzalem appealed to the Swiss Federal Tribunal (SFT), which annulled the ban in Decision 4A_558/2011,²⁹ ruling that it was disproportionate and contrary to Swiss public policy, as it effectively destroyed his ability to work.

This case refined the interpretation of Article 17 by rejecting a purely salary-based formula and incorporating broader market considerations. Importantly, the SFT set boundaries on the severity of sporting sanctions, emphasising the need to respect fundamental employment rights. The *Matuzalem* ruling also addressed concerns raised post-*Webster*, ensuring that the right to unilateral termination would not destabilise contractual relationships across the football industry.

The final case worth noting within the scope of this article is the Olympique Lyonnais Case (CAS 2015/A/4137 *Olympique Lyonnais v AS Roma*, Arbitration).³⁰ This dispute centred on FIFA's solidarity mechanism, which mandates that 5% of any international transfer fee be distributed to clubs that trained a player between the ages of 12 and 23. Olympique Lyonnais challenged the regulation, arguing it infringed on their property rights and contractual freedom.

CAS dismissed the appeal on three grounds:

1. The solidarity mechanism was valid under FIFA regulations.
2. It served as a legitimate measure to support grassroots and youth development.
3. It did not violate public policy or interfere with contractual autonomy.

This case confirmed the legality and enforceability of solidarity contributions, which remain a cornerstone of global football financing. By ensuring that training clubs receive a share of transfer fees, the ruling reinforced incentives to invest in youth development and safeguarded financial redistribution within the football ecosystem.

28 CAS 2008/A/1519 (n 12).

29 SFT 4A_558/2011 *Francelino da Silva Matuzalem and Real Saragossa v FIFA* (Swiss Federal Tribunal, March 27, 2012).

30 CAS 2015/A/4137 (n 13).

6 DISCUSSION

Precedential value and relevance to Eastern European sports law

The cases discussed above serve as important reference points for understanding the persistent legal challenges that Eastern European states encounter in sports governance. Their precedential value lies less in their factual detail, examined in the previous sections, and more in the structural principles they reinforce. For example, the Matuzalem case (CAS 2008/A/1519), long considered a defining interpretation of Article 17 of the FIFA RSTP, underscores that compensation after unilateral termination must reflect the economic reality of the transfer market and the actual loss suffered by the club. This approach remains particularly relevant in Eastern Europe, where clubs frequently operate under financial pressure and depend significantly on transfer-related income to sustain operations. As Antoine Duval notes, the reasoning in Matuzalem helped close several loopholes associated with mid-contract exits, a point that resonates with the needs of smaller and financially vulnerable leagues.³¹

Similarly, issues of overdue payables and inconsistent contractual compliance, illustrated in the Latvian disputes, align with the broader patterns identified in FIFA Annual Reports (2022–2024), which consistently single out the region for high rates of payment defaults. CAS jurisprudence reinforces that financial instability cannot justify departures from established obligations and that predictable enforcement is essential to the functioning of the football economy.

The importance of redistributive mechanisms is clear from jurisprudence on youth development funding. The Olympique Lyonnais case affirmed the legitimacy of solidarity contributions, a principle of particular significance for Eastern European clubs whose academies form the cornerstone of their sporting and financial models. By safeguarding training compensation and solidarity payments, CAS strengthens the financial ecosystem that supports youth development in underfunded contexts.³²

A further dimension concerns player mobility. The Webster case (CAS 2007/A/1298 *Webster v. Heart of Midlothian*), while often misunderstood, remains an essential precedent for balancing contractual stability with player autonomy. In markets where players are frequently tied to long-term contracts on modest wages, the affirmation of a limited right to terminate, subject to compensation, has meaningful implications for negotiating power and career progression.

31 Antoine Duval and Gianni Marino, 'Quantifying the Court of Arbitration for Sport' (*Asser International Sports Law Blog*, 23 May 2014) <https://www.asser.nl/SportsLaw/Blog/post/quantifying-the-court-of-arbitration-for-sport-by-antoine-duval-and-gianni-marino> accessed 25 September 2025.

32 Jakub Laskowski, 'Solidarity Compensation Framework in Football Revisited' (2019) 18 *The International Sports Law Journal* 150. doi:10.1007/s40318-018-0134-y.

When these strands are placed in dialogue, several thematic connections emerge. The jurisprudence surrounding contractual termination (Webster), financial obligations (FK Liepāja cases), and licensing disputes (CAS 2024/A/10627 *Valmiera FC v. LFF*) collectively illustrates the overarching principle of contractual stability that runs through FIFA's regulatory architecture. While these cases arise from different factual backgrounds, each reinforces the expectation that clubs must comply with clearly articulated obligations and that deviations must be justified through transparent procedures grounded in the rules.

Likewise, the comparison between Olympique Lyonnais and the Latvian cases highlights a shared emphasis on federations' discretion to enforce FIFA frameworks, especially where financial obligations serve broader redistributive and developmental functions. The FK Liepāja disputes illustrate the consequences of failing to meet these obligations, reinforcing that regulatory discretion operates within a system that prioritises economic fairness.

Finally, the contrasting treatment of appeals to the Swiss Federal Tribunal, annulled in Matuzalem but upheld in the FK Liepāja cases, demonstrates the narrow circumstances in which state courts will intervene. Both lines of jurisprudence affirm the centrality of proportionality, yet they also show that SFT intervention is reserved for exceptional breaches of fundamental rights or procedural standards. In the Liepāja appeals, the Tribunal confirmed that CAS decisions remain authoritative when due process is respected, even if the club's underlying financial situation is difficult.

Taken together, these precedents illuminate how *lex sportiva* interacts with the specific vulnerabilities of Eastern European football, shaping an increasingly coherent framework that reinforces contractual certainty, financial responsibility, and procedural legality across diverse national environments.

Ukrainian football clubs, like many in post-Soviet states, often face CAS disputes over financial fair play, player transfers, and contract breaches. A recurring pattern is clubs like Dynamo Kyiv or Shakhtar Donetsk grappling with unpaid wages or transfer fees, often due to economic instability in Ukraine, especially since the 2014 war with the Russian Federation. For instance, clubs have been sanctioned for failing to honour contracts with players or other clubs, leading to CAS appeals. The legal framework here hinges on FIFA's Regulations on the Status and Transfer of Players and UEFA's Financial Fair Play rules, which Ukrainian clubs struggle to comply with due to fluctuating budgets and currency devaluation. A key challenge is the clubs' limited financial transparency, which complicates proving compliance in CAS hearings. Many cases involve disputes over whether payments were made or whether clubs acted in good faith; CAS often rules against them when the documentation is shaky. Another issue is the jurisdictional overlap clash: Ukrainian law may conflict with FIFA or UEFA regulations, leaving clubs in a bind. For example, Shakhtar's disputes over player contracts post-2014 often cited force majeure due to the war, but CAS tends to uphold strict contractual obligations unless extraordinary evidence is provided. Patterns show that smaller clubs, like Metalist Kharkiv, face liquidation risks after losing

CAS cases because they lack the legal resources of bigger clubs. The appeal process is costly, and CAS's Swiss-based arbitration can feel inaccessible for Ukrainian entities navigating language and procedural barriers. Corruption allegations in Ukrainian football also muddy the waters, with some clubs accused of leveraging local influence to dodge accountability, only to be exposed in CAS's stricter legal environment. To sum up, Ukrainian clubs face a cycle of financial strain, regulatory non-compliance, and weak legal defences in CAS.

It should be noted that the most high-profile cases considered by the CAS after 2014, and even more so after the full-scale Russian invasion of Ukraine in 2022, are related directly or indirectly to the consequences of such an invasion. In particular, this applies to two of the three cases studied earlier in this research.

Regarding the Tymoshchuk case, CAS 2023/A/9443 (*Anatoliy Tymoshchuk v. Ukrainian Association of Football*), CAS was confronted with the UAF's attempt to extend its disciplinary jurisdiction to the conduct of a retired player, based on non-football-related public actions and statements concerning the Russian aggression against the player's home country that allegedly harmed the image of Ukrainian football. CAS annulled the sanctions, finding that the UAF had exceeded its legal competence and failed to demonstrate that the relevant disciplinary provisions applied to extraneous conduct or to individuals no longer under its regulatory reach. This decision not only clarified the limits of national federations' disciplinary authority but also underscored the need for a clear legal framework when imposing severe sanctions, especially those of a symbolic or reputational nature.

Against this broader backdrop, the case of FC Karpaty provides a concrete illustration of how wartime economic disruption has intensified the legal and organisational challenges facing Ukrainian clubs. Since the onset of Russian aggression in 2022, Ukrainian football has experienced a severe financial crisis: nearly twenty professional clubs have gone bankrupt or ceased operations, multiple stadiums and training facilities have been damaged, sponsorship and broadcasting income have collapsed, and many teams have been forced to reduce budgets, release players, or rely on irregular emergency funding. It is within this environment of systemic instability that the dispute examined in CAS 2023/A/10091 (*Karpaty FC LLC v FIFA & HNK Cibalia Vinkovci & FC Karpaty Halych*) arose. The case centred on issues of legal identity, financial continuity, and the application of the doctrine of sporting succession, as the newly registered Karpaty FC LLC sought to avoid its predecessor debts. CAS rejected this attempt, confirming that a club which continues the sporting identity, infrastructure, and operational functions of a defunct entity may be deemed its successor despite formal corporate restructuring. This ruling not only reflects established CAS jurisprudence but also highlights a recurring challenge for Ukrainian clubs seeking to reorganise amid acute financial distress. Karpaty's deteriorating financial condition is not an isolated incident but a representative example of the systemic pressures affecting Ukrainian football as a whole.

The third case examined in this article, involving a Ukrainian entity, concerns the issue of match-fixing in football. In the Durai case, CAS 2021/A/7866 (*Taras Durai v. Ukrainian Association of Football*), the UAF relied primarily on circumstantial evidence to sanction a player for alleged involvement in match-fixing, invoking the principle of integrity in sport. CAS upheld this approach, confirming that the "comfortable satisfaction" standard allows for a flexible evidentiary threshold when the integrity of the game is at stake. However, this position demands a high degree of procedural fairness, which the CAS found to be met in that instance.

7 CONCLUSION

Eastern European football operates within a fragmented yet evolving legal environment in which *lex sportiva* interacts with national regulations, with uneven institutional capacities. CAS jurisprudence plays a crucial harmonising role, however, persistent issues of financial instability, inconsistent enforcement, and procedural ambiguity, undermine predictability and fairness. The examined cases demonstrate both convergence with global sports law principles and the persistence of regional vulnerabilities rooted in governance, economics, and geopolitics. Strengthening procedural safeguards, ensuring financial compliance, and aligning domestic frameworks with CAS standards are essential to enhancing legal certainty and institutional credibility in the region's football governance.

To strengthen the legal and institutional coherence of Eastern European football governance, several complementary reforms are necessary. First, greater harmonisation should be pursued by aligning national federation regulations with the procedural standards established by CAS, UEFA, and FIFA, ensuring consistency in dispute resolution. Second, sustained capacity building through investment in legal education and specialised adjudicatory infrastructure is essential to professionalise national dispute resolution bodies. Third, enhanced financial oversight is required, with robust licensing and auditing mechanisms designed to prevent recurring cases of non-payment and insolvency. Transparency must also be prioritised by mandating the publication of disciplinary and licensing decisions, thereby fostering accountability and trust in governance processes. Procedural reform should focus on standardising appeal pathways and clarifying jurisdictional boundaries between domestic authorities and CAS to reduce uncertainty. Furthermore, legal certainty can be improved by codifying clear definitions of "sporting succession" to prevent ambiguity during club restructuring or re-registration. Finally, promoting EU good governance and integrity frameworks would reinforce institutional independence and embed a culture of accountability within the regional football ecosystem.

REFERENCES

1. Blackshaw I, 'Introductory Remarks' in Wild A (ed), *CAS and Football: Landmark Cases* (ASSER International Sports Law Series, Springer 2011). doi:10.1007/978-90-6704-808-8_2
2. Blackshaw I, *Mediating Sports Disputes: National and International Perspectives* (ASSER International Sports Law Series, Springer 2002)
3. Blackshaw I, 'The Court of Arbitration for Sport: An International Forum for Settling Disputes Effectively "Within the Family of Sport"' (2003) 2(2) *Entertainment and Sports Law Journal* 4. doi:10.16997/eslj.139
4. Diaconu M, Kuwelkar S and Kuhn A, 'The Court of Arbitration for Sport Jurisprudence on Match-Fixing: A Legal Update' (2021) 21 *The International Sports Law Journal* 27. doi.org/10.1007/s40318-021-00181-3
5. Duval A and Marino G, 'Quantifying the Court of Arbitration for Sport' (*Asser International Sports Law Blog*, 23 May 2014) <https://www.asser.nl/SportsLaw/Blog/post/quantifying-the-court-of-arbitration-for-sport-by-antoine-duval-and-gianni-marino> accessed 25 September 2025
6. Godin PD, 'Sport Mediation: Mediating High-Performance Sports Disputes' (2017) 33(1) *Negotiation Journal* 25. doi:10.1111/nejo.12172
7. Goodrum N, 'Mediation in Sports Disputes: Lessons from the UK' (*LS LawInSport*, 4 July 2013) <https://www.lawinsport.com/topics/regulation-a-governance/item/mediation-in-sports-disputes-lessons-from-the-uk> accessed 25 September 2025.
8. Grening JE, 'Arbitration of Olympic Eligibility Disputes: Fair Play and the Right to be Heard' (2001) 12(1) *Marquette Sports Law Review* 261
9. Hesse V, 'Is Mediation Suitable to Resolve Sports Related Disputes?' (*LS LawInSport*, 5 November 2014) <https://www.lawinsport.com/topics/item/is-meditation-a-suitable-to-resolve-sports-related-disputes> accessed 25 September 2025
10. Kamenecka-Usova M and others, 'Research Patterns in Sports Law and Sports Governance: A Scopus Bibliometric Study' (2025) 7 *Frontiers in Sports and Active Living* 1590858. doi:10.3389/fspor.2025.1590858
11. Laskowski J, 'Solidarity Compensation Framework in Football Revisited' (2019) 18 *The International Sports Law Journal* 150. doi:10.1007/s40318-018-0134-y

FUNDING

The author(s) declare that financial support was received for the research and or publication of this article. The article was written as part of the project “Internal consolidation of RSU and external consolidation of RSU with LASE” (No. 5,2,1,1.i.0/2/24/I/CFLA/005), “Building the legal framework of European Sport: intersection of Sports governance and Lex Sportiva” (RSU/LSPA-PA-2024/1-0005) financed within the framework of the European Union Recovery and Resilience Facility and the state budget.

AUTHORS INFORMATION

Marina Kamenecka-Usova*

PhD, Faculty of Social Sciences, Riga Stradiņš University

Law, EKA University of Applied Sciences

marina.kamenecka-usova@rsu.lv

<https://orcid.org/0000-0001-6040-8874>

Corresponding author, Writing – original draft; Project administration; Conceptualisation; Supervision; Writing – review & editing.

Maxym Tkalych

PhD, Civil Law, Zaporizhzhia National University

tkalych@znu.edu.ua

<https://orcid.org/0000-0003-4224-7231>

Co-author, Writing – original draft; Writing – review & editing; Methodology.

Elina Greine

Master's degree, Doctoral studies, Riga Stradiņš University,

elina.greine@inbox.lv

<https://orcid.org/0009-0005-6964-1150>

Co-author, Writing – original draft; Investigation; Visualisation.

Competing interests: No competing interests were disclosed.

Disclaimer: The authors declare that their opinions and views expressed in this manuscript are free of any impact of any organisations.

RIGHTS AND PERMISSIONS

Copyright: ©2026 Marina Kamenecka-Usova, Maxym Tkalych and Elina Greine. This is an open-access article distributed under the terms of the Creative Commons Attribution License (CC BY 4.0), which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited.

EDITORS

Managing editor – Dr Olena Terekh. **English Editor** – Robert Reddin.

Ukrainian language Editor – Lilia Hartman.

ABOUT THIS ARTICLE

Cite this article

Kamenecka-Usova M, Tkalych M and Greine E, 'Legal Challenges in Eastern European Football: *Lex Sportiva* and its Regional Specificities' (2026) 9(1) Access to Justice in Eastern Europe 1-26 <<https://doi.org/10.33327/AJEE-18-9.1-s000176>> Published Online 16 Jan 2026

DOI: <https://doi.org/10.33327/AJEE-18-9.1-s000176>

Summary: 1. Introduction. – 2. Methodology. – 3. Analysis of Recent CAS and SFT Cases Involving Latvian Clubs. – 3.1. CAS 2024/A/10627 Valmiera FC v. Latvian Football Federation. – 3.2. The FK Liepāja cases SFT 4A_608/2024, SFT 4A_612/2024, and SFT 4A_614/2024. – 3.3. Comparative and Doctrinal Observations. – 4. Analysis of Recent CAS Cases Involving Ukrainian Clubs and Players. – 4.1. CAS 2023/A/9443 Anatoliy Tymoshchuk v. Ukrainian Association of Football (UAF). – 4.2. CAS 2023/A/10091 Karpaty FC LLC v FIFA & HNK Cibalia Vinkovci & FC Karpaty Halych. – 4.3. CAS 2021/A/7866 Taras Durai v. Ukrainian Association of Football. – 4.4. Comparative and Doctrinal Observations. – 5. Landmark CAS Cases: Broader Comparative Context. – 6. Discussion. – 7. Conclusion.

Keywords: football governance; lex sportiva; sports law; Eastern Europe; sports disputes.

DETAILS FOR PUBLICATION

Date of submission: 02 Oct 2025

Date of acceptance: 11 Dec 2025

Online First publication: 16 Jan 2026

Last publication: February 2026

Was the manuscript fast-tracked? – No

Number of reviewer reports submitted in the first round: 2 reports

Number of revision rounds: 2 rounds with minor revisions

Technical tools were used in the editorial process

Plagiarism checks - Turnitin from iThenticate

<https://www.turnitin.com/products/ithenticate/>

Scholastica for Peer Review

<https://scholasticahq.com/law-reviews>

AI DISCLOSURE STATEMENT

The authors declare that Generative AI was used to create this manuscript. This manuscript was reviewed using an AI-based tool to check for grammatical errors, improve clarity, and enhance academic phrasing. The tool was utilised to refine sentence structure and ensure coherence while maintaining the originality and integrity of the authors' work.

АНОТАЦІЯ УКРАЇНСЬКОЮ МОВОЮ

Тематичне дослідження

ПРАВОВІ ВИКЛИКИ У СХІДНОЄВРОПЕЙСЬКОМУ ФУТБОЛІ: LEX SPORTIVA ТА ЙОГО РЕГІОНАЛЬНІ ОСОБЛИВОСТІ

Марина Каменецька-Усова*, Максим Ткалич та Еліна Грейн

АНОТАЦІЯ

Вступ. Східноєвропейський футбол стикається з унікальними правовими викликами, що виникають на перетині міжнародного спортивного права, управління клубами та транскордонних спорів. Незважаючи на те, що важливість регіональних ліг зростає, правова база для вирішення конфліктів, особливо у сфері трансферів, спортивного правонаступництва та забезпечення виконання контрактів, залишається недостатньо вивченою. Це дослідження усуває таку прогалину, системно аналізуючи, як нещодавні рішення Спортивного арбітражного суду (CAS) та правила національних спортивних федерацій формують підходи до вирішення спорів у східноєвропейському футболі, та оцінюючи, наскільки ці структури захищають клуби, гравців та федерації на практиці.

Методи. У статті використовується доктринальна і порівняльна правова методологія, з оглядом періоджерел (арбітражних рішень CAS, національного законодавства та законодавства ЄС, а також правил федерацій) та вторинної літератури (наукових статей та звітів). Цілеспрямований кейс-стаді підхід розглядає окремі ключові рішення CAS у регіоні (наприклад, ФК «Карпати» проти ФІФА, ФК «Валмієра» проти ЛФФ) для аналізу судових рішень та правових принципів. Порівняльний аналіз допоміг зіставити правові доктрини різних юрисдикцій, а якісний синтез - визначити повторювані тенденції, прогалини та правові ризики.

Результати та висновки. У результаті здійсненого аналізу було зроблено кілька ключових висновків. По-перше, судова практика CAS все частіше застосовує доктрину спортивного правонаступництва таким чином, що це накладає важкі фінансові зобов'язання на клуби-покупці, часто без належних процесуальних гарантій. По-друге,

виконання рішень CAS у національних судах неоднакове у різних країнах Східної Європи, з різними тлумаченнями юрисдикції, державної політики та *res judicata*. По-третє, правилам національних асоціацій часто бракує чіткості щодо шляхів вирішення спорів, що залишає неоднозначності щодо права на апеляцію та механізмів правового захисту. По-четверте, незважаючи на інструменти ЄС (наприклад, Регламент 1215/2012, Рим I), їх використання у спрах щодо спортивних контрактів є незначним через сприйняття автономності спортивного права. Ці висновки вказують на перешкоди у передбачуваності, прозорості та застосуванні механізмів захисту спортивного права.

Ключові слова. Управління футболом; *lex sportiva*; спортивне право; Східна Європа; спортивні спори.