European Commission

Sport

Communication from the Commission
to the European Parliament, the Council,
the European Economic and Social Committee
and the Committee of the Regions

Reinforcing the European Sport Model



EUROPEAN COMMISSION

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1. Purpose and Vision

Sport is a European strategic asset. European sport is recognised and admired around the world, attracting unmatched worldwide audiences and investment. That global interest in the top level of European sport is drawn directly from the history, tradition and the strength of grassroots sports. Across Member States, sport clubs serve as social hubs anchored in the heart of our communities and cities, villages and regions. It is a core part of European identity.

Whenever our European Sport Model is challenged, undermined or unduly influenced from the outside, it is our common responsibility to respond. This Communication proposes a vision to strengthen our European Sport Model to face the challenges of today's world.

Why now

This Communication responds to calls from the European Parliament, the Council, Member States and sport stakeholders for a more coordinated European approach.

Setting a **strategic vision for sport in Europe**, it aims to achieve two overarching priorities: supporting a **stronger, sustainable and well-governed European sport ecosystem, and placing sport at the heart of the European way of life**.

Reinforcing the European Sport Model means supporting people in sport and organisations protecting the values and integrity of European sport, strengthening its economic and social contribution, and ensuring that it continues to thrive and play a role in Europe and the world.

Why European sport matters

Today, European sport is an example of global excellence, with its athletes, leagues, clubs and teams playing a leading role across many sports. It provides pathways for talent development, competition and achievement, inspires millions of citizens and strengthens Europe's presence on the international stage.

Generating around 3.4% of EU GDP and supporting around 6 million jobs, sport also has a significant economic weight. Every euro invested in sport is estimated to generate around €1.7 in gross value added across the wider economy[1]. Investment in sport infrastructure also supports territorial development, strengthens local communities and improves access to opportunities, particularly in rural and underserved areas.

Sport is essential to Europe's health[2] and well-being. Regular physical activity can reduce the risk of major chronic diseases by around 30% and contributes to better mental health. Yet, almost 40% of Europeans still never engage in sport or other forms of exercise[3]. Increasing physical activity to the WHO-

[1] EU Sport Satellite Account (2025)

[2] The Safe Hearts Plan, adopted in 2025, supports Member States and stakeholders in reducing the significant burden of cardiovascular diseases.

[3] Special Eurobarometer survey on Sport and Physical Activity (2026)

recommended levels could prevent 10.000 of premature deaths per year in the EU and save billions in health-care spending[4].

Sport also contributes to education, skills and children's development. In a time of technological transformation with increasing exposure to content online and falling educational performance, sport and physical activity represent alternatives to counter excessive screen time, compulsive social media use and digital distraction, and are supporting educational achievement and basic skills. **It fosters inclusion and equal opportunities, tackling** wider societal challenges, including racism, discrimination, social exclusion and inequality.

Finally, sport has an important role to play in Europe's place in the world. In a time of geopolitical competition and tensions, disinformation and growing polarisation, sport can help to build bridges. This is particularly the case with Europe's closest partners, the enlargement countries and the Eastern and Southern Neighbourhood. Through sport diplomacy, Europe can counter political instrumentalisation of sport and strengthen its role as a global advocate for international cooperation, democratic values, and the rules-based international order.



[4] OECD/WHO (2023), Step Up! Tackling the Burden of Insufficient Physical Activity in Europe

2. The European Sport Model

Since the adoption of the 2007 'White Paper on Sport'[5], EU institutions have gradually developed and consolidated the concept of the European Sport Model. The establishment of a specific Treaty basis for sport, taking into account the specific nature of sport in Union's primary law[6], supported this. In 2021, the Council identified the key features of a European Sport Model and in 2025 the European Parliament called on the Commission to present a long-term strategy on sport.

The case-law of the Court of Justice of the European Union (CJEU) has also contributed to shaping the European Sport Model. The Court has recognised the specific nature of sport and the autonomy of sport organisations, while consistently holding that sporting rules and practices must comply with EU law, in particular internal market and competition rules.

At the **core of the European Sport Model is organised sport and the sport governing bodies**. They exercise regulatory, organisational and disciplinary functions. These functions should be exercised responsibly, together with leagues, clubs, athletes' associations, and supporters' organisations, upholding the key principles of sporting merit, open competition and solidarity across levels and categories of competition.

Athletes are the cornerstone of the sport ecosystem. Their performances inspire participation, unite communities, and drive the cultural and social relevance of sport at all levels. Beyond competition, athletes are role models who embody values such as commitment, fairness, and resilience, shaping younger generations and society at large. Better recognition of professional athletes safeguards their well-being and rights while strengthening the integrity, sustainability, and long-term success of the entire sporting landscape. This concerns athletes' status as workers where an employment relationship exists under Union and national law[7], including their rights to fair working conditions and engaging in social dialogue. **Sport coaches** and **sport professionals** are also essential to the European Sport Model, supporting participation, athletes' development and the transmission of core sporting values. The experiences and perspectives of athletes and coaches are vital in shaping sport policies and governance.

The sport ecosystem is sustained by the efforts of **volunteers**[8] and **local actors**, including community-based organisations, schools and local and regional authorities whose contribution is essential to ensuring access to sport across Europe.

At the same time, **the way Europeans engage with sport is evolving**. Informal, self-organised and digitally enabled forms of recreational sport and physical activity are expanding alongside traditional club-based structures. Sport policies and funding frameworks should better recognise these forms of participation. While the pyramidal structure of sport[9] remains central to organised competitive sport, it does not necessarily apply when sport is practised as an active lifestyle or for the purposes of recreation or health.

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[5] White Paper on Sport (COM(2007) 391 final)

[6] Article 165 Treaty on the Functioning of the European Union

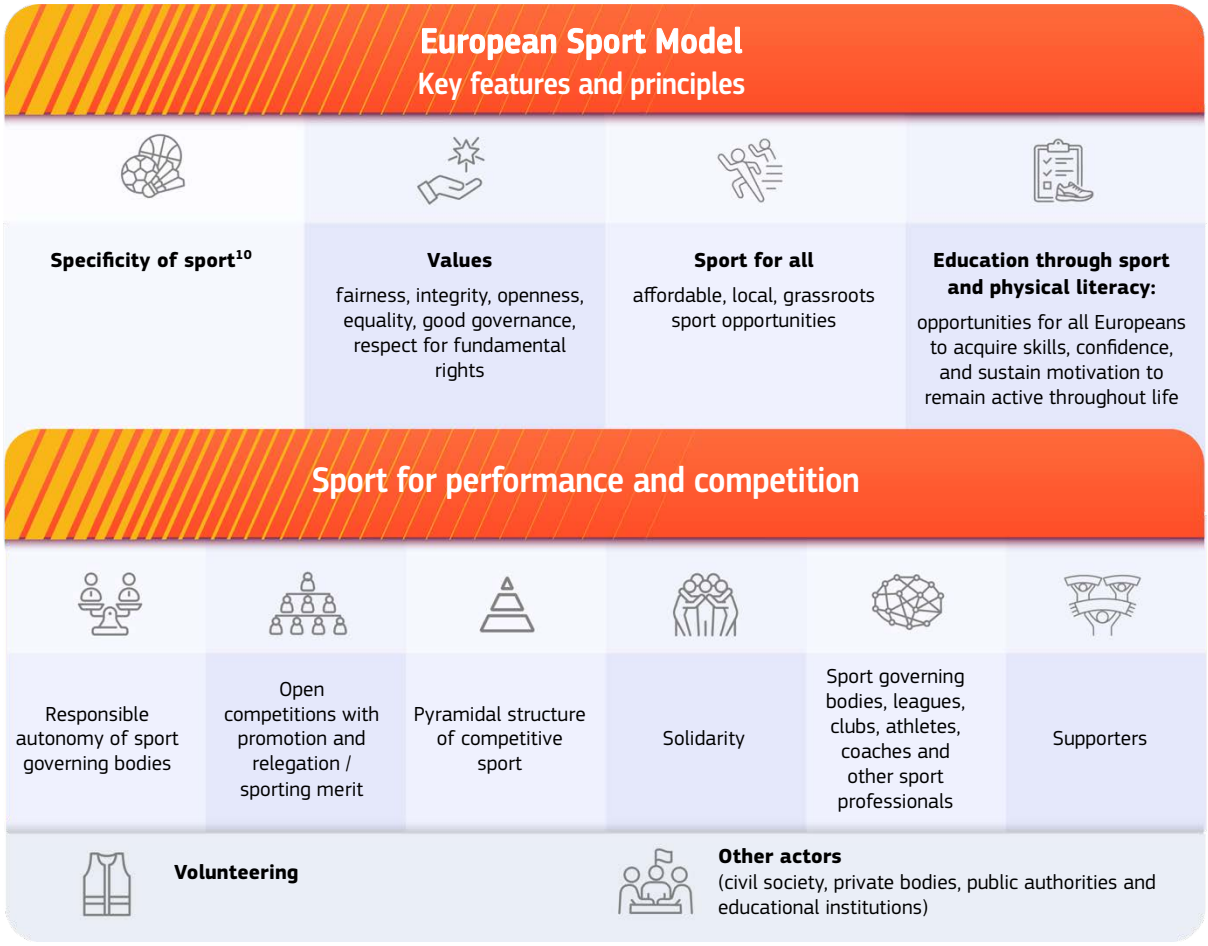
[7] ILO Guidelines for the promotion of fundamental principles and rights at work and the prevention and elimination of violence and harassment for professional athletes | International Labour Organisation

[8] 2026 Eurobarometer shows that more than one in ten Europeans is engaged or plans to engage in voluntary work that support sporting activities in the following two months

[9] Interdependence between sport at local, regional, national and international levels, culminating in elite sport at the top of the pyramid. Each level reinforces the other.

The European Sport Model is **a living and evolving framework**, that must be responsive to new realities. Organised sport is part of **a wider European sport landscape** in which sport also serves social, economic and cultural purposes. It brings together local actors, civil society, private bodies, public authorities and educational institutions.

These two dimensions – organised sport and the wider European sport landscape - are closely connected. Together, they form the European Sport Model and reflect the specific nature of sport in Europe.



[10] White Paper on Sport COM/2007/0391 final; Mapping and analysis of the specificity of sport (2016); Study on the European sport model (2022)

3. Pressures and challenges

The growing pressure between commercial interests and the social and community-oriented dimension of sport affects decision-making, reshapes the sport landscape and risks undermining the stability of Europe's sport ecosystem. Despite its strengths, the European Sport Model faces pressures that challenge its balance, integrity and long-term sustainability.

3.1. **Governance-related challenges** remain in parts of the sport sector. While many sport organisations have strengthened transparency, accountability, integrity and stakeholder participation, challenges persist, including concentration of decision-making, lack of women in leadership positions, conflicts of interest and limited representation of athletes and other stakeholders. In some cases, commercially driven decisions, including proposals to stage domestic or European competition matches outside Europe, may weaken links between sport organisations, athletes, fans and local communities, while adding to pressures on athletes and competition calendars. The growing commercialisation of decisions on sporting events also risks prioritising financial interests over sporting and public interests, undermining the accessibility and affordability of live sport[11]. Challenges relating to safeguarding, anti-doping, working conditions, education and dual careers, as well as equal opportunities further underline the importance of good governance. Strengthening it together with transparency, accountability and stakeholder participation is important to maintaining trust in sport and supporting the autonomy and responsible self-regulation of sport organisations.

3.2. The **piracy of sport content continues to erode revenues** across the sector. Illegal streaming is estimated to affect millions of users and cause significant financial losses for rights holders[12], limiting capacity to reinvest in sport development.

3.3. **Unclear revenue distribution mechanisms**: there is a need to improve transparency and clarity on how financial resources are generated, allocated and redistributed among governing bodies, leagues, clubs, athletes and grassroots organisations. This would strengthen accountability and help in assessing whether funding is distributed fairly and efficiently. Greater revenue-sharing across the sport pyramid could support competitive balance and the long-term development of sport.

3.4. The sustainability and resilience of sport structures is increasingly affected by **declining rates of volunteering within sport clubs and insufficient recognition of volunteers' contributions**, despite their role as the backbone of community-based sport. While sport remains one of the largest areas of volunteering in Europe, surveys indicate a gradual decline in engagement[13].

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[11] For instance, by using not fully fair and transparent dynamic ticket pricing practices.

[12] Ampere Analysis, Pricing Piracy: The Value of Action, commissioned by Synamedia, 2021, estimating up to 28 billion € in potential additional annual revenue globally from reducing sports piracy.

[13] Seippel, Ø., Breuer, C., Elmose-Østerlund, K., Feiler, S., Perényi, S., Piątkowska, M. & Scheerder, J. (2023), "In Troubled Water? European Sports Clubs: Their Problems, Capacities and Opportunities."

3.5. **Integrity of competitions**: doping, the manipulation of sport competitions and corruption remain threats at all levels of sport. Professional football clubs and agents will come within the scope of the EU anti-money-laundering obligations under Regulation (EU) 2024/1624. At the same time, sport should be **safe and inclusive**. Abuse, harassment, violence including gender-based, hate speech and discrimination also exist in sport environments, and victims do not always have access to effective reporting and support.

3.6. **Structural changes in the European sport ecosystem:** new ownership models, including multi-club ownership and state-linked investment, the emergence of initiatives seeking to establish closed competitions with participation detached from sporting merit, and opaque financial flows can pose risks to financial stability, competitive balance and trust in sport governance[14]. These developments have drawn attention to the need to protect the European Sport Model, a concern echoed in the reactions of fans, leagues, clubs and players alike.

3.7. **Participation patterns vary considerably.** While overall physical activity levels are already insufficient across the EU, certain groups face additional barriers. Participation declines sharply during adolescence, particularly among girls and young women, and decreases progressively with age among adults. Barriers linked to socio-economic status, disability, geographic location or time constraints continue to limit access to sport and physical activity.

3.8. Access to **sport infrastructure and facilities remains uneven** across regions and population groups, often concentrated in larger urban and more developed areas. Many facilities face challenges related to availability, affordability, accessibility, modernisation and compliance with quality and safety standards. Public authorities and organisers should build on good practices from recent major sport events, to avoid leaving behind a problematic infrastructure legacy. Addressing these legacy challenges requires stronger long-term planning and better governance from the outset. Investments in sport infrastructure and in the promotion of physical activity need to be increased to promote healthy lifestyles among Europeans.

3.9. **Employment in sport has distinctive characteristics**, including relatively short careers, diverse contractual arrangements and considerable physical and psychological demands. Professional athletes, coaches and other sport professionals would benefit from better access to social protection and support for professional transitions and dual careers. Particular attention is needed for young athletes and professionals in less commercially developed sports.

3.10. The European Sport Model operates in an **increasingly competitive global environment**. The race to host sport competitions and events is intensifying, with growing financial and geopolitical rivalry. Without stronger coordination and strategic investment, Europe risks losing ground in attracting and delivering major events.

[14] A clear example was the aborted project for a breakaway closed football league in April 2021 as well as the emergence of closed or semi-closed competition formats in other sports.

4. Reinforcing the European Sport Model

This strategy identifies three key and interrelated thematic areas for action: **governance, solidarity and sustainability,** and **society.** Together, they provide a coherent framework to strengthen the integrity, resilience and contribution of sport to Europe's society.

EU funding and policy instruments play a crucial role in advancing this agenda. In particular, the Erasmus+ programme[15] is central to strengthening the sport ecosystem in Europe, by encouraging mobility and transnational cooperation, driving innovation and capacity-building across all levels of sport. It also plays a key role in promoting sport as a vehicle for inclusion, participation, education, active citizenship and community-building, while encouraging the exchange of good practices and the development of grassroots initiatives. These efforts are complemented by other EU instruments. These include EU4Health[16], Asylum, Migration and Integration Fund (AMIF)[17] and cohesion policy funds[18] which further support health-enhancing physical activity, social cohesion, innovation, and the development of sustainable and accessible sport infrastructure.

EU instruments will continue to support national efforts where European cooperation brings clear added value. Sport-related investments will continue to be supported under the forthcoming Erasmus+ programme and may be complemented by targeted contributions from other instruments.

Reinforcing these areas of action requires collective and coordinated action from all stakeholders. **Member States are invited to continue to develop and implement sport policies and sustainable funding schemes** at national, regional and local levels that recognise and support sport. Such policies should ensure a balanced approach between the development of competitive sport and the promotion of sport and physical activity in their broader societal role, as drivers of participation, recreation, health, education, social inclusion, wellbeing, healthy lifestyles for all and territorial development.

4.1. Sport governance

Effective, inclusive, transparent and accountable governance is a cornerstone of a credible and sustainable European Sport Model. Sport governing bodies are expected to operate in line with the principle of '**responsible autonomy'**, grounded in democratic decision-making, clear accountability and ethical leadership. This implies participatory governance, involving all partners, notably leagues, clubs and athletes' and supporters' associations.

Strong integrity frameworks are essential to address risks and safeguard trust in sport. The Commission will continue to support cooperation between Member States, sport organisations, and other actors in this respect. While governance challenges are often global, European sport organisations have at times helped promote good practices and standards with international reach.

[15] Erasmus+ EU programme for education, training, youth and sport
[16] EU4Health programme 2021-2027 – a vision for a healthier European Union
[17] Asylum, Migration and Integration Fund (2021-2027)
[18] Cohesion Fund; European Regional Development Fund; European Social Fund Plus.

Sport organisations need to strengthen administrative capacity, professionalism and skills, including in areas such as integrity, digitalisation and sustainability. Erasmus+ sport actions will continue to support this.

Within its competences, the EU will continue to promote high standards of governance by encouraging cooperation, facilitating the exchange of good practices and supporting capacity-building across the sport ecosystem. It will also promote a model of responsible autonomy, under which the regulatory independence of sport organisations is exercised in line with transparency, fundamental rights and EU law.

In this context, the Commission will take the following actions:

1. Establish an independent "**EU Sportwatch**", to promote transparent, financially sound, accountable and democratic governance structures within sport federations and other sport governing bodies. The main deliverables of the EU Sportwatch will be to publish a regular 'Report on the State of Sport in Europe' and an 'EU Sport Scoreboard', presenting comparative analyses and recommendations, and monitoring governance practices (Q3 2027).
2. Continue to promote **structured dialogue** in sport between the European Commission and sport stakeholders, to jointly cooperate in strengthening the European Sport Model principles (Q2 2027). In addition, further develop **social dialogue** in sport, including through financial support, to build and strengthen the representativeness and capacity of sport social partners, beyond professional football (Q3 2027).
3. Provide a **steer on the application of EU law to sport**, through an annex to this Communication, in light of the case law of the Court of Justice of the European Union, that clarifies how to reconcile the specific nature of sport with compliance with internal market and competition rules.

4.2. Sustainability and Solidarity

Solidarity is a defining feature of the European Sport Model and key for its long-term sustainability. Effective financial redistribution mechanisms are essential to maintain competitive balance, support talent development and ensure broad access to sport and physical activity. Ensuring that revenues generated at the top level of sport are transparently reinvested in grassroots sport, youth development and local infrastructure is essential.

Safeguarding the economic sustainability of sport requires protecting its legitimate revenue streams. In particular, the online piracy of live sport events significantly affects the financial capacity of sport organisations to reinvest across the sport ecosystem. At the same time, rights holders and broadcasters should ensure affordable access to sport events for all fans and the availability and attractiveness of the legal commercial offer.

Sustainability must also be understood in environmental and social terms. Sport infrastructure and events need to adapt to climate and energy challenges[19], improve resource efficiency, support destination management[20] and ensure accessibility for all, including persons with disabilities. This calls for greener,

[19] Including by taking into account the future temperature reference scenario set out in the EU Framework for Climate Resilience

[20] In line with the EU Sustainable Tourism Strategy and Council Conclusions on sport tourism as a contributor to sustainable development (9012/2026)

low-carbon, sustainable and climate-resilient facilities, with a focus on reusing and renovating existing venues. Sport events should minimise carbon emissions and waste, while promoting environmental education across sport. Volunteers must also be better supported, recognised and retained.

In this context, the Commission will take the following actions:

4. **Fight against online piracy of live sport events[21]:** within the framework of a future initiative on copyright[22], and building on the assessment of Recommendation (EU) 2023/1018 improve the enforcement remedies against online piracy of live and time-sensitive content to help safeguarding the sustainability of the sport and creative sectors. This will contribute to protect the value of live sports events and promote legal access to content (Q2 2027).
5. **Strengthen EU consumer protection rules** through the Digital Fairness Act[23], including regarding **unfair price marketing** practices, having impact also in the field of sport. These include lack of transparency in offering event tickets for which consumers are required to wait in virtual queue whilst the ticket prices are increasing (Q4 2026).
6. Propose a **Council Recommendation on volunteering in sport**, to support Member States in strengthening the recognition, validation and development of sport volunteering, including through skills frameworks and lifelong learning pathways and reducing the administrative burden on volunteer-run clubs (Q4 2028).
7. Launch a **study on financial distribution mechanisms in sport**, to map revenue flows between elite and grassroots levels and among sports, and to assess their effectiveness in ensuring competitive balance, sustainability, talent development and participation. (Q1 2027).



[21] Recommendation on combating online piracy of sports and other live events
[22] Commission seeks views on the review of EU copyright rules
[23] Digital Fairness Act

4.3. Sport and society

The European Sport Model recognises the importance of promoting inclusive, accessible and sustainable **'sport for all'**. It identifies the essential role of sport and physical activity in promoting physical and mental well-being, education, youth development, active ageing, social inclusion and the inclusion of persons with disabilities. Sport is an investment in Europe's people: in their health, skills, confidence and social connections.

Ensuring safe, inclusive and accessible environments for all participants is fundamental to preserving the integrity and social value of sport. At the same time, sport also contributes to economic and territorial development. Sport-related activities and events support local economies, including small and medium-sized enterprises, promote innovation and tourism, and strengthen social ties in both urban and rural areas. Broadening participation requires stronger support for grassroots sport, volunteering and non-organised physical activity, as well as the promotion of physical literacy throughout life and acting on the barriers Europeans themselves report: lack of time, motivation and, for lower income groups, cost.

In this context, the Commission will take the following actions:

8. Propose a **revision of the Council Recommendation on Health-Enhancing Physical Activity** (Q1 2027) supporting the establishment of **Sport and Physical Activity Data Hubs** in Member States, building on the national HEPA points, responsible for collecting and coordinating data on sport and physical activity at national level, based on indicators and monitoring frameworks agreed at European level. These Hubs would strengthen Member States' capacity[24] to promote and monitor physical activity policies across health, education and community settings (Q4 2027).

9. Establish a **Coalition for Strategic Investments in Sport**, an opportunity for collaboration to advance towards a harmonised approach in measuring the economic and social value of sport across the EU. The Coalition will support Member States and the Commission in defining evidence-based sport investment strategies to support territorial development, mapping sport infrastructure, and exploring innovative financial mechanisms to boost private and public investments in sport. Its work will help identify investment priorities at the territorial level, thus contributing to a more effective use of available EU and national funding opportunities, including by facilitating awareness of the possibilities offered by the EU State aid framework for supporting investment in sport infrastructure and activities (Q4 2027).

Sport is a powerful vehicle for conveying EU values and unifying messages to millions of people across Europe and beyond[25], shown by the initiatives and events organised to mark the European Week of Sport or Europe Day. Such initiatives should be further encouraged and promoted, also building on successful Team Europe approaches to host joint events.

In this context, the Commission will take the following actions:

10. Strengthen the links between sport and education through the implementation of the **Education Package**[26]. In particular, recognise the importance and value of physical activity and sport in

[24] In line with the Council's Lipica Conclusions - Measuring the Impact of Sport: From Economic to Social Perspectives (2026)

[25] Including for enlargement countries and the neighbourhood, for which sport can serve to bring people closer to the European countries in support of their European path or their ambitions for closer cooperation

[26] See in particular: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Stronger education foundations for all in the age of AI

school education and ensure young people have access to healthy offline alternatives (Q4 2026). Besides, promote sport-related joint higher education programmes, including through European Universities alliances, and sport activities and facilities in higher education settings, to foster excellence in and increase the attractiveness of sport-related studies, while supporting the development of a highly skilled workforce for the European sport ecosystem (Q2 2028).

11. Activate Europe through sport by **scaling-up the European Week of Sport** to promote more extensively active lifestyles across Europe and beyond[27], by improving long-term planning, introducing administrative simplification, mobilising sport initiatives organised at grassroots level and better involving local actors such as schools, municipalities and sport associations (Q3 2027). Also, **celebrate the EU and its values through sport events**, by supporting initiatives that raise awareness about the EU through sport during Europe Day or at specific events identified at national or European level (Q2 2027).

12. Set up a **High-Level Group on safeguarding people in sport**, to promote a coordinated approach to preventing abuse, harassment, violence, racism, hate speech and discrimination and to ensure safe sport environments across Europe, with a view to proposing common safeguarding guidelines for sport organisations[28] (Q3 2027).

The consistent implementation of the actions set out in this Communication will be ensured through regular **interdepartmental coordination,** led by the Commission's services in charge of sport.



[27] This also extends to enlargement and Neighbourhood countries.

[28] In line with the Union of Equality Strategies' objectives, Commission Recommendation on integrated child protection systems and relevant EU acquis such as the Child Sexual Abuse Directive.

5. Conclusions

This Communication reaffirms the Commission's commitment to protecting, strengthening and future-proofing the European Sport Model.

At a time of profound societal change, strengthening the European Sport Model means preserving what makes European sport unique, while ensuring that it continues to respond to the needs and aspirations of future generations. Sport is much more than a game, competition or economic activity: it is an essential part of our European way of life.

The ambition is to recognise sport as a strategic asset for Europe and harnessing its full potential across our social, economic, educational and diplomatic agendas. For that, it is essential that European sport remains open, fair, inclusive, rooted in its values and aligned with EU law, while being equipped to innovate, to generate growth, adapt and thrive in a rapidly changing world.

Realising this ambition requires a collective effort. The Commission therefore calls on Member States, regional and local authorities, the sport movement, educational institutions, social partners and civil society to promote and sustain sport and physical activity for all in Europe, and to integrate sport more systematically into a wider stream of public policies.

Reinforcing the European Sport Model means securing the future of European sport and strengthening its contribution to a more cohesive, resilient and competitive Europe.



Annex

The application of EU law to sport – Reconciling the specificity of sport with internal market and competition rules

Introduction and context

Sport has a particular place in European society, which is reflected in both its social significance and its economic dimension. It contributes to social cohesion, education, health and inclusion, while also constituting a significant economic activity within the internal market. The European Sport Model combines this economic dimension with features such as open and merit-based competitions, solidarity, talent development and the role of sporting stakeholders. The autonomy of sporting organisations to organise and regulate their disciplines is an important element of this model but must be exercised in accordance with EU law.

Against this background, the recent case-law of the Court of Justice of the European Union (CJEU)[1] - described here below - provides guidance on the relationship between sporting rules and EU competition rules. Starting with the Meca-Medina[2] judgement, the Court has recognised that rules adopted by sporting organisations may have restrictive effects on competition under specific conditions - without actually establishing a general exemption for sport from the application of EU competition law. The Court has also ruled that the application of the competition rules must take proper account of the particular nature of sporting activities. Later rulings[3] have further developed the notion of legitimate objectives in the public interest in the context of sport and of Articles 101 and 102 of the Treaty on the Functioning of the European Union (TFEU)[4]. The Court has ruled that sporting rules may, depending on their specific context, pursue legitimate objectives, including ensuring the uniformity and proper functioning of sporting competitions, encouraging the training and development of young players, and maintaining the regularity of sporting competitions, and the stability of the players' roster. Such objectives may justify restrictive effects where the means employed are genuinely necessary and the restriction does not go beyond what is necessary to achieve the objectives themselves.

The judgments delivered in recent years illustrate the two dimensions of the Court's approach: while sporting organisations may have considerable scope to adopt rules necessary to organise competitions and pursue legitimate sporting and public interest objectives, the exercise of regulatory autonomy remains subject to the requirements of EU law, including transparency, objectivity, non-discrimination, necessity and proportionality. This approach points towards a model of responsible autonomy, in which sporting organisations are able to regulate their disciplines and pursue legitimate sporting and public-interest objectives while exercising their regulatory powers in a manner consistent with EU law. This balance is

[1] The CJEU comprises two different courts: the Court of Justice and the General Court. References to the Court in this Annex refer to the Court of Justice.

[2] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62004CJ0519

[3] See the judgments described in this annex.

[4] https://competition-policy.ec.europa.eu/antitrust-and-cartels/legislation/competition-law-treaty-articles_en

central to the European Sport Model and to the EU's approach to sports policy: protecting the integrity and specific characteristics of sport, while ensuring that its governance and economic structures remain open, transparent, accountable and compatible with the fundamental principles of the European Union.

The cases summarised below should therefore be read as clarifying how the Treaty framework applies to the particular context of sporting and its economic, organisational, social and societal aspects.

Key judgments in the field of sport

1. Recently, the Court has delivered several judgments concerning the application of EU competition rules to the sport sector, mostly in preliminary rulings following a reference from national courts.

I. Superleague

2. In Case C-333/21, European Superleague Company v FIFA and UEFA[5], the Court of Justice (Grand Chamber) replied to a reference for a preliminary ruling by the Madrid Juzgado de lo Mercantil, before which civil proceedings had been filed by the European Superleague Company.

3. The case concerned primarily the "pre-authorisation rules" of the Fédération Internationale de Football Association (FIFA) and the Union of European Football Associations (UEFA), i.e. the set of rules under which sport federations can decide whether they authorise a sporting competition and/or whether their members (athletes, clubs, referees, etc.) may participate in such competitions. In the case at hand, a football competition organised by a newly incorporated rival of UEFA was prohibited by FIFA and UEFA with reference to such rules.

4. The Court confirmed that it may be legitimate for sport federations to subject the organisation and conduct of international professional football competitions to common rules intended to guarantee the homogeneity and coordination of sporting competitions within an overall match calendar and to ensure compliance with those common rules through pre-authorisation rules.[6] However, it held that, in a situation where a (dominant) federation can control access to the market for competing undertakings, pre-authorisation rules must contain substantive criteria and detailed procedural rules that ensure they are transparent, objective, precise and non-discriminatory. In the absence of such criteria and rules, pre-authorisation-requirements amount to a restriction of competition by object within the meaning of Article 101 TFEU and an abuse of dominance by their very nature under Article 102 TFEU.[7]

5. In this case, the Court also analysed the role of Article 165 TFEU in competition law assessments. It ruled that although the competent EU institutions must take account of the different elements and objectives listed in Article 165 TFEU when they adopt incentive measures or recommendations

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[5] Judgment of the Court of Justice of 21 December 2023 in Case C-333/21, *European Superleague Company v FIFA and UEFA*, ECLI:EU:C:2023:1011.

[6] Case C-333/21, *Superleague*, paras 142 and 253.

[7] Case C-333/21, *Superleague*, paras 147-152 and 171-179. An agreement, concerted practice or a decision by a sport federation restricts competition by object if it reveals a sufficient degree of harm to competition for the view to be taken that it is not necessary to assess its effects. Such agreements, practices or decisions can be viewed as being injurious to the proper functioning of normal competition by their very nature (*Superleague*, para 162). To determine in a concrete case whether the restriction can be classified as a restriction by object, it is necessary to examine the content, the objectives and the economic-legal context of the agreement, practice or decision in question (*Superleague*, para 165).

in the area of sport, these elements, objectives, measures and recommendations are not binding in the application of other provisions of primary EU law, including Articles 101 and 102 TFEU. Nor does Article 165 TFEU exempt sport from, or require special treatment in, the application of EU competition rules.[8]

6. However, the Court stressed that sporting activity carries considerable social and educational importance for the EU and its citizens. In addition, sporting activity undeniably has specific characteristics especially in the context of amateur sport, which may also be found in the pursuit of sport as an economic activity. Provided they are relevant, such specific characteristics may be taken into account in the application of the TFEU rules on competition, as well as in the application of the internal market freedoms, but only in the context of and in compliance with the conditions and criteria of application provided for in Articles 101 and 102 TFEU and Articles 45, 49, 56 and 63 TFUE.[9]

7. In particular, the assessment of whether a rule adopted by a sporting association can be characterised as an anticompetitive agreement or decision of an association of undertakings and an impediment to the free movement of workers or the free movement of services must include a specific analysis of the content of that rule in the actual context in which it is to be implemented. Such an assessment may involve taking into account, for example, the nature, organisation or functioning of the sport concerned. More specifically, it should consider how professionalised it is, the manner in which it is practised, the manner of interaction between the various participating stakeholders and the role played by the structures and bodies responsible for it at all levels.[10]

8. Finally, the Court recalled the case-law,[11] according to which agreements or decisions of associations of undertakings may escape the application of Article 101(1) TFEU if, first, they are justified by the pursuit of one or more legitimate objectives in the public interest which are not per se anticompetitive in nature; second, the specific means used to pursue those objectives are genuinely necessary for that purpose; and, third, that, even if those means prove to have an inherent effect of, at the very least potentially, restricting or distorting competition, that inherent effect does not go beyond what is necessary, in particular by eliminating all competition.[12] The Court then clarified that this case-law does not apply to restrictions by object within the meaning of Article 101(1) TFEU or to conduct that by its very nature infringes Article 102 TFEU.[13] In such a situation, for conduct that infringes Article 101(1) TFEU, only the exemption under Article 101(3) TFEU remains available, subject to the relevant conditions,[14] while conduct that by its very nature is liable to fall under the prohibition of Article 102 may only be justified if the undertaking concerned shows that the conduct at issue is objectively necessary or allows efficiency gains.[15]

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[8] Case C-333/21, *Superleague*, para 101.

[9] Case C-333/21, *Superleague*, paras 102-104.

[10] Case C-333/21, *Superleague*, paras 105 and 251.

[11] The Courts cites at para 183 of *Superleague* to that effect, judgments of 19 February 2002, *Wouters and Others*, C-309/99, EU:C:2002:98, para 97; of 18 July 2006, *Meca-Medina and Majcen v Commission*, C-519/04 P, EU:C:2006:492, paras 42 to 48; and of 28 February 2013, *Ordem dos Técnicos Oficiais de Contas*, C-1/12, EU:C:2013:127, paras 93, 96 and 97.

[12] See, for instance, the judgment of the Court of 18 July 2006 in case C 519/04 P, *Meca-Medina and Majcen v Commission*, EU:C:2006:492.

[13] Case C-333/21, *Superleague*, paras 185-186.

[14] Case C-333/21, *Superleague*, para 187.

[15] Case C-333/21, *Superleague*, paras 183-186 and paras 201-202.

II. International Skating Union

9. In its *International Skating Union* Decision[16], the Commission found that the pre-authorisation rules of the International Skating Union (ISU) infringed Article 101 TFEU because speed skaters who participated in competitions not authorised by the ISU faced severe penalties even when the independent competitions did not pose any risk to legitimate sport objectives. It therefore concerned pre-authorisation rules similar to those at issue in the *Superleague* case.

10. On appeal against the judgment of the General Court, which had partially upheld the Commission decision, the Court found, in parallel and consistent with the judgment in *Superleague,* that ISU's pre-authorisation rules constituted an infringement of Article 101 TFEU by object because the pre-authorisation system at issue did not meet the criteria for transparency, objectivity and non-discrimination.[17]

11. On a secondary issue, since in this case the practice of concern was considered as reinforcing the infringement of Articles 101 and 102 TFEU, the Court held that sport federation rules that impose mandatory arbitration in disputes that involve the public policy provisions of EU law (in particular EU competition law) are compatible with the Treaty only if the arbitral award is reviewable by a court that can verify the compliance of the award with EU public policy rules (including competition law) and, if need be, refer the case for a preliminary ruling by the Court of Justice under Article 267 TFEU.[18]

III. Royal Antwerp

12. In Case C-680/21, *Royal Antwerp FC v URBSFA*[19], the Court replied to a request for a preliminary ruling from the Tribunal de première instance francophone de Bruxelles, Belgium. The case concerned the 'home-grown player rules' of UEFA and the Belgian Football Association (URBSFA), which required Belgian football clubs participating in UEFA's interclub competition as well as in several national divisions to have a maximum of 25 listed players, with a minimum number of players being "home-grown", meaning that they were trained by their club or another club affiliated with URSBFA.

13. The Court held that by forcing clubs to reserve slots for locally trained talent, the home-grown player rules restricted clubs from competing freely on merit to recruit the best available players across Europe.[20] It was for the referring Belgian court to decide whether this restriction qualified as a restriction by object or by effect[21] on the basis of the guidance given by the Court in the judgment.

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[16] Commission decision of 8 December 2017 in Case AT.40208 - International Skating Union's Eligibility rules.

[17] Judgment of the Court of Justice of 21 December 2023 in Case C-124/21 P, *International Skating Union v Commission* (ECLI:EU:C:2023:1012), paras 137, 144-146 and 148.

[18] Case C-124/21 P, *ISU*, paras 192-195.

[19] Judgment of the Court of Justice of 21 December 2023 in Case C-680/21, *UL and SA Royal Antwerp Football Club v Union royale belge des sociétés de football association ASBL* (ECLI:EU:C:2023:1010).

[20] Case C-680/21, *UL and SA Royal Antwerp,* paras 101- 107.

[21] Case C-680/21, *UL and SA Royal Antwerp,* paras 108 - 112.

14. In this context, the Court recalled that when considering whether the home grown player rules restricts competition by object, the national court must consider its content, its legal-economic context and its objectives.[22] As regards its content, the share of nationally trained players is an important factor in determining whether the restriction reveals, in itself, a sufficient degree of harm to competition.[23] As regards its objectives, the national court was to consider, among other things, whether the rule had the objective of partitioning or re-partitioning the single market for players along national lines or of making the interpenetration of national markets more difficult by establishing a form of 'national preference'.[24]

15. If the home-grown player rules were found to restrict competition by effect, they could escape the prohibition in Article 101(1) TFEU if the referring national court finds that three conditions, mentioned by the case law, are fulfilled: first, they are justified by the pursuit of one or more legitimate objectives in the public interest which are not per se anticompetitive in nature; second, the specific means used to pursue those objectives are genuinely necessary for that purpose; and, third, that, even if those means prove to have an inherent effect of, at the very least potentially, restricting or distorting competition, that inherent effect does not go beyond what is necessary, in particular by eliminating all competition in the relevant market(s).[25] The Court held that the uniformity of conditions for football interclub competitions and the encouragement of the training of young professional football players could constitute such legitimate objectives.[26]

16. The Court equally stated, as in the parallel *ISU* and *Superleague* judgements, that if the home-grown player rules restrict competition by object, the case-law referred to above does not apply and legitimate objectives in the public interest (such as the uniformity of conditions for football interclub competitions and the encouragement of the training of young professional football players) are of no avail to escape the prohibition in Article 101(1) TFEU. In such a situation, only the exemption under Article 101(3) TFEU remains available, subject to the relevant conditions.[27] In this case, this included proving the potential efficiency gains resulting from the home-grown player rules, such as, for example, increasing the recruitment and training of young players, and proving that such benefits outweigh the harm from the restriction of competition between clubs. Furthermore, to qualify for the exemption, the URBFSA had to prove that the home-grown player rules were indispensable for achieving such efficiency gains (i.e. that the same gains could not be achieved with less distortive means) and that the rule did not eliminate all competition between clubs for players. [28] In particular, the determining factor to find whether this proportionality condition is fulfilled is the proportion of home-grown players to be included on the match sheet, compared with the total number of players on that sheet.[29]

17. The Court referred to Article 165 TFEU in a similar manner as in the *Superleague* case.[30]

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[22] Case C-680/21, *UL and SA Royal Antwerp,* para 92.
[23] Case C-680/21, *UL and SA Royal Antwerp,* para 109.
[24] Case C-680/21, *UL and SA Royal Antwerp,* para 110.
[25] Case C-680/21, *UL and SA Royal Antwerp*, para 113.
[26] Case C-680/21, *UL and SA Royal Antwerp*, para 117.
[27] Case C-680/21, *UL and SA Royal Antwerp,* para 115-117.
[28] Case C-680/21, *UL and SA Royal Antwerp*, para 118-134.
[29] Case C-680/21, *UL and SA Royal Antwerp*, para 132.
[30] Case C-680/21, *UL and SA Royal Antwerp*, paras 63-75.

IV. FIFA

18. In Case C-650/22, *FIFA v. BZ*[31], the Court replied to a request for a preliminary ruling from the Cour d'appel de Mons, Belgium. The case concerned a professional football player ("BZ") who had signed a four-year contract with Russian club Lokomotiv Moscow in August 2013. One year later, Lokomotiv Moscow terminated the contract for reasons which, it claimed, were connected with BZ's conduct. The club sued BZ for damages before the FIFA Dispute Resolution Chamber (DRC) alleging "termination of contract without just cause" within the meaning of Article 17 of FIFA's Regulation on the Status and Transfer of Players ("RSTP"), while BZ submitted a counterclaim for unpaid actual and future wages. In May 2015, the DRC ordered BZ to pay EUR 10.5 million in damages and dismissed his counterclaim. On appeal, the Court of Arbitration for Sport (CAS) upheld the DRC's decision. While the dispute was ongoing, BZ sought to rebuild his career and found a willing prospective employer in the Belgian club Sporting de Charleroi. However, due to the severe financial and regulatory risks that Charleroi faced under FIFA's transfer rules, it ultimately backed out of signing BZ. Unable to secure employment for months, BZ sued FIFA and the Belgian Football Association (URBSFA) in the Belgian courts for damages, leading the Mons Court of Appeal to refer the matter to the Court of Justice.

19. The Court held that the rules at issue of the RSTP constituted a restriction by object within the meaning of Article 101(1) TFEU, as they prevented competition between clubs for the recruitment of players who were employed under a contract unless the two clubs agreed on a negotiated transfer.[32] In particular, the Court took issue with (i) vaguely defined criteria that could easily result in excessive compensation payable by the player;[33] (ii) automatic assumption of joint and several liability alongside the player to pay compensation to the former club, regardless of whether the new club was responsible for the original breach;[34] (iii) automatic presumption of inducement by the new club after a contractual breach during the 'protected period' (the first two or three years of the player's contract), effectively reversing the burden of proof and exposing it to the risk of being penalized with a two-window transfer ban;[35] and (iv) withholding of the International Transfer Certificate (ITC) required to register the player with a new club of another Member State as long as any contractual dispute remained pending,[36] As these rules prevented clubs from hiring players who were in a dispute over contract breach or were found to have breached its contract without just cause, the Court found that they effectively eliminated the possibility to hire players employed by rival teams established in another Member State under a valid contract or players whose employment contract with such a club has allegedly been terminated without just cause, unless the two clubs agreed on a negotiated transfer. By preventing such unilateral hiring under the guise of preventing aggressive recruitment practices, the rules effectively functioned as a no-poach agreement between clubs, which, in essence, leads to the artificial partitioning of national and local markets, to the advantage of the clubs as a whole. As such they amounted to a restriction by object within the meaning of Article 101(1) TFEU.[37]

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[31] Judgment of the Court of Justice of 4 October 2024 in Case C-650/22, *FIFA v BZ* (ECLI:EU:C:2024:824).
[32] Case C-650/22, *FIFA*, para 134-148.
[33] Case C-650/22, *FIFA*, para 135.
[34] Case C-650/22, *FIFA*, para 137.
[35] Case C-650/22, *FIFA*, para 137.
[36] Case C-650/22, *FIFA*, para 136.
[37] Case C-650/22, *FIFA*, paras 145-148.

20. The RSTP rules at issue were found unlikely to qualify for the exemption in Article 101(3) TFEU, even if ultimately it was for the referring court to rule on this question. As the rules' design included a significant number of factors which were discretionary and/or disproportionate, and amounted to a generalised, drastic and permanent restriction of competition for players in the form of unilateral recruitment, the Court held that they were *prima facie* precluded from being considered indispensable or necessary for achieving efficiency gains even if such gains were proven to exist.[38]

V. Seraing

21. In Case C-600/23, *Royal Football Club Seraing v FIFA* ("Seraing")[39], the Court replied to a request for a preliminary ruling from the Cour de cassation, Belgium. The case concerned FIFA's and UEFA's arbitration system before the CAS.

22. In line with the judgment in *International Skating Union*, the Court reiterated that Articles 101 and 102 TFEU, which have direct effect and create rights for individuals that national courts or tribunals must protect, form part of EU public policy.[40]

23. The Court held that in all sport cases involving the pursuit of sport as an economic activity within the EU, sport arbitration awards must be subject to effective judicial review by national courts in the EU to ensure their compliance with EU public policy, in particular EU competition law.[41] Effective judicial review of a dispute governed by EU law must include the power to grant interim measures and the possibility to request a preliminary ruling from the Court of Justice.[42]

24. Consequently, the requirement of effective judicial protection referred to in the second subparagraph of Article 19(1) of the Treaty on European Union and Article 47 of the Charter of Fundamental Rights of the European Union, read in conjunction with the preliminary ruling procedure provided for in Article 267 TFEU, precludes provisions of national law that confer the authority of *res judicata* on an award made by the CAS, where the dispute resolved by the award is linked to the pursuit of a sport as an economic activity within the territory of the EU, if the consistency of that award with the principles and provisions of EU law which form part of EU public policy has not first been subject to effective review by a court or tribunal of a Member State that is authorised to make a reference to the Court of Justice for a preliminary ruling.[43]

25. The Court further held that the same applies to national provisions that confer probative value, as a consequence of that *res judicata* authority, on such an award.[44]

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[38] Case C-650/22, *FIFA*, para 157.
[39] Judgment of the Court of Justice of 1 August 2025 in Case C-600/23, *Royal Football Club Seraing v FIFA* (ECLI:EU:C:2025:617).
[40] Case C-600/23, *Seraing*, para 88.
[41] Case C-600/23, *Seraing*, para 100.
[42] Case C-600/23, *Seraing*, para 105.
[43] Case C-600/23, *Seraing*, paras 120-125.
[44] Case C-600/23, *Seraing*, paras 120-125.

VI. Tondela

26. In Case C-133/24, *CD Tondela* ("Tondela")[45], the Court replied to a request for a preliminary ruling from the Tribunal da Concorrência, Regulação e Supervisão, Portugal. The case concerned an appeal against a decision by the Portuguese competition authority, by which the latter had imposed fines in relation to a no-poach agreement concluded by a national sport association (Liga Portuguesa de Futebol Profissional (LPFP)) and a broad group of affiliated football clubs, including the First and Second Divisions, following the suspension of the 2019/2020 sporting season during the COVID-19 pandemic.

27. The Court recalled the three necessary elements in order to determine, in a given case whether an agreement may be categorised as having as its object the prevention, restriction or distortion of competition within the meaning of Article 101(1) TFEU (i.e., its content, economic and legal context and objectives).[46] The Court then held that although the examination of the *content* of the agreement at issue in the main proceedings demonstrated that it was such as to manifestly restrict the competition likely to exist between the participating football clubs on the player recruitment market, the examination of the actual *economic and legal context* of which it formed part showed that that agreement came about in a sector where competition features numerous specific characteristics in a very unique context, especially the difficulties caused by the COVID-19 pandemic and/or any exceptional decision arising from it, in particular the extension of the sporting season. As such, while the referring national court could validly find that the agreement at issue pursued in parallel the *anticompetitive* aim of preventing competition between clubs for players and a *procompetitive* aim of preventing roster changes during the season, which was prolonged indefinitely due to the pandemic, such a situation was to be distinguished from a situation in which conduct pursuing an objectively anticompetitive aim merely co-exists with other objectives that are possibly legitimate but *neutral* from a competition standpoint.[47] The Court noted that without the agreement wealthier clubs could have acquired players whose contract had expired on the date when the 2019/2020 sporting season was initially due to end (namely, 30 June 2020) or who have terminated their contract due to COVID-19 and thus could have changed the strength of the squads during the protracted season.[48]

28. Consequently, the Court held that Article 101(1) TFEU must be interpreted as meaning that an agreement by which clubs participating in the professional football divisions of a Member State have undertaken, in collaboration with the national sporting association concerned, not to recruit players who have unilaterally terminated their employment contracts citing difficulties caused by the COVID-19 pandemic or by any exceptional decision arising from it, and in particular by the extension of the sporting season, must be categorised as an agreement having as its object the restriction of competition, unless a specific examination of the content of that agreement, its objective aims from a competition standpoint and the specific economic and legal context of which

[45] Judgment of the Court of Justice of 30 April 2026 in Case C-133/24, *CD Tondela – Futebol, SAD and Others v Autoridade da Concorrência* (ECLI:EU:C:2026:361).

[46] Case C-133/24, *Tondela*, para 43.

[47] Case C-133/24, *Tondela*, paras 86-87.

[48] Case C-133/24, *Tondela*, para 82.

it forms part could provide specific reasons for a competent authority or court to consider that it must not be so categorised.[49]

29. If the referring national court were to conclude that the agreement did not qualify as a restriction by object, the agreement at issue could escape Article 101(1) TFEU provided that it pursues one or more legitimate objectives, if the agreement was genuinely necessary for achieving those objectives and that the restriction of competition inherent in the agreement does not go beyond what is necessary to achieve the objectives.[50]

30. In this context the Court highlighted that ensuring the regularity of sporting competitions and the maintenance of a certain degree of stability in clubs' playing rosters are legitimate objectives that are capable of justifying the agreement at issue.[51] However, the Court left it to the national court to decide whether the agreement was genuinely necessary and proportionate in the strict sense of the term, against the specific background of the COVID-19 pandemic.[52]

VII. ROGON

31. In Case C-428/23, *ROGON*[53], the Court replied to a request for a preliminary ruling from the Bundesgerichtshof, Germany. The case concerned the 2015 regulations of German Football League (DFB) governing the activities of football players' agents and the use by players and clubs of the services of an agent for the conclusion of professional player contracts and transfer agreements. Among other things, the regulations prohibit players' agents from receiving payments for any transaction involving underaged players or, in the context of an inward transfer, based on future player transfers.[54]

32. The questions referred to the Court in this case focus on the interpretation of the case-law[55] based exception to the scope of application of Article 101(1) TFEU on grounds of the pursuit of one or more legitimate objectives in the public interest, specifically asking whether it applies to regulations of sport associations that regulate the use of services of undertakings outside the association on a market upstream of the association's activities (in this case, football agents).[56]

33. The Court first noted that the regulations at issue may fall within the scope of the prohibition of cartels under Article 101 TFEU. In particular, these regulations are not part of the specific rules which must be regarded as being extraneous to any economic activity, because first, they had been adopted exclusively for non-economic reasons and, second, they related to questions of interest solely to sport per se. The Court mentioned as examples of those specific rules the exclusion of

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[49] Case C-133/24, *Tondela*, para 89.
[50] Case C-133/24, *Tondela*, paras 91 and 94.
[51] Case C-133/24, *Tondela*, paras 96-97.
[52] Case C-133/24, *Tondela*, paras 98-99.
[53] Judgment of the Court of Justice of 9 July 2026 in Case C-428/23, *ROGON and others v. Deutscher Fußballbund e. V. (DFB)* (ECLI:EU:C:2026:563).
[54] Case C-428/23, *ROGON*, para 8.
[55] The Court cites at para 20 of *ROGON* the judgments of 19 February 2002, *Wouters and Others* (C-309/99, EU:C:2002:98), and of 18 July 2006, *Meca-Medina and Majcen* v *Commission* (C-519/04 P, EU:C:2006:492).
[56] Case C-428/23, *ROGON*, para 19.

foreign players from the composition of national teams or the determination of ranking criteria used to select the athletes participating in individual competitions.[57]

34. Moreover, the Court held that DFB may be regarded as having the status of an association of undertakings both on the sport ticketing, sponsorship or merchandising markets and on those that are upstream of those markets, such as the recruitment of players or coaches, or the services of agents for the transfer of professional players or coaches from one club to another.[58]

35. The Court then held that the case-law referred to above, based exception may equally apply to regulations adopted by a sport federation which, while addressing its members, also regulate the use by the members of the federation or association of the services of third-party undertakings not belonging to that federation, such as players' agents.[59]

36. In that context the Court notes that it may prove necessary for regulations adopted by an association such as the DFB to produce some of their effects, not only with regard to its members, but also with regard to third party undertakings which maintain relations with those members, in order to pursue one or more legitimate objectives in the public interest which are not, in themselves, anti-competitive.[60] The Court ruled that that may be the case where, in order to achieve such objectives, a sports federation is required to adopt regulations capable of having implications for the 'ecosystem' which they regulate and control.[61]

37. However, it must be ensured in practical terms that such regulations (i) cannot be classified as an agreement between undertakings or a decision by an association of undertakings having the object of restricting competition and (ii) are justified by the pursuit of a legitimate objective in the public interest in the light of which they appear, strictly speaking, appropriate, necessary and proportionate, in the strict sense of the term.[62] The Court then left it for the referring national court to decide whether the DFB regulations fulfil all of these conditions.

VIII. RRC

38. In Case C-209/23, *RRC Sports*[63], the Court replied to a request for a preliminary ruling from the Landgericht Mainz, Germany. The case concerned the 2022 FIFA Football Agent Regulations (FFAR) and related rules which govern the offering and provision of intermediation services to players, coaches, clubs and single-entity leagues, and the methods of paying for those services. The case was initiated by two football agents seeking an injunction against their implementation.

39. The request for a preliminary ruling in this case queried the compatibility with EU law, including internal market and competition rules, of a number of different rules contained in the FFAR. These include a prohibition on simultaneously representing two or three of the parties concerned by the transfer of a player or coach, a percentage-based cap on agents' fees charged in relation to player

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[57] Case C-428/23, *ROGON*, paras 21-24.
[58] Case C-428/23, *ROGON*, para 32.
[59] Case C-428/23, *ROGON*, para 64.
[60] Case C-428/23, *ROGON*, para 57.
[61] Case C-428/23, *ROGON*, para 58.
[62] Case C-428/23, *ROGON*, para 62.
[63] Judgment of the Court of Justice of 16 July 2026 in Case C-209/23, *RRC Sports v. Fédération Internationale de Football Association (FIFA)* (ECLI:EU:C:2025:733).

transfers, the calculation method used for these fees and permitted sources of payment, a non-approaching rule vis-à-vis other agents' exclusive clients and further supporting rules regarding licence and information requirements.[64]

40. The Court started by reiterating its considerations of the role of Article 165 TFEU in EU competition law assessments, as developed in its *Superleague*, *Tondela* and *FIFA* rulings.[65] It then found that the regulations at issue are not of such a purely sporting nature that they escape the application of the EU competition rules.[66]

41. The Court confirmed, as it had concluded in *ROGON*, that it is not necessarily illegitimate for a sport federation to adopt regulations that govern the relationships between, on the one hand, its members, and on the other hand, undertakings that could have an economic interest in the organisation of competitions.[67]

42. According to the Court, it was ultimately for the referring national court to assess whether the contested FIFA rules involve restrictions of competition that breach Article 101 TFEU by object or by effect, and whether they may be considered to be justified. However, the Court provided a number of clarifications for the purpose of that assessment.[68]

43. The Court examined each of the rules at issue in order to assess whether they could, in principle, be classified as restrictions by object in the meaning of Article 101(1) TFEU. Among other things, it considered that the rule against multiple representation did not appear to be a restriction by object[69], nor did the rules regarding maximum fees that provide for a relative limit, being proportional, depending on the case, either to the remuneration which the player or coach will receive when the agent represents that individual or the engaging entity, or to the compensation paid by the engaging entity to the releasing entity where the agent represents the latter[70]. By contrast, the Court found the rule that prevents agents from receiving remuneration related to a transfer of a player or coach a restriction by object, where the same player or coach transfers to a second club before the first negotiated employment contract expires or after the individual terminates their contract prematurely without just cause. The Court considered this rule to be arbitrary because it also applies to agents that were involved in the individual's first transfer but have since ceased to represent that individual.[71]

44. The Court also found that licensing rules did not appear to be restrictions by object[72], nor did the detailed information requirements for agents.[73]

45. On the contrary the Court held that the rule prohibiting agents from approaching or concluding representation agreements with a client who is already bound by an exclusive representation

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[64] Case C-209/23, *RRC Sports*, paras 63-64.
[65] Case C-209/23, *RRC Sports*, paras 66-68.
[66] Case C-209/23, *RRC Sports*, paras 70-74.
[67] Case C-209/23, *RRC Sports*, para 81.
[68] Case C-209/23, *RRC Sports*, para 113.
[69] Case C-209/23, *RRC Sports*, para 118.
[70] Case C-209/23, *RRC Sports*, paras 121-122
[71] Case C-209/23, *RRC Sports*, paras 132, 136-138.
[72] Case C-209/23, *RRC Sports*, para 151.
[73] Case C-209/23, *RRC Sports*, para 169.

agreement outside of a two-month window preceding the expiry of the contract appeared to be a restriction by object. That rule did not apply to agents already bound by an exclusive representation agreement, with the result that those agents could renegotiate the terms or conclude a new contract outside of that window of time and were therefore granted an undue advantage with respect to other agents.[74]

46. As far as the application of Article 102 TFEU is concerned, the Court found that FIFA may be considered as occupy a dominant position on the market of agent services as regards the international transfer of professional players and coaches and on the employment market for players and coaches, a position resulting from the regulatory, supervisory and sanctioning power it exercises in respect of those markets.[75]

47. However, it remained for the referring national court to assess, on the basis of the criteria provided by the Court, whether the contested FIFA rules constitute an abuse of those dominant positions[76] and, if so, whether such conduct could be justified.[77]

[74] Case C-209/23, *RRC Sports*, para 158.
[75] Case C-209/23, *RRC Sports*, para 261.
[76] Case C-209/23, *RRC* Sports, paras 265-267 and 274.
[77] Case C-209/23, *RRC* Sports, para 282.



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