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## MINUTES ECA Council Meeting

### DETAILS

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**Date:** 14 March 2019  
**Time:** 12:00 – 14:00hrs  
**Place:** Hilton Garden Inn – Vienna South  
Vienna, Austria

### PARTICIPANTS

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#### ECA Council

Francesco Purromuto President  
Jacques Bettenfeld Vice President

#### EHF office

Monika Flixeder EHF Legal Management  
Loïc Alves ECA Office

#### *Excused*

Wouter Lambrecht Vice President  
Bogdan Sojkin Vice President

### MINUTES

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#### 1. Welcome

President Purromuto welcomed the participants and excused the Vice-Presidents Sojkin and Lambrecht.

Vice-President Bettenfeld suggested, in addition to the yearly meeting in person, to hold meetings via videoconference with the new EHF technical system. It would ensure flexibility and the attendance of everybody.

#### 2. Short review of the EHF Court of Arbitration current season activities

The case handled by ECA in 2019 came from a contractual matter. The corresponding agreement contained a clear clause granting the competence to ECA to solve any dispute that may arise. The issue related to overdue amounts in connection with a breach of the contract by one of the parties.

The case was solved amicably by the parties; an order for termination was therefore rendered by the ECA Council.

### **3. Discussions on the Future of ECA**

#### *Ideas on a possible development plan to raise ECA awareness*

President Purromuto proposed to do a comparative analysis of practices in other courts of arbitration as a starting point.

In addition, new information could be sent to clubs and National Federations with a kind request to pass on the information as much as possible.

The idea to slightly change the name of ECA in order to limit the impression that a connection exists with the EHF was raised. In this perspective, the decision of the European Court of Human Rights (ECHR) rendered in October 2018 in the Mutu & Pechstein vs. Switzerland should be taken into account and considered thoroughly. One strong argument brought forward by the two judges in their dissenting opinion basically consists in explaining that it is not enough for a court of arbitration (CAS in this case) to be independent, it must also look independent.

Hence, removing the reference to the EHF would constitute a simple but useful step forward to show the handball stakeholders that the ECA is indeed an independent court of arbitration.

“Handball Court of Arbitration” or “European Handball Court of Arbitration” could for instance constitute alternatives.

The idea may be further assessed by the EHF Executive Committee.

### **4. List of Arbitrators**

#### *Review of Candidates*

Joannes Ranke was proposed by the Executive Committee in their last meeting held in January 2019. Mr Ranke has been contacted by the ECA Office to file the declaration of independence but has not returned it yet. He is a good candidate with a profile that could definitely bring a different expertise.

The ECC cannot formally confirm the proposal yet at this stage but underlines that the pre-conditions appeared to be met.

### **5. Miscellaneous**

#### *Finances*

The ECA finances were reviewed and discussed. The ECA is now self-funded and sustainable, which in terms of independence is essential.

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## *Future ECA meetings*

The idea of a meeting with a group of arbitrators having been involved in several cases was discussed. The goal of such meeting would be to discuss past cases and brainstorm on the future directions and development of the ECA. Enough cases have now been dealt with to have relevant content. Discussing cases would help to take a step back and analyse awards. In order to keep it informal and keep the costs low, a videoconference could be a solution.

Vice-President Bettenfeld proposed to have a videoconference after the decision of the German Constitutional Court in the Pechstein case.

The next yearly ECA Council meeting will otherwise be in March/April 2020.

Vienna, 28 March 2019/la