

MEETING EHF COURT OF ARBITRATION COUNCIL
Prior to the 2021 EHF Congress in Vienna/AUT
Minutes

DETAILS

Date: 22 April 2021

Time: 17:30 – 18:30hrs

Place: Bungalow D
Eventhotel Pyramide
Vienna, Austria

PARTICIPANTS

EHF Court of Arbitration:

Jacques Bettenfeld Vice President (remote)

ECA Office:

Monika Flixeder Legal Management

Mihaly Kovacs Legal Management

Sophia Touiker Legal Management

Excused:

Francesco Purromuto President

Bogdan Sojkin Vice President

Wouter Lambrecht Vice President

MINUTES

1. Welcome

Vice President Bettenfeld welcomed the participants and excused President Purromuto, Vice President Sojkin and Vice President Lambrecht.

2. Short review of the EHF Court of Arbitration past season activities by the President

In the absence of the president, Vice President Bettenfeld took over the possibility to evaluate the EHF Court of Arbitration's (ECA) past activities and to reflect to the recent term in office. Regarding his personal situation, he informed the participants that he could not be a candidate for the next election due to health conditions.

Referring to the last term, there is a slight increase in the number of the cases in comparison to the election periods before. It was pointed out as a positive development that the arbitration clause is used more frequently in contracts of various stakeholders.

3. ECA Rules of Arbitration

- Motions to be presented at the EHF Congress

Several motions were prepared in order to amend the ECA Statutes and the ECA Rules of Arbitration as follows:

- Name change to European Handball Court of Arbitration;
- List of ECA arbitrators;
- Limitation of liability of the arbitrators; and
- Organisation of video meeting.

The participants appreciated the good cooperation between the ECA Council and the EHF office for preparing those motions. For the sake of completeness, it is mentioned that all motions relating to ECA have been approved by the 2021 EHF Congress.

- Enforcement of ECA Arbitral awards

The enforcement of the arbitral awards of ECA frequently faces obstacles in cases in which the obligated party does not comply with the award. The enforcement via public court in the nation concerned may be time consuming and costly. In addition a tailor-made legal system as the ECA, needs also rules and procedures for implementation.

The ECC proposes to introduce the EHF implementation system for legal decisions in the regular instances with the EHF also for ECA decisions (federations liability, etc.). In addition, sanctions against the default parties could be put in place and implemented via a disciplinary procedure in front of the EHF instances. Detail need to be further discussed and worked out with regard to the next EHF Congress.

4. ECA Finances

- Spende vs. Metalurg n°20660

The case was dealing with the non-payment of the club towards one of its former players. The payments relating to the award were not carried out yet by the North-Macedonian club; The same holds true for the arbitrator fees. Measures for enforcement are currently taken in a step by step process.

The balance sheet of the ECA of the year 2020 was made available to the ECC. The participants took note of the positive outcome. ECA is self-financing and closes the year with positive result.

5. Miscellaneous

- Future ECA meetings

The next ECA meeting for the newly elected members of the ECA Council is scheduled right after the end of the EHF Congress (24.04.2021).

The EHF office thanked the ECC for the committed work; this especially to Vice President Bettenfeld, who was present in the meeting.

For the minutes: Mischi Kovacs, 28 April 2021.