

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

DETAILS

Date: 22 April 2021
Time: 09:00 – 12:30hrs
Place: Bungalow D
Eventhotel Pyramide
Vienna, Austria

PARTICIPANTS

EHF Court of Handball:

Panos Antoniou	President
Kristian Johansen	Vice President (remotely)
Elena Borrás Alcaraz	Member
Ioannis Karanasos	Member (remotely)
Libena Sramkova	Member
Yvonne Leuthold	Member (remotely)
Urmo Sitsi	Member (remotely)
Viktor Konopliastyi	Member

EHF Office:

Monika Flixeder	Legal Management
Mihaly Kovacs	Legal Management
Sophia Touiker	Legal Management

MINUTES

1. Welcome

President Antoniou welcomed the participants to the last Court of Handball (CoH) meeting under his presidency.

He expressed his gratitude towards the members of the CoH and the EHF Office and thanked for the fruitful cooperation throughout the last couple of years. He underlined the correctness of the decisions which have been issued during his term as he received many positive comments from coaches, delegates and stakeholders.

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

The president reflected the main areas and tendencies the majority of cases had their origin. Pointing out the Men's EHF EURO 2020, where the number of the cases was significantly higher than at the Women's EHF EURO 2020. It is important to mention that since 2009 there had not been any cases regarding manipulations or manipulation attempts by EHF officials until last year. The handling of the case concerned by the panel in charge was commented positively by CoH.

In addition, the president drew the attention of the participants to direct disqualification cases and the relating reporting obligation of the referees after each red card decision. The question of the correct wording of this obligation, eg using statement instead of report is discussed. As the wording is a term reflecting the regulations concerned, there is no space for interpretation seen.

3. Review of cases

- Withdrawal/Failure to play matches (e.g. Brest Bretagne 20672/FC Porto 20674/Dortmund 20675)

The handling of the cases was appreciated by the CoH members. Regarding the Porto case the publication of the decision was unfortunate as it fell to the day of the funeral of the deceased player; the date was not communicated by the club.

The Dortmund case is not reflecting a "COVID-19" related acting; their non-participation was based on a decision of the club's leadership.

Match result decisions in connection with withdrawals and non-participations relating to 'COVID-19' measures imposed by public authorities were assigned to the administrative body by the EHF Executive Committee. All other cases maintain the regular competence of the EHF body of first instance.

The panel for each case is defined once the claim has been declared admissible by the President of the CoH. This reflects the principle of legal judge. Such panel needs to complete the case and stays in function until the decision is published. Elections do not influence the compilation of an existing panel.

- Transfer/Education Compensation (e.g. Beyeröhder Handball UG 20662)

The handling of the case was satisfying and the decision had not been appealed. The CoH discussed the arguments of the claimant and reflected the reference to the 'Bosman' case, which was not supporting the claimants' position. The claim for education compensation constitutes a completely different issue. A decision rendered by the European Court of Justice in 2010 explained the distinction between transfer fee and education compensation

precisely as well as the fact that the latter does not hinder any fundamental rights of the player.

- Manipulation Attempt (e.g. 20655)

As emphasized by the president earlier, a series of cases relating to manipulations and manipulation attempts date back to 2009.

In the actual case, the attempt was seen by the deciding panel as an initiative of the person acting. Sufficient proofs 'substantive' for any involvement of the National Federation concerned, etc. could not be brought up.

4. Review of Statistics

The participants took note of the increasing number of cases. The CoH members emphasised that only a low number of cases was appealed to CoA. This was taken as a signal for the acceptance of the decisions by the parties.

The issue of appeal fee and possible impacts on decisions to use legal remedies was raised. According to the experience of the EHF over many years, the appeal fee was well accepted by the parties and avoids expressions of discontent in the form of an appeal.

5. EHF Legal Regulations, EHF List of Penalties, EHF Catalogue of Administrative Sanctions

- Motions to be presented to the EHF Congress to amend the EHF Catalogue of Administrative Sanctions

The EHF Office has explained to the participants that the target of the motion is to put the amendment of the EHF Catalogue of Administration Sanctions to the competence of the EHF Executive Committee as the relating competence is with the EHF Congress. This currently makes any update inflexible and it is difficult to follow necessary developments in competition systems.

Besides, the motion relating to the Substitute Initiator of proceedings was mentioned.

6. Publication

The sixth edition has been published on 28 August 2020. As this topic has already been discussed during the previous Legal Delegation meeting, no further comments were mentioned.

7. Feedback Women's EHF EURO 2020 – NOR/DEN

The president underlined the outstanding assistance of the EHF office in relation to the event preparation and the cases on site. In addition, it is important to mention that only three cases had occurred. Apart from the two direct disqualifications, the remaining case dealt with unsportsmanlike conduct of a team official during the press conference.

In connection with the last-mentioned case the difference between unsportsmanlike conduct and the freedom of speech was discussed. An accusation within the frame-work of activities relating to official EHF competitions in any case constitutes unsportsmanlike conduct in accordance with the applicable EHF regulations.

8. Miscellaneous

The CoH president again expressed his sincere thanks for the committed and positive work of all members. He wished all candidates for re-election good luck.

The next CoH meeting is scheduled right after the end of the EHF Congress (24.04.2021) and with the newly elected members.

For the minutes: Mischi Kovacs, 28 April 2021.