

# The European Handball Court of Arbitration







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**Please note:** This publication is available to download as an Acrobat PDF format file from the official website: **www.eca-handball.com** 

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#### Introduction



The European Handball Court of Arbitration (ECA) is an independent court of arbitration offering an independent, professional, flexible and efficient way to resolve disputes across the handball community.

The ECA has been established and officially recognised by the European Handball Federation (EHF) to offer an alternative to ordinary state courts, avoiding the complexity, cost and length often associated with those proceedings. Its clear rules, lower costs and professional case handling by leading experts in sports and international law make the ECA an accessible and reliable forum for resolving disputes within our sport.

Operating independently yet in alignment with the EHF Legal system

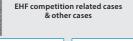
– which is composed of two instances, ECA stands as the final and fully
autonomous level of dispute resolution within European handball.

In general, ECA as an independent arbitration court is available for
all sports matters seeking arbitration.

This brochure outlines the key factors that make the ECA a leading arbitration body in the sports sector: independent, specialised, efficient and fully integrated into the legal ecosystem of European handball.

### **ECA** and the EHF legal system

Federation, club, player's protest or EHF claim/Referee's or delegate's report/Initiator's claim/Disputes



Administrative/ Transfer issues EHF EURO final

FINAL4 Challenge Trophy & Beach European Championships cases YAC EHF EURO & Championship cases EHF EURO Qualifiers / World Championship Qualifications (tournaments) cases

EHF Office

EHF Court of Handball

Other issues

Disciplinary Commission (CoHadhoc commission) Disciplinary Commission

Disciplinary Commission СоН

EHF Court of Appeal EHF Court of Appeal Jury (CoA adhoc commission) CoA (adhoc commission)

Jury

CoA (adhoc commission)



#### Cases of national entities

Decisions from legal bodies and national federations, clubs and other entities or submissions of individuals\*

+ Recognition ECA competence (via Regulations, Arbitration Agreement, etc.)



#### Cases in other sport areas

Final decision from sports organisations\*

Dispute related to sport outside of sports organisations competence

+ Recognition ECA competence (via Regulations, Arbitration Agreement, etc.)



\* provided decisions are not definitive according to parties' prior agreement

### **ECA** proceeding participants: a brief overview



#### Party - the claimant(s)

**Definition:** the entity(ies) initiating proceedings before the ECA through a statement of claim and the payment of the relevant fees.

*Entity:* club, national federation, player, player's agent, coaches, referees, sponsors, EHF.



#### Party - the defendant(s)

**Definition:** the entity(ies) involved in the dispute brought by the claimant(s) before the ECA not supporting the claimants' claims.

**Entity:** club, national federation, player, player's agent, coaches, referees, sponsors, EHF.



#### **ECA** arbitrators

**Nomination:** by the EHF member federations, the EHF and the groups recognised as representing the interests of the clubs, the leagues and the athletes.

**Main qualities:** fluent written and spoken English. A full legal education and/or at least a recognised competence in International Sports Law and/or international arbitration. Independence and impartiality.

All the ECA arbitrators' names and contact details are available in the ECA arbitrators list published on www.eca-handball.com



#### Arbitral chamber

**Composition:** 3 ECA arbitrators (1 chairperson, 2 co-arbitrators).

**Nomination:** 1 arbitrator is nominated by each of the parties; the two nominated arbitrators appoint the chairperson.

**Main tasks:** decides on the specific case brought by the parties using the best of its knowledge and capacities without being bound by any external directions but shall respect any procedural or substantive agreements made by the parties, provided they are compatible with the ECA Rules.



#### **ECA** council

**Composition:** 3 members (1 president, 2 vice presidents) assisted by the ECA Office.

**Election/Nomination:** the president and one vice president by the EHF Congress while the other vice president is nominated by the Professional Handball Board / Women's Handball Board.

*Main tasks:* supports and ensures the proper administration of the arbitration proceedings. Verifies compliance of the proceedings with the ECA Rules. Ensures that the rights of the parties are upheld. Represents the ECA at the EHF Congress.



#### **ECA Office**

*Main tasks:* supports in organisational matters the ECA council and the arbitrators. Coordinates the arbitration proceedings.

## From the initiation of proceedings to the formation of the Arbitral Chamber

The procedure to initiate proceedings before the ECA has been organised in a simple way, making it accessible to any individual or entity: *a written statement of claim containing a request for ECA arbitration* has to be sent to the ECA Office and an *advance fee* shall be paid within the defined deadline.

#### Content of a statement of claim

- Request for ECA arbitration
- · Identification of parties: names and addresses
- · Copy of agreement, clause or statutes acknowledging ECA competence
- · Specific claims regarding the issue/case
- · Any documents/evidences supporting the claims
- · Requested compensation/damages if any

#### Amount of the advance fee

- When bringing a dispute before the ECA after exhaustion of all EHF internal legal remedies: €5.000.
- When bringing a dispute before the ECA within the framework of any other kind of situation:

€2,500 if the amount in dispute is comprised between €0 and €30,000 €5,000 if the amount in dispute is over €30,000

#### Content of the advance fee

- €1.000 when the applicable advance is €2,500
- €1.500 when the applicable advance is €5,000
- Advance payment of administrative costs/cash outlays of the ECA Office
- Advance on arbitrators' fees, cash outlay

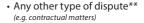
Once the proceedings are opened, the ECA procedure offers the parties choice and freedom as to the arbitrators they wish to compose the arbitral chamber. *The Arbitral Chamber is never pre-determined; its members are appointed by the parties out of the ECA pool of arbitrators.* 

#### Arbitrators appointed by the parties

- · Must confirm their nomination within 3 days
- Must sign a statement of acceptance and a declaration of impartiality & independence
- · Must disclose any facts likely to question their independence

### **ECA** arbitration procedure: part one

- **Decision made by** EHF Court of Appeal
  - · EHF Jury
  - · National handball federations\* (national cases)
  - Other sports federations\*





1st arbitrator nomination

#### Statement of claim + Nomination 1st arbitrator

or

- The statement of claim together with the nomination of the first arbitrator shall be sent by the claimant to the ECA Office
- If no arbitrator is nominated with the statement of claim, the nomination is made by the ECA Council

#### Maximum time taken: 7 days

#### Advance fee payment

• The advance fee shall be transferred by the claimant to the ECA account The formal admissibility of the claim is controlled by the ECA Council The ECA Office informs the parties of the opening of proceedings

#### Maximum time taken: 7 days

#### Nomination 2<sup>nd</sup> arbitrator

- Upon confirmation of the first arbitrator nomination, the defendant is invited to nominate the 2<sup>nd</sup> arbitrator by the ECA Office
- If an arbitrator is not nominated by the defendant within the required deadline, the nomination is made by the ECA Council



#### **Nomination chairperson**

- Upon confirmation of the 2<sup>nd</sup> arbitrator nomination, the two first arbitators are invited to nominate the chairperson by the ECA Office
- If the chairperson is not nominated within the required deadline, the nomination is made by the ECA Council



#### Formation of the arbitral chamber

- \* final internal decision and recognition of the ECA competence
- \*\* recognition of the ECA competence



2nd arbitrator nomination



Chairperson nomination

## From the formation of the Arbitral Chamber to the final award

A lot of *flexibility* has been built into the handling of disputes by the ECA arbitral chamber. The provisions of the *Rules of Arbitration for the ECA* shall be applied but the Arbitral Chamber may also decide in accordance with any other procedural rules that it deems necessary; the practical aspects of the proceedings may therefore be adapted to the characteristics and necessity of the cases.

The ECA proceedings are dealt with in **English**, and generally, in **writing**.

#### The award

- · Gives the grounds for the decision
- Defines which part(ies) shall bear the arbitration costs
- · Is binding and final on the parties
- = SAME ENFORCEABILITY AS A CIVIL COURT JUDGEMENT

#### **Content of arbitration costs**

- €1,000 / €1,500 registration fee
- · ECA Office administrative costs and outlays
- Arbitrator's fees and outlays

#### **ECA proceedings duration**

- Deadline: the arbitral panel shall conduct the proceedings expeditiously and shall communicate the award to the parties no later than three (3) months from the date of the final submission by the parties
- Exceptional circumstances: availability of an express procedure
- Prevalence of parties' agreement on this matter



### **ECA** arbitration procedure: part two



#### Formation of the Arbitral Chamber

Transfer of claimant's statement of claim and any documents received by the ECA Office from the parties to the Arbitral Chamber











## Decision by the Arbitral Chamber on specific procedural rules to be applied, if any

Information to the claimant(s), the defendant(s) and the ECA Office











## Requests for further information, explanations, and documents by the arbitral chamber

Requests to the claimant(s) and/or the defendant(s). Any document or information provided to the Arbitral Chamber by one of the parties shall be communicated to the other party









#### **Oral hearings**

Hearings of: • Defendant(s)/claimant(s)

- Witnesses
- Experts

Optional phases











## Closing of the discussion/investigation phase by the Arbitral Chamber

Information to the claimant(s), defendant(s) and the ECA Office











#### Final decision of the Arbitral Chamber

AWARD









#### Delivery of the award

Executed copies sent by the ECA Office to the claimant(s), the defendant(s) and their representatives



Press release/ Anonymous publication



**END OF ECA PROCEEDINGS** 

## **ECA:** a legal structure offering independence, efficiency and professionalism

The European Handball Court of Arbitration (ECA) provides a legal structure specifically tailored to the realities of handball-related disputes, offering accessible and effective resolution mechanisms for all actors in the sport. It was created with the following main characteristics to serve the interests of the handball community in a fair, independent and sport-focused manner:

#### **INDEPENDENCE**

The ECA operates independently from the EHF legal system; it has its own set of rules and its own organisational structure. Its independence is safeguarded through a range of mechanisms designed to ensure that the ECA arbitrators remain impartial and free from influence – whether from the EHF or any or and the parties involved in a case.

#### **SPORT AND LEGAL COMPETENCE**

The ECA arbitrators are carefully selected based on their knowledge and experience in sport and in legal matters. This group consist of highly qualified lawyers with recognised competence in sports law and/or international arbitration. The ECA bring together top professionals to effectively resolve any handball and sports related dispute.

#### **EFFICIENCY**

The efficiency of the arbitration proceedings is ensured by the expertise of the ECA arbitrators and the time frame defined in the Rules of Arbitration for the ECA. Several deadlines guarantee a prompt formation of the Arbitral Chamber, and the ECA arbitrators are required to render an award within a maximum of 3 months from the date of the final submission. Such procedural deadlines can be further shortened through an express procedure.

#### **PARTIES' FREEDOM**

The parties to ECA arbitration proceedings can choose from the ECA arbitrators list, the arbitrators who will deal with their issue.

# The European Handball Court of Arbitration (ECA): Strategic Role and Advantages within the EHF Framework



Submitting disputes to the European Handball Court of Arbitration (ECA) offers several notable advantages particularly in terms of time, cost, specialisation, enforceability and legal alignment with EU standards.

The most compelling benefits are time efficiency and costeffectiveness – critical factors in the sports world, where careers, competitions, and financial interests often depend on swift and affordable resolutions.

The ECA offers an expedited procedure specifically designed to resolve disputes quickly and efficiently, often delivering decisions within just a few months. This allows clubs, players, and other stakeholders to move forward without prolonged uncertainty.

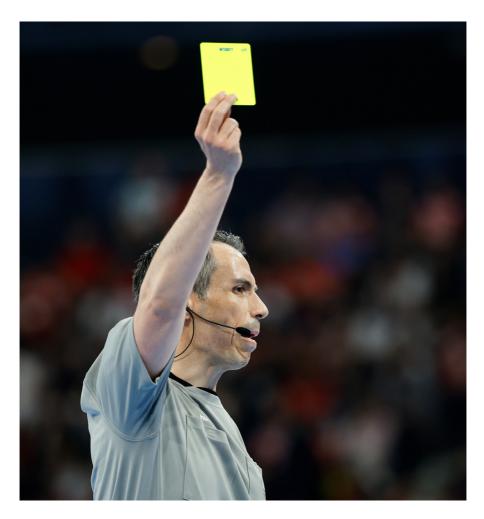
In addition to its speed, the ECA is notably more affordable. Legal proceedings in sports arbitration can quickly become financially burdensome, but the ECA's framework is designed to minimise costs, making it a more accessible and sustainable option, particularly for stakeholders with limited resources.

A further advantage of the ECA lies in the specialised expertise of its arbitrators, many of whom have direct experience in handball and a deep understanding of its rules, structure, and culture, alongside their legal qualifications.

Enforceability is another area where the ECA demonstrates strength. Its awards are backed by the regulations of the EHF, which help ensure that decisions are not only respected but also effectively enforced. This institutional support enhances the practical authority of ECA rulings and gives parties confidence that outcomes will be implemented. While ECA awards are final, they can still be challenged before the Austrian Supreme Court, in accordance with applicable Austrian procedural rules.

Finally, the ECA's location in Vienna, Austria, provides a unique legal advantage due to Austria's membership in the European Union. In cases involving questions of EU law, the Austrian Supreme Court may refer matters to the European Court of Justice (ECJ) for a preliminary ruling. This ensures that ECA decisions remain aligned with evolving EU jurisprudence, offering greater certainty and integration with European legal standards. By contrast, CAS, based in Switzerland, operates outside the EU, and its proceedings do not benefit from ECJ interpretive guidance.

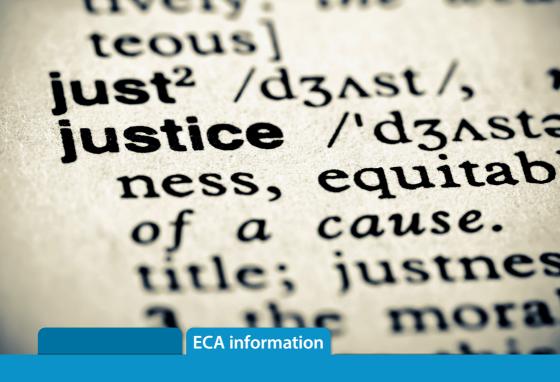
For stakeholders operating within the EU and relying on consistent application of European legal principles, the ECA offers a particularly attractive and reliable dispute resolution mechanism.



## The European Handball Court of Arbitration (ECA)

Aspect	ECA (European Handball Court of Arbitration)
Time Efficiency	Expedited procedure; decisions typically reached within a few months
Cost	Designed to be cost-effective and accessible, especially for stakeholders with limited resources
Party Orientation	More responsive and tailored to parties' needs
Sport-specific Expertise	Arbitrators with direct experience in handball and strong sports law background
Enforceability	Strong enforcement ensured by EHF regulations
Appeal Possibility	Awards can be challenged before the Austrian Supreme Court under Austrian procedural law
EU Legal Integration	Based in Austria (EU); possibility for referral to ECJ by Austrian Supreme Court on EU law matters





The ECA arbitrators list, presenting and offering contact details of all arbitrators working for the ECA and the Rules of Arbitration for the ECA, containing all provisions applicable to the ECA proceedings are available at: <a href="https://www.eca-handball.com">www.eca-handball.com</a>

For any further information you may need or any questions you may have, do not hesitate to contact the ECA Office:

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**Legal Disclaimer:** This brochure is meant to offer an overview of the ECA arbitration system; the information it contains is in no case exhaustive and cannot be referred to before the European Handball Court of Arbitration. Only the provisions of the Rules of Arbitration for the European Handball Court of Arbitration are legally binding for the European Handball Court of Arbitration.



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