



CONSEIL INTERNATIONAL DE L'ARBITRAGE  
EN MATIÈRE DE SPORT (CIAS)  
INTERNATIONAL COUNCIL OF ARBITRATION  
FOR SPORT (ICAS)  
CONSEJO INTERNACIONAL DE ARBITRAJE  
DEL DEPORTE (CIAD)

## STATEMENT

### ICAS STATEMENT ON REVIEW OF CAS AWARDS BY EUROPEAN COURTS FOR MATTERS OF EU PUBLIC POLICY

*Lausanne, 1 August 2025* – The International Council of Arbitration for Sport (ICAS) acknowledges today's ruling by the Court of Justice of the European Union (CJEU) in the case *Royal Football Club Seraing v. FIFA et al* (Case C-600/23), confirming the review of CAS arbitral awards that concern rules of EU public policy by European state courts.

At present, all CAS awards are subject to review by the Swiss Federal Tribunal (SFT), the highest court of law in Switzerland. On average, 6% of CAS decisions are appealed to the SFT each year.

*RFC Seraing v. FIFA* was first a CAS procedure in 2016, submitted for review to the SFT in 2017. After the SFT upheld the CAS decision, the club initiated a state procedure in Belgium. The Court of Cassation in Belgium submitted the case to the CJEU last year, posing the question whether giving a final and binding effect (*res judicata*) to an arbitral award rendered outside the EU (such as a CAS award) is contrary to EU law. In January 2025, an Advocate General of the Court (AG Ćapeta) issued an opinion proposing that CAS awards must be open to full review by national courts to ensure compatibility with all rules of EU law.

ICAS acknowledges that today's CJEU judgment determined that the review of CAS awards should be limited to EU public policy only. The *Seraing* decision is in continuation of previous CJEU jurisprudence and in line with the International Convention on the Recognition and Enforcement of Foreign Arbitral Awards (i.e. The New York Convention). ICAS also acknowledges recognition by the CJEU that sports arbitration is a legitimate mechanism ensuring a uniform treatment of sporting disputes and a consistent application of sporting rules.

CAS resolves sporting disputes worldwide and already applies EU law when required. Whilst the vast majority of cases before CAS concern contractual and disciplinary issues not governed by EU law, matters related to EU competition law can already be challenged before EU state courts following a previous CJEU judgement (Case *International Skating Union* C-124/21).

Matthieu Reeb, CAS Director General said "We note that the CJEU did not follow the opinion of Advocate General Ćapeta in full and determined that the potential review of CAS awards by state courts in the EU should be limited to EU public policy. In service to the international sports community, CAS will continue to provide timely and expert dispute resolution worldwide."