



**Kellerhals
Carrard**



Marco Balmelli

Dr. iur., Attorney at Law and Notary Public, Partner

marco.balmelli@kellerhals-carrard.ch

Hirschgaesslein 11
CH-4010 Basel

Tel. +41 58 200 30 00
Fax +41 58 200 30 11
www.kellerhals-carrard.ch

Dr. Marco Balmelli is an experienced Arbitrator at the Court of Arbitration for Sports (CAS/TAS) in Lausanne and a profound specialist in sports law. In addition to his sport law practice, Dr. Marco Balmelli advises clients in national and international M&A-transactions and Joint Ventures. He is an experienced corporate lawyer, specialised in advising entrepreneurs and companies. Further, he is president and member of board of directors with several national and international companies.

Marco Balmelli is authorised to act as Notary Public for the Canton of Basel-City.

CAS experience

Marco Balmelli is highly experienced in Football arbitration proceedings and has dealt with over **70 cases** as an arbitrator so far (January 2019). The cases mainly concern financial disputes between clubs regarding **transfer agreements, training compensation or solidarity contribution** (see published leading cases FC Internazionale Milano v. Sunderland AFC - CAS 2016/A/4589; Sunderland AFC v. FC Internazionale Milano - CAS 2016/A/4588; Al Nasr Saudi Club v. Trabzonspor FC - CAS 2015/A/4139 and Al Ittihad FC v. Fluminense FC - CAS 2014/A/3723; CAS 2013/A/3403, 3404 & 3405; CAS 2016/A/4597; CAS 2016/A/4603; CAS 2014/A/3588; CAS 2015/A/4105) and between clubs and players, coaches or agents regarding **termination of contracts with or without just cause** (Stade Brestois 29 & John Jairo Culma v. Hapoel Kiryat Shmona FC & Fédération Internationale de Football Association (FIFA) - CAS 2015/A/3953 & 3954; Villarreal CF SAD v. SS Lazio Roma S.p.A. - CAS 2013/A/3314; CAS 2014/A/3797; CAS 2014/A/3483; CAS 2016/A/4852; CAS 2014/A/3579; CAS 2015/A/3922; CAS 2017/A/5104). He has broad knowledge of **disciplinary cases** (inter alia Luis Suarez v. FIFA - CAS 2014/A/3665 and Josip Simunic v. FIFA - CAS 2014/A/3562) and **disputes involving agents**. Furthermore, Marco Balmelli has arbitrated in proceedings concerning **regulations of FIFA Confederations and their relation to FIFA Regulations**; e.g. CBF v. FIFA & CONMEBOL - CAS 2015/A/4203 (eligibility of Neymar) and Al Hilal Saudi Club v.



AFC - CAS 2015/A/4260 (regarding AFC Champions League Final 2015 in an expedited procedure). He is also familiar with appeal proceedings concerning **domestic disputes** (e.g. Russian Football Federation CAS 2016/A/4733; Romanian Football Federation CAS 2013/A/3247 and CAS 2015/A/4026-4033; South African Football Association - CAS 2013/A/3298; Ghana Football Federation CAS 2015/A/4328).

Non-football cases include financial disputes regarding sponsoring contracts, Basketball (CAS 2013/A/3263) and the Swiss ice-hockey case EHC Olten & Ronny Keller v. Stefan Schnyder & Swiss ICF.

Practice areas

- Arbitrator at the Court of Arbitration for Sports (CAS/TAS) in Lausanne, sports law
- M&A, Corporate
- Real estate law

Practice groups

- Sports law
- M&A and Corporate
- Construction, real estate and industrial facilities
- Notarial services

Education

- 1998: Notary Public
- 1997: Bar Exam
- 1996: Dr. iur., Universities of Basel and Lausanne
- 1993: lic. iur.

Languages

- German
- English
- French
- Italian
- Spanish

Memberships

- Society of Trust and Estate Practitioners (STEP)

Further activities

- Arbitrator at the Court of Arbitration for Sport (CAS/TAS) in Lausanne
- Member of the Foundation Board of the Basel Institute on Governance

Board memberships

- Member of several Boards of Directors of national and international companies

Publications and presentations

- BALMELLI, Die Bestechungstatbestände des schweizerischen Strafgesetzbuches, Bern 1996 (Diss. Basel 1996)
- Amstutz/ Breitschmid et al. (Hrsg.), Handkommentar zum Schweizer Privatrecht, Basel u.a. 2007/2012
Kommentierung von Art. 516 bis 529 OR
- BALMELLI, Entschädigung von Sportlern: Erscheinungsformen, rechtliche Qualifikation und Vertragsgestaltung, in: Arter/Baddeley (Hrsg.), Sport und Recht, Bern 2007
- Anmerkungen zu Überprüfung des Auswahlverfahrens zur Olympiateilnahme, Spurt 2006 (mit Andrea Schmutz)
- Rechtsfolge bei Absage bzw. Verschiebung von Sportgrossveranstaltungen unter Schweizer Recht, Spurt 2005 (mit Oliver Kronenberg)
- Ausländerklauseln im Schweizer Spitzensport aus Athletensicht, in: jusletter vom 29. März 2004
- Auswirkungen des Personenfreizügigkeitsabkommens auf Ausländerklauseln im Schweizer Spitzensport, Spurt 4/2002 (mit PD Dr. Pascal Grolimund), S.171 ff.