

December 17, 2020

Lausanne, Switzerland

Judgement of the General Court of the European Union – ISU Eligibility Rules

The ISU welcomes the annulment by the General Court judgment on 16 December 2020 (Case T-93/18) of the provisions of the European Commission of 8 December 2017 requiring the ISU to amend its Eligibility Rules with respect to the CAS arbitration system. The General Court has confirmed that the CAS arbitration system is fully consistent with EU law.

The ISU also notes with satisfaction that the General Court has recognized the legitimacy of the ISU's pre-authorization system intended to ensure that any organizer of sporting competitions "comply with common standards, seeking in particular to ensure that competitions take place fairly and the physical and ethical integrity of sportspeople is protected". The ISU also notes that the General Court has expressly recognized that it was legitimate for the ISU "to establish rules seeking to prevent sports betting from creating risks of manipulation of competitions and athletes".

The ISU maintains that its Eligibility Rules have never been enforced with a view to preventing the organization of third-party skating events and regrets that the judgment does not address the substantial evidence put forward by the ISU confirming this. Following the adoption of the 2017 Commission decision, the ISU amended its Eligibility Rules in 2018 pursuant to implementation discussions with the European Commission. The Court judgment relates to a version of the Eligibility Rules which is no longer in force and therefore has no impact on the ISU's current operations.

The ISU is currently further evaluating the judgment and reserves an appeal to the European Court of Justice.