

# A QUESTION OF SPORT - PINTÓ RUIZ & DEL VALLE

*Posted on 24/02/2008*



Category: [Uncategorized](#)

Tags: [A question of sport](#), [cat-disputeresolution](#), [Litigation & Arbitration Special Report](#), [Special Reports 2008](#)



**When it comes to the attraction of arbitration to resolve sports-related disputes, José Juan Pintó Sala of Pintó Ruiz & Del Valle is clear. “The fundamental issue is the rapidity of proceedings, compared to the ordinary Courts, and the uniformity and equality of treatment especially in international disputes.”**

José Juan Pintó Sala, de Pintó Ruiz & Del Valle, es contundente: en conflictos deportivos de carácter internacional, la rapidez y la igualdad de trato son aspectos clave para su resolución. Él mismo destaca que en el ámbito del deporte, donde ejerce como árbitro, el arbitraje es el procedimiento oficial de resolución de conflictos dentro del marco de las federaciones nacionales e internacionales.

National courts differ not only in their procedural requirements, but also the consistency of their decisions, and the time it takes to reach them, and parties' trust in them, he says.

Among the most prominent sports arbitration bodies, Pintó Sala cites the Tribunal Español de Arbitraje Deportivo administered by the Spanish Olympic Committee, and the Tribunal Arbitral del Fútbol administered by the Spanish League, and internationally, the Court of Arbitration for Sport (CAS) based in Lausanne, Switzerland.

He notes a distinction however between those matters that voluntarily submit to the jurisdiction of a particular body, and those that are referred.

"In the former instance, voluntary submission can result from the contract itself – pre-agreed by the parties via arbitration clauses – or can be agreed ad hoc once a dispute has arisen," he notes. "In the latter case, many of the regulations of national and international sporting associations now stipulate that appeals against their decisions shall be addressed to a concrete arbitral court."

Among those that stipulate such jurisdiction he identifies as, for example, FIFA (Federation International Football Association), UEFA (Union of European Football Associations), UCI (Union Cycliste Internationale) and WADA (World Antidoping Agency).

"All these associations have included in their regulations that the appeals against their decisions shall be dealt with by Court of Arbitration for Sport (CAS). The impact of the inclusion of the reference stipulation against FIFA and UEFA decisions is helping to contribute to a more than 60% increase in cases before the CAS," he adds.

And while new centres have been proposed, to deal with disputes in China or in the Middle East, they have yet to be realised and there remains a preference for known and trusted arbitration bodies.