

FIFA / Competition Law / European Law / FIFA Regulations / Freedom of movement for workers / Player transfer / European Court of Justice (ECJ) / FIFA RSTP / Liability / International Transfer Certificate (ITC)

CJEU, 4 October 2024, Case C-650/22, FIFA v. Lassana Diarra



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Introduction

This case has spotlighted a crucial debate in European football: the balance between FIFA's regulations on player transfers and the rights of athletes under EU Law. At the heart of the issue were rules set by FIFA and Belgium's football federation, URBSFA, which triggered legal challenges on whether these regulations overstepped fundamental European principles, particularly the free movement of workers and anti-competitive practices.

The legal dispute originated from a preliminary ruling requested by the *Cour d'Appel de Mons* (Belgium) on 17 October 2022, in the case *Fédération Internationale de Football Association (FIFA) v BZ* (C-650/22). The Belgian Court sought clarification from the Court of Justice of the European Union (CJEU) on whether FIFA's transfer regulations conflicted with Articles 45 and 101 of the [Treaty on the Functioning of the European Union](#) (TFEU). Specifically, the Court questioned two provisions in [FIFA Regulations on the Status and Transfer of Players](#) (RSTP): the rule that a player and their new club are jointly and severally liable for compensating the former club when a contract is terminated without just cause, and the possibility for national associations to withhold International Transfer Certificates (ITCs)

during contractual disputes, thus preventing players from signing with a new team.

While these rules aimed to maintain contractual stability and ensure clubs respect their agreements, they have sparked concerns about how far they could go before infringing on players' rights to move freely and pursue their careers across EU borders. The central legal issue was whether these provisions breached the EU's guarantee of free movement of workers under Article 45 TFEU or constituted anti-competitive practices prohibited by Article 101 TFEU.