

Brussels, 21st of December 2023

EU Athletes Statement on the Judgement of the Court of Justice in the ISU Case

EU Athletes is pleased with today's [decision](#) of the Court of Justice of the European Union delivered in Case C-124/21 P International Skating Union v Commission which dismisses the appeal filed by the ISU and upholds the cross-appeal from Mark Tuitert, Niels Kerstholt and EU Athletes.

The Court of Justice affirmed that the eligibility rules of the International Skating Union (ISU), granting its authority to approve international skating events and penalise athletes participating in unauthorised competitions, violate EU law. Such regulations provide the ISU with an unfair advantage over its competitors and result in adverse outcomes for athletes.

Importantly, the Court of Justice maintains that the Commission was accurate in challenging the arbitration rules that limit skaters' access to court proceedings.

This case holds immense significance for every athlete and player as central to its essence lies athletes' rights to engage in competition and leverage their commercial opportunities. It also addresses athletes' access to justice and their entitlement to protection under EU laws as citizens and workers.

EU Athletes has been supporting Dutch speed skaters Mark Tuitert and Niels Kerstholt since their initial complaint in 2014, through the #ChanceToCompete campaign and as the interveners throughout the procedure. We extend our congratulations to Mark and Niels for embarking on this challenging journey and for making an immense contribution to enhancing the situation of athletes.

We would like to express gratitude to the legal experts: Ben van Rompuy and Antoine Duval as well as to Bas Braeken, Jade Versteeg and Timo Hieselaar from Bureau Brandeis.

Natalia Orive, the President of EU Athletes, said: "I am proud of our involvement in this landmark case as it contributes to EU Athletes mission of protecting and advancing the rights and interests of the players. It is important to reiterate that the sport organisations cannot abuse their position at the expense of athletes."

Paulina Tomczyk, the General Secretary of EU Athletes, added: "Today's decision is a great win for Mark and Niels, but also for the player association movement that has been actively supporting their fight for almost a decade. I believe it is a step in the right direction to ensure good governance and respect of athlete's rights in sport."

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