

Analysis and Interpretation of the Islamic Republic of Iran's Votes at the Court of Arbitration for Sport (CAS)

Received: 2023-08-07

Accepted: 2023-12-14

Vol. 5, No.2. Spring .2024, 1-11

Madine Asadi¹
Mohammad Javad Javid²

¹PhD student of Public International Law, Alborz Campus, University of Tehran, Tehran, Iran

²Department of Public and International Law, Faculty of Law and Political Science, University of Tehran, Tehran, Iran

*Correspondence:

Mohammad Javad Javid,
Department of Public and International Law, Faculty of Law and Political Science, University of Tehran, Tehran, Iran

Email: jjavid@ut.ac.ir

Orcid: [0000-0002-6888-0361](https://orcid.org/0000-0002-6888-0361)

DOI :

[10.22098/RSM.2023.13458.1266](https://doi.org/10.22098/RSM.2023.13458.1266)

Abstract

Purpose: Sports tournaments are now massive events watched by millions of people all over the globe. The Court of Arbitration for Sport (CAS) is an institution independent of any sports organization that provides services to facilitate the resolution of sports-related disputes through arbitration or mediation using procedural rules tailored to the unique needs of the sports world. In this paper, the author has attempted to look into and determine the reason of the outcomes of the votes made by this institution, taking into account the significance of the CAS on sports in the Islamic Republic of Iran.

Methods: The court rulings involving Iranian athletes have been particularly analyzed in this article, with a focus on the rulings that helped Iranian athletes win. The textual content analysis approach was used in this investigation. For examining various communications, including ideas, interviews, documents, observations, and written texts, content analysis is a useful and effective method.

Results: The current research studied and analyzed judgements made by the CAS on matters involving Iranian sports. Despite the fact that fewer than 25% of the lawsuits involving Iranian parties ended with a win for that side, the data revealed that there were indications of Iranian cases failing even in this small proportion.

Conclusion: The Iranian side usually realizes that the other side is right and has a small likelihood of winning, therefore simply complains to the CAS to purchase time, which is one of the key reasons why Iran's cases before the CAS fail. It is suggested that sports managers should consult with sports lawyers before the CAS to avoid financial losses and currency outflows from the country, because the outcome of many cases is completely clear from a legal point of view and there is no need to file it in CAS.

Keywords: Court of Arbitration for Sports, Independence, Iranian sports.

Introduction

The development of globalization in different areas of life also expanded the scope of competition in sports. The internationality of sport raised its economic relevance and, therefore, its commercial impact. These developments can be observed in several fields. Especially in popular sports like football, the amount of money that is paid for the services of single athletes increases continuously. According to estimates, Ronaldo the Portuguese's football contract with Al-Nassr, which was made public at the end of December 2022, was for an estimated 200 million dollars a year for two seasons, which illustrates the extreme financial interest in sports now (Schreyer & Singleton, 2023). Expensive sponsoring activities of global business companies like Red Bull, Volkswagen, and many others, whose business activities do not concern sport at all, confirm this evaluation of international professional sport. The existence of these diverse international interests in the results of competitions and their underlying decisions, as well as the variety of disciplines in different sports, require strict universal regulation (Reilly, 2012).

Besides the internationality, another special characteristic attribute of sport is its fast-moving nature. Several decisions regarding the special rules of sport immediately affect the course of the game in question and therefore must be made rapidly and without delay to maintain the entertainment value for the audience. Furthermore, the set of rules regulating the different disciplines often requires very specific knowledge and expertise (Russell, 2011).

For these reasons, the law concerning sport and its unique features is predominantly dealt with by courts of arbitration rather than state courts. Sports law covers all the laws governing the practice of sports and was already referred to in 1949 as the only case of the birth and formation of an independent and complex legal system in

modern times (McLaren, 2001). The scope of parties involved ranges from athletes and team owners to agents, advertisers, journalists, and media outlets (Lenskyj & Practice, 2018).

In general, arbitration is a peaceful method of resolving disputes with a third party. However, according to Gilson (Gilson, 2006), the phrase in law "signifies an institution that consists in the settlement of a particular category of disputes by judges who are chosen by the litigants." Since ancient times, arbitration has been the most common method of conflict resolution. The Iliad of Homer contains the earliest recorded instance of an arbitral trial, which centers on a disagreement about the unequal distribution of Achilles', Aneas', and Archilochos' shields during festival games. Arbitration was used to resolve the issue of winning by unethical methods, demonstrating the usefulness of this method of dispute resolution in the context of athletics. This custom of arbitrating conflicts between competitors during competitions persisted and is also mentioned in Homer's Odyssey (A. J. J. o. I. D. S. Rigozzi, 2010).

In terms of international law, arbitration refers to the process of resolving international disputes by referring them to a third party who has the authority to provide a decision that is legally binding on the parties concerned (Wong, 2010). In a wider sense, international arbitration also refers to any legal processes that are selected by the opposing parties and are not subject to the mandatory jurisdiction of national or international courts (M. J. Mitten, Davis, Smith, & Shropshire, 2019). While the makeup and organization of the arbitration panel might be agreed upon by the parties to the dispute, judicial rulings are determined via an established and specified method. To organize and conduct the decision-making process, an agreement between the parties is necessary. The resolution of a disagreement by a decision of an arbitral tribunal must always be founded on the application and interpretation of law, in contrast

to other techniques of conflict settlement, such as mediation.

Numerous unusual disputes cannot be easily categorized and do not fall under the purview of an institution of the Olympic Movement, even though some sports disputes, such as those involving the Olympic Games, for example, refer to the Olympic Charter or the statutes of national and international sports associations (Ravjani & L., 2008). The subject of the proper venue for judicial actions relating to international as well as unclassified sports conflicts was brought up by this ambiguity and the above-mentioned trend of globalization with its ensuing internationality of sport. The International Olympic Committee (IOC) decided to establish the CAS as a universal, uniform, and specialized arbitral court for sports law to achieve legal certainty, and equal treatment for all athletes, and to prevent the opportunity for "forum shopping" as well as state control through regular state courts (Lindholm, Lindholm, & Reschke, 2019). The idea to establish such a tribunal came up for the first time in the Olympic Congress in Baden in 1981 by the President of the IOC, Juan Antonio Samaranch and was approved by the IOC in Rome in 1982. In 1983, the IOC formally ratified the statutes of the CAS in New Delhi, which entered force on 30 June 1984. The IOC's Lausanne headquarters is home to the CAS, which conducted its first arbitration case in 1986 (Reilly, 2012). The IOC, National Olympic Committees, International School Sport Federations, Organizing Committees for Olympic Games, sports associations, national federations, and generally any natural person or corporation are eligible to submit a case to the CAS if they can demonstrate a legitimate interest, as stated in article 5 of the Statute for the CAS (McLaren, 2009).

The CAS, however, found it difficult to win support, particularly among those for whom it seemed to have been founded. One of the factors was that the International Olympic

Committee provided all of the funding. Additionally, the president of the International Olympic Committee selected the president of the CAS, who had to be a member of the IOC. Many athletes and other prospective parties refrained from filing their complaints to an unknown and obscure jurisdiction because of this reliance on the International Olympic Committee (Rawat, 2020).

The CAS published a Guide to Arbitration that attempted to incorporate the CAS as the appellate body for the rulings of the federations' disciplinary tribunals to solidify its jurisdiction by incorporating pre-formulated arbitration clauses into the statutes of the national and international federations. However, the federations' skepticism prevented them from simply adopting these terms since they did not fully recognize the CAS as an independent arbitral tribunal. This perception was heightened by the fact that the CAS's legislation could not be changed without an IOC decision (Kharytonov et al., 2020).

Many of the CAS's rulings were contested by athletes as a result of the body's dependency on the International Olympic Committee. One of them was the German equestrian Gundel, who had first appealed to the CAS about a horse-doping judgment made by the International Equestrian Federation (FEI), which had suspended and punished him. After the CAS panel upheld the FEI's ruling, Gundel filed a complaint with the Swiss Federal panel, arguing that Swiss law did not recognize the CAS as an independent arbitral tribunal (Casini, 2011).

Although the Swiss Federal Tribunal's decision found that the CAS was a "true arbitral tribunal" and independent of the FEI, it also contained a ground-breaking statement that suggested the CAS's independence would be seriously questioned once the IOC itself became a party to proceedings before the CAS (M. J. J. O. S. J. o. D. R. Mitten, 2014). This comment prompted significant changes to the

CAS, which were adopted when the "Paris Agreement," also known as the "Agreement concerning the Constitution of the International Council of Arbitration for Sport," was signed on June 22, 1994, in Paris (Reeb, 2004). The biggest change made possible by the agreement was the foundation of the International Council of Arbitration for Sport (ICAS) in 1994. ICAS was established to manage, fund, and organize the CAS independently of the International Olympic Committee (McLaren, 2001). In general, the whole structure of the tribunal was changed to protect its independence from all types of possible pressures as a result of the Gundel judgment and its contained declaration concerning the independence of the CAS (Lindholm et al., 2019; A. Rigozzi, 2010).

Recently, CAS has been in the news in our country. Preliminary investigations show that most of Iran's legal cases in the Court of Arbitration for Sport (CAS) are related to the field of football. Football is one of the most popular sports in Iran. In a brilliant period, the Iranian men's national football team won the championship at the highest level in Asia in 1968, 1972, 1974, and 1976 and qualified for the World Cup in 1978 for the first time. Currently, fourteen levels of the national team, from adults to youths, are active in both men's and women's divisions under the supervision of the Football Federation, and they participate in world, Asian, and international competitions. Also, domestic football matches are held in Iran under the titles of Premier League, first division, second division, third division, and subgroups of the country. Approximately 4,000 players are present in different leagues, 127 different teams are present in different categories of the league, and almost 3,000 matches are held in different categories, cities, and stadiums in one season, which shows the extent of this sport in Iran.

One of the most important things that will be discussed in this study is the investigation of why most of the cases of the Iranian side fail in

CAS. There is no study that specifically examines and analyzes Iran's cases. When it is clear and certain that we do not have acceptable evidence to prove that we were wronged in the relevant cases, the question that arises is: why should we bear heavy expenses and refer to the CAS? Instead of going to the CAS and hiring foreign lawyers, isn't it better to learn from these cases and fix the legal problems and defects so that we don't get convicted again and again in the CAS in similar legal cases in the future? The cases that are referred to the CAS by the Iranian representatives for appeal involve heavy costs and damages, which in most cases remain without results. Why people and managers, knowing that they are losers, still appeal and face the club with heavier compensation, is a question. Defending the rights of individuals and institutions before sports-related dispute resolution authorities requires specialized knowledge and sufficient experience in this field. There is a need for regulatory bodies to enter into the cases that Iran lost in international forums in recent years.

This study underlines the CAS's views on issues involving Iranian sports and highlights the special features of the subsequent need for dispute resolution in this field. Because sports cases related to Iran have usually failed, this study is focused on the cases that led to the victory of the Iranian side. As a result, all situations involving Iranian sports are assessed first, followed by an analysis of the circumstances behind the Iranian team's success.

Materials and Methods

After collecting the desired data and information, analysis and interpretation of the information are of particular importance in the different fields of the human sciences. In this study, the content analysis method of text type was used. Content analysis is a good and usable tool for analyzing different messages such as thoughts, interviews, documents, observations, and written texts. The content of texts (written

materials) can be analyzed to determine related themes, thought patterns, major trends, or belief systems.

In addition, content analysis can depict attitudinal and behavioral responses to issues or events, reflect cultural patterns, determine the psychological state of individuals or groups, and code open-ended questions and surveys. Content analysis is primarily important for identifying processes. Detailed analysis of the content of information, data and examination of concepts and words helps a lot to understand the causes and factors of social and human issues. After knowing the objective reasons, it becomes possible to provide logical and realistic solutions, and as a result, research will be more useful. The purpose of analyzing the content of text, documents, etc. is to know the goals, beliefs, values, culture, and tendencies. In this study, all the cases that Iran has been a party to, whether in the macro section or at the club level, from the beginning of the establishment of CAS until March 2023 have been examined. Considering that only 8 cases

out of all the cases were in favor of the Iranian side, these cases have been investigated. The opinions issued by the International CAS regarding cases related to Iranian sports were examined and the cases related to the victory of the Iranian side were criticized. It should be noted that all data are taken from the CAS website and the legal details of each case are included.

Results

In Table 1, the decisions of the CAS issued by the request to file a lawsuit on behalf of or against Iran are specified. The table shows the cost of being ordered to pay in some cases. The noteworthy point is the material and non-material damages that are inflicted on Iranian sports. Convictions that must be paid in dollars or euros, as well as the withdrawal of currency from the country, cause significant economic damage. Another important point is the inappropriate image of Iran's sports with a large number of cases in international sports courts and this brings other international athletes doubts Iran.

Table 1: The decisions of the International CAS about Iran

No	Applicant	Responsive	Sports field	type of application	year	Subject	Results
1	Persepolis	International Football Federation	Football	appeal	2006	Player Transfer	Rejected ¹
2	Pasargad Football club	International Football Federation	Football	appeal	2007	Player Transfer	Rejected ²
3	Persepolis	International Football Federation	Football	appeal	2008	Player Transfer	Rejected ³
4	Iranian Football Federation	International Football Federation	Football	appeal	2008	Contract	Rejected ⁴
5	Al Nasr Club of the Emirates	Farhad Majidi	Football	appeal	2009	Contract	Rejected ⁵
6	Iranian Football Federation	Mr. Branko Ivankovic & FIFA	Football	appeal	2010	Contract	Rejected ⁶
7	Saeed Ali Hosseini	International Weightlifting Federation	Weightlifting	appeal	2010	Doping	Accepted ⁷
8	Sepahan Club	Asian Football Confederation	Football	appeal	2011	Player Transfer	Rejected ⁸

¹ Arbitration CAS 2006/A/3658 Persepolis Football Club v. FIFA

² Arbitration CAS 2007/A/5124 Pasargad Football Club v. FIFA

³ Arbitration CAS 2008/A/4669 Persepolis Football Club v. FIFA

⁴ Arbitration CAS 2008/A/6228 Iranian Football Federation v. FIFA

⁵ Arbitration CAS 2009/A/4743 Al Nasr Club of the Emirates v. Farhad Majidi

⁶ Arbitration CAS 2010/A/2135 Football Federation Islamic Republic of Iran v. Mr. Branko Ivankovic & FIFA

⁷ Arbitration CAS 2010/A/2293 Saied Ali Hosseini v. International Weightlifting Federation

⁸ Arbitration CAS 2011/A/2628 Foolad Mobarakeh Sepahan FC v. Asian Football Confederation

9	Gostaresh foolad Tabriz club	MazandaranNassaji club	Football	appeal	2011	Contract	Rejected ⁹
10	Persepolis	FIFA & Eduardo Vinganda	Football	appeal	2012	Contract	Accepted ¹⁰
11	Persepolis	FIFA &Carvalho	Football	appeal	2012	Contract	Rejected ¹¹
12	WADA	Ali Nilfroshan	Horse Riding	appeal	2012	Doping	Accepted ¹²
13	Saeed Abdevali	United World Wrestling	Wrestling	appeal	2013	The result of the competition	Rejected ¹³
14	Steel Azin Club	Tombakovic	Football	appeal	2013	Contract	Accepted ¹⁴
15	Behedad Salimi and the Olympic Committee	International Weightlifting Federation	Football	appeal	2015	The result of the competition	Rejected ¹⁵
16	Bandar Abbas Municipal Club	Fabia N Lib	Football	appeal	2015	Contract	Accepted ¹⁶
17	Persepolis	Jose Manuel	Football	appeal	2015	Contract	Rejected ¹⁷
18	Persepolis Football Club	Rizespor Futbol Yatirimlari	Football	appeal	2017	Contract	Rejected ¹⁸
19	Esteghlal	Pero Pejic	Football	appeal	2018	Contract	Rejected ¹⁹
20	Esteghlal	Federation, League organization, Persepolis	Football	appeal	2018	The result of the competition	Rejected ²⁰
21	Saman Ghoddos & Östersunds FC	SD Huesca & Amiens Sporting Club & FIFA	Football	appeal	2018	Contract	Accepted ²¹
22	Tractor Club	Kevin Fortune	Football	appeal	2018	Contract	Rejected ²²
23	Qatar Arab Club	Ashkan Dejageh	Football	appeal	2019	Contract	Rejected ^{*23}
24	Islamic Republic of Iran Judo Federation	International Judo Federation	Judo	appeal	2019	Cancellation of suspension	Rejected ²⁴
25	Iranian Football Federation	AFC	Football	appeal	2020	Cancellation of hosting Bahrain	Rejected ²⁵
26	Club of Mashhad	Mir Vslav Slavov	Football	appeal	2020	Contract	Rejected ²⁶
27	Zob-Ahan Club of Isfahan	Reza shekari & Rubin Kazan Russia	Football	appeal	2020	Contract	Accepted ²⁷
28	Tabriz Tractor Club	Anthony Stokes	Football	appeal	2020	Contract	Rejected ²⁸
29	Tabriz Tractor Club	Every Ervin	Football	appeal	2020	Contract	Rejected ²⁹
30	Tabriz Tractor Club	Kevin Constant	Football	appeal	2020	Contract	Rejected ³⁰
31	Saipa Club	Federation, Peikan Club	Football	appeal	2020	Contract	Rejected ³¹
32	Islamic Republic of Iran Judo Federation	International Judo Federation	Judo	appeal	2021	Cancellation of suspension	Rejected ³²

⁹ Arbitration CAS 2011/A/5419 Iranian Football Federation v. FIFA

¹⁰ Arbitration CAS 2012/A/2896. Perspolis Athletic and Cultural Club v. FIFA & Eduardo Vinganda

¹¹ Arbitration CAS 2012/A/2899 Perspolis (Piroozi) Athletic and Cultural Club v. Fédération Internationale de Football Association (FIFA) & Joao Arnaldo Correia Carvalho

¹² Arbitration CAS 2012/A/2959, WADA v. Ali Nilforushan & International Equestrian Federation (FEI)

¹³ Arbitration CAS Ad hoc Division – XVII Asian Games in Incheon CAS arbitration N° AG 14/04 Saeed Abdevali v. United World Wrestling

¹⁴ Arbitration CAS 2013/A/3123 Steel Azin Club v. Ljubisa Tumbakovic

¹⁵ Arbitration CAS ad hoc Division (OG Rio) 16/028 Behdad Salimi & National Olympic Committee of the Islamic Republic of Iran (NOCIRI) v. International Weightlifting Federation (IWF),

¹⁶ Arbitration CAS 2014/A/3804 Shahr-dari Bandar Abbas v. Carlos Fabian Leeb

¹⁷ Arbitration CAS 2015/A/3352. Perspolis Athletic and Cultural Club v. Manuel Jose

¹⁸ Arbitration CAS 2017/A/5359, Persepolis Football Club v. Rizespor Futbol Yatirimlari

¹⁹ Arbitration CAS 2017/A/5242 Esteghlal Football Club v. Pero Pejic

²⁰ Arbitration CAS 2018/A/5929 Esteghlal Iran Culture and Sport Private Joint Stock Company v. Football Federation Islamic Republic of Iran (FFI), Iran Football League Organization & Persepolis Football Club

²¹ Arbitrations CAS 2019/A/6463 Saman Ghoddos v. SD Huesca & Östersunds FC & Amiens Sporting Club & Fédération Internationale de Football Association (FIFA) & CAS 2019/A/6464 Östersunds FK Elitfotboll AB v. SD Huesca & FIFA & Saman Ghoddos & Amiens Sporting Club

²² Arbitration CAS 2018/A/7236 Tractor Club v. Kevin Fortune

²³ Arbitration CAS 2019/A/6626 Club Al Arabi SC v. Ashkan Dejagah

²⁴ Arbitration CAS 2019/A/6500 Islamic Republic of Iran Judo Federation v. International Judo Federation

²⁵ Arbitration CAS 2020/A/5867 Football Federation Islamic Republic of Iran (FFIRI) v. Asian Football Confederation's (AFC)

²⁶ Arbitration CAS 2020/A/4651 Club of Mashhad v. Mir Vslav Slavov

²⁷ Arbitration CAS 2020/A/4969 Zob-Ahan Club of Isfahan v. Reza shekari & Rubin Kazan FC, Russia

²⁸ Arbitration CAS 2020/A/5026 Tractor Club v. Anthony Stokes

²⁹ Arbitration CAS 2020/A/5362 Tractor Club v. Every Ervin

³⁰ Arbitration CAS 2020/A/5487 Tractor Club v. Kevin Constant

³¹ Arbitration CAS 2021/A/8186 Saipa Football Club v. Peykan Football Club & Islamic Republic of Iran Football Federation

³² Arbitration CAS 2021/A/7973 Islamic Republic of Iran Judo Federation v. International Judo Federation

33	Esteghlal	Asian Football Confederation	Football	appeal	2021	Removal from the Asian competition	Rejected ³³
34	Esteghlal	Stramaccioni	Football	appeal	2023	Contract	Rejected ³⁴
35	Kaveh Rezaei	Tabriz Tractor Club	Football	appeal	2023	Contract	Rejected ³⁵

*the Iranian side won

³³ Arbitration CAS 2021/A/8125 Esteghlal v. Asian Football Confederation

³⁴ Arbitration CAS 2023/A/2355 Esteghlal v. Stramaccioni

³⁵ Arbitration CAS 2023/A/3058 Kaveh Rezaei v. Tabriz Tractor Club

and the club arrived at a mutual understanding with him to dissolve the contract. After the accord, the coach complained with the FIFA Disciplinary Committee, which was subsequently adjudicated in favor of the Argentine coach. It is noteworthy that the agreement between the coach and the club specifies the involvement of the disciplinary committee of the Iranian Football Federation, rather than FIFA. Consequently, the CAS has rendered a verdict to nullify the decision made by FIFA. A significant outcome of the aforementioned ballot, which culminated in the triumph of the Iranian faction, was the inclusion of the disciplinary committee of the Iranian Football Federation as the designated entity responsible for rendering decisions and resolving disputes.

Saman Ghoddos & Östersunds FC / SD Huesca & Amiens Sporting Club & FIFA

Saman Ghoddos signed an internal contract with Huesca club before joining the Amiens, the French football team, which finally resulted in a four-month ban for Iranian national player. A fine of four million euros and two transfer windows were closed to Östersunds of Sweden, the old Ghoddos team. The CAS court canceled only the financial penalty part of this verdict and declared that there is no need for a joint payment of four million euros by Östersund. Of course, the Iranian national player's four-month ban still stands. Also, Östersunds' ban from participating in two transfer windows is also maintained, and in fact, only the financial penalty of this side of the dispute has been forgiven.

Al Arabi SC / Ashkan Dejagah (2019)

In August 2013, Ashkan Dejagah, the captain of Iran's national football team, left Fulham in Qatar with a significant contract. The Iranian national team experienced ups and downs in Al-Arabi, and due to the failures of some members of this club, he was finally separated from this team in October 2016. Even though

he had a contract with this team for two more seasons.

The root of this difference was the loss of the Qatar national football team against Iran. When Qatar lost to the Iranian national football team in the qualifying round of the World Cup in Tehran, "Ben Jabr", one of the managers of Al Arabi Club, told his colleagues after the end of the game about his determination to fire Dejagah, despite Al Arabi's financial problems and the heavy damage that they should pay him. Therefore, the captain of the Iranian national football team complained to FIFA and condemned the Qatari club. The complaint of the Qatari club in CAS was also rejected.

Zob-Ahan Club of Isfahan / Reza shekari & Rubin Kazan, Russia (2020)

In 2016, Reza Shekari unilaterally terminated his contract with Zob Ahan Club and then went to Rubin Kazan, Russia. Zob Ahan also filed a complaint against this player and the Rubin Kazan club to FIFA with the claim that Shekari illegally terminated his contract, and a file of about a thousand pages was filed against this player in FIFA. To get training compensation and compensation for the unilateral termination of the contract, the Zoubis initially sued this player before the Football Federation and afterward before the CAS. Shekari allegedly had a contract with Zob Ahan Club, which he unilaterally cancelled before joining the Rubin Kazan squad in Russia. Due to the lengthy inquiry and document filing procedure, the investigation into this complaint took nearly four years. First, FIFA ruled against Russia's Rubin Kazan club, ordering them to pay Zob Ahan 105,000 euros (including the late punishment) as training compensation. FIFA brought up the subject of "non-hearing of the lawsuit" in the section on contract termination. The matter was sent to the Supreme Sports Court since FIFA is no longer allowed to evaluate it after the Iranian Football Federation's disciplinary committee made its decision in this case. The CAS court finally

decided to punish Shekari and Rubin Kazan with a fine of 300,000 euros. In this case, as in the 5th case, the role of Iran's disciplinary committee's jurisdiction in the contract is very prominent.

Discussion

Games have experienced significant changes as a human activity from the first Olympics in antiquity to the present, both in terms of the variety of games played and the regulations governing competition in particular sports. Numerous factors have influenced these developments in sports contests, but the major one was the professionalization of sports and the enormous amounts of money that have since poured into all modern sports (McLaren, 2001). Simply put, there are many people interested in sports nowadays, and there is a lot of money involved. The law was also created out of a desire to promote all human values and the whole community, from the simplest legal solutions to those in place today (Mangan, 2009). Given their common aim to produce the best outcomes, one might even argue that law and athletics have certain similarities. This analogy suggests that regulations are necessary for both the law and sports to fulfill their objectives. The issue of how and to what degree they adhere to these regulations is one that both participants in different athletic activities and those who are subject to a certain rule or piece of legislation must deal with. When legal or sporting regulations are broken, issues arise when the resulting conflicts are settled. The same circumstances are handled differently in sports and law because they have distinct regulations for the same or comparable occurrences. Legal uncertainty is further exacerbated by such dual legislation and the dual jurisdiction of separate organizations, as well as by the results of dual case resolutions. Finding a solution to these issues has become required because of the abundance of athletes, money, and interest in sports, as well as the instability and ambiguity surrounding the

resolution of the conflicts that often occur in them (A. Rigozzi, 2010). Today, sports, which are quickly becoming a worldwide phenomenon, have a significant and vital role in our everyday lives. Because of this, the field of sports law has emerged, which methodically studies legal requirements. According to this perspective, the need for such efficient and rapid legal systems is unavoidable, particularly for the spirit of sports.

CAS is an impartial, decision-making judicial agency that supports international sports and is empowered to swiftly settle any issues involving the sport's laws. Athletes, sports clubs, sports federations, sports organizations, financial sponsors, media firms, and sports equipment manufacturers are just a few examples of the types of people who use CAS. The parties to the CAS arbitration may designate such individuals as representatives or ask them to provide advice. Attending sports authorities without having specialized knowledge in this area results in the relevant legal and natural persons being unaware of their rights during court proceedings and ultimately facing failure in cases that result in them receiving severe sports punishments or financial penalties that have been imposed on them or they are unable to obtain their rights. Without specialized legal counsel in this area, it is difficult for the necessary natural and legal people to carry out their activities without encountering difficulties and roadblocks, which might jeopardize their futures in both sports and the workplace and result in major issues. When a court case's verdict is announced, the party who felt he was denied his right attempts to appeal the decision before a higher authority with fresh legal reasons in the hopes that the decision would be rendered in his favor. However, he must provide proof that the court will accept.

The CAS investigations show that claims involving Iranian sports are filed, and these disputes have expenses. Although the Supreme

Sports Court is often referred to as the top sports judicial body, in Iran, the process has been different for years, and purposes other than Iran's interests have taken the place of Iran's interests in the discussion of this court. Reason dictates that if there is truly substantiated legal evidence that is expected to alter the court's opinion, it should be referred to a higher authority due to the costs of such proceedings, but an analysis of Iranian sports cases reveals that the situation there is somewhat different. For instance, an analysis of the cases reveals that there are more CAS cases involving Iranian football. From three to zero in a match played under Iranian football's regulations to the players' termination of their contracts, Iranian teams have long been criticized in international forums for failing to pay both local and foreign players' wages on schedule. The way certain individuals handle situations involving international players costs the teams a fortune.

Iranian teams often lose international proceedings and are ordered to pay the salary of foreign players and coaches as well as significant fines owing to improper contracts and disregard for the norms of the professional contract. The management of the Iranian teams is appealing, and the re-appeal necessitates the payment of re-trial expenses. They are aware that the coaches and players are correct. When the appeals court rejects the claims, the clubs don't give up and take their grievances to the CAS or the CAS (CAS), where they must pay dollar charges to have the case reviewed.

Additionally, studies have shown that decisions made by adjudicating bodies, such as the FIFA Status Committee and the Dispute Resolution Chamber, are typically upheld following reexamination in the CAS, but these decisions are made in the national federations for a variety of reasons, including a lack of familiarity with this process. About international laws, FIFA, CAS, and other rules, which are often broken, national sports

organizations have a different destiny. Football has more legal problems and controversies than any other sport because of its widespread appeal, multinational character, and high turnover. Football has greater difficulties in the area of signing contracts owing to its nature and the high turnover in this industry. As a consequence, due to the sensitivity and popularity of this sport, the media pays more attention to its concerns. Many of these concerns also occur in other sports, but since there is less media attention, it makes them less noticeable and noteworthy.

Conclusion

Many teams begin to sign contracts without paying attention to the exact terms of each agreement or the fundamentals of football rights, and as a result, they will be plagued by issues brought on by termination. This problem is particularly evident in international contracts in which a foreign player or coach is one of the parties. There are crucial legal concerns that must be addressed when moving players and coaches from one club to another, and doing so requires expertise in sports law. The Iranian side typically understands that the other side is correct and has no chance of prevailing, and merely complains to the CAS to buy time and, regrettably, does not give it any thought, which is one of the primary reasons why Iran's lawsuits before the CAS fail. Due to the retry price and the late fee, this purchasing period may be quite expensive for the club.

It is proposed that sports directors ought to counsel with sports legal counselors before going to the CAS to dodge money related misfortunes and cash surges from the nation, since the result of numerous cases is totally clear from a lawful point of see and there's no got to record it in CAS. The absence of specialized knowledge in the area of sports legislation and, therefore, the shortage of professionals in this subject, is one of the major obstacles facing the nation's sports. To introduce managers, players, and others

interested in the nation's sports, it is necessary to offer legal and specialized training courses for club management. Additionally, it is advised that future academics do a more thorough analysis of the financial losses brought on by the convictions in the cases and the exodus of cash from the nation so that its impacts are more obvious.

Due to lower litigation costs than FIFA or CAS and the Iranian Disciplinary Committee's ability to compare the two sides (especially the Iranian side) with a more thorough investigation, it is recommended that it serve as the authority for handling the complaints of the two parties as well as the drafting of the contracts. Then make the voting announcement.

Acknowledgment

We would like to extend our heartfelt gratitude to everyone who contributed to this article.

References

- [1] Casini, L. J. G. L. J. (2011). The making of a lex sportiva by the court of arbitration for sport. *12*(5), 1317-1340.
- [2] Gilson, E. T. J. L. L. J. (2006). Exploring the court of arbitration for sport. *98*, 503.
- [3] Kharytonov, Y. O., Kharytonov, E., Kharytonova, O. I., Kostruba, A. V., Tkalych, M. O., & Tolmachevska, Y. O. (2020). To the peculiarities of legal and non-legal regulation of social relations in the field of sport.
- [4] Lenskyj, H. J. J. o. C. R., Policy, & Practice. (2018). Sport exceptionalism and the Court of Arbitration for Sport.
- [5] Lindholm, J., Lindholm, & Reschke. (2019). *Court of Arbitration for Sport and Its Jurisprudence*: Springer.
- [6] Mangan, M. J. A. I. (2009). The court of arbitration for sport: current practice, emerging trends and future hurdles. *25*(4), 591-602.
- [7] McLaren, R. H. J. M. S. L. R. (2001). Introducing the Court of Arbitration for Sport: The ad hoc division at the Olympic Games. *12*, 515.
- [8] McLaren, R. H. J. M. S. L. R. (2009). Twenty-five years of the court of arbitration for sport: A look in the rear-view mirror. *20*, 305.
- [9] Mitten, M. J., Davis, T., Smith, R. K., & Shropshire, K. L. (2019). *Sports law and regulation: Cases, materials, and problems*: Aspen Publishing.
- [10] Mitten, M. J. J. O. S. J. o. D. R. (2014). The Court of Arbitration for Sport and its global jurisprudence: international legal pluralism in a world without national boundaries. *30*, 1.
- [11] Ravjani, A. J. J. I. I. M., & L., E. (2008). The Court of Arbitration for Sport: a subtle form of international delegation. *2*, 241.
- [12] Rawat, M. J. A. a. S. (2020). Choice of Law in Court of Arbitration for Sport: An Overview.
- [13] Reeb, M. J. C. o. A. f. S. D. o. C. A. I. (2004). The Court of Arbitration for Sport: history and operation.
- [14] Reilly, L. J. J. D. R. (2012). An Introduction to the Court of Arbitration for Sport (CAS) & the role of national courts in international sports disputes. *63*.
- [15] Rigozzi, A. (2010). Challenging Awards of the Court of Arbitration for Sport. *Journal of International Dispute Settlement*, *1*(1), 217-265. doi:10.1093/jnlids/idp010
- [16] Rigozzi, A. J. J. o. I. D. S. (2010). Challenging awards of the Court of Arbitration for Sport. *1*(1), 217-265.
- [17] Russell, J. J. J. o. t. P. o. S. (2011). Limitations of the sport-law comparison. *38*(2), 254-272.
- [18] Schreyer, D., & Singleton, C. J. A. a. S. (2023). Cristiano of Arabia: Did Ronaldo increase Saudi Pro League attendances?
- [19] Wong, G. M. (2010). Essentials of sports law.