

International transfers and athletes' labor relations: the role of international sports federations in ensuring fairness and transparency

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ABSTRACT

The relevance of the research is driven by the growing significance of international transfers in the sports industry and the need to increase transparency in these processes, especially in the context of the globalization of sports markets. Additionally, an increasing number of athletes face difficulties in securing their labor rights, which calls for greater attention to the role of sports federations in this area. The main objective of this article was to analyze the role of international sports federations in regulating athlete transfers, ensuring transparency and fairness in these processes. The study focuses on how these federations implement regulatory mechanisms to support fair transfer conditions for athletes and clubs, as well as on the challenges and limitations in achieving transparency and fairness within the current regulatory system. In modern sports, transfers are an integral part of labor relations, significantly impacting the rights of athletes. However, challenges arise related to financial inequality between clubs, opacity in agreements, and restrictions on athletes' freedom of movement.

KEYWORDS

Athletes; Freedom of Movement; Labor Law; Transfer Fee; Transfer of Football Players

1. INTRODUCTION

In modern sports, international transfers have become an integral part of the globalization process, significantly influencing both the sporting results of clubs and their economic performance. Athletes, as highly paid professionals, are now subjects of international agreements, and these transfers directly impact their employment rights, contractual obligations, and working conditions (Kozina, 2012). The growing role of international transfers highlights the importance of ensuring fairness and transparency in the process, particularly concerning labor rights (Pearson, 2015). Ensuring that transfers are carried out honestly and openly is crucial to protecting athletes from exploitation and maintaining fair competition between clubs.

Fairness in international sports transfers means treating all stakeholders, primarily athletes and clubs, fairly and equally throughout the transfer process. In practice, this means upholding equal opportunities and rights. That is, every participant should have equal chances without discrimination. No club should gain an unfair advantage simply because of greater financial power (European Commission, 2013). So fairness encompasses competitive balance so that wealthy teams don't monopolize talent. It includes protecting the working conditions of athletes. From a labor perspective, fairness aligns with fundamental principles of fairness and equality in the workplace. For example, international law enshrines the right to “fair working conditions” and to be treated with dignity and equality.

Applying this to sport means that transfer rules should prevent exploitation. For example, there should be no unfair contract terms or restrictions on the movement of players. The rules should ensure that players are fairly compensated and their rights are respected. A fair transfer system also includes a number of mechanisms to ensure that benefits are shared equally between clubs. Such rules help smaller clubs and support the development of young people (promoting a level playing field). In short, fairness in transfers is about ensuring that the system does not give unfair advantage to the powerful or violate the rights of the vulnerable.

Transparency in international sports transfers means that the transfer process is open, understandable and accountable to all stakeholders. In practice, transparency involves clear disclosure of relevant information at every stage. This includes public, regulated reporting of transfer terms. High transparency helps to shed light on deals, reducing the risk of underhanded deals. In the context of sports governance, transparency has become a cornerstone of good practice. It builds trust in the system by allowing for scrutiny of the decision-making process.

For athletes, transparency is as important as labour issues. When contract and transfer terms are transparent, players better understand their rights and obligations. Clubs cannot impose unfair terms without verification. FIFA tools such as the Transfer Matching System, introduced in 2010, are an example of efforts to increase transparency. Under this, clubs are required to enter matching details of every international transfer into a global database. Such measures ensure that transactions are recorded and verifiable, thereby promoting accountability. In short, transfer transparency is about openness – providing information and visibility into processes so that all parties can be held accountable and make informed decisions (Impact Lawyers, 2025).

Notably, FIFA's Regulations on the Status and Transfer of Players (RSTP) were explicitly designed to guarantee transparency, fairness, and protection of the rights of all stakeholders in football transfers. Likewise, other federations have similar rules aimed at protecting athletes. The literature suggests that when governance mechanisms emphasize these values, outcomes improve: athletes face fewer injustices, and clubs operate on a more level playing field. Theoretically, fairness and transparency in transfer regulations create a virtuous cycle – they enhance each other (transparent processes tend to be fairer, and fair systems invite more transparency) and together bolster the legitimacy of sport's regulatory regimes.

Given the above, this research is grounded in a conceptual framework that links the role of international sports federations to the dual objectives of fairness and transparency in player transfers. In this framework, international federations' regulatory role is the driving force that can ensure or improve fairness and transparency (Fig. 1).

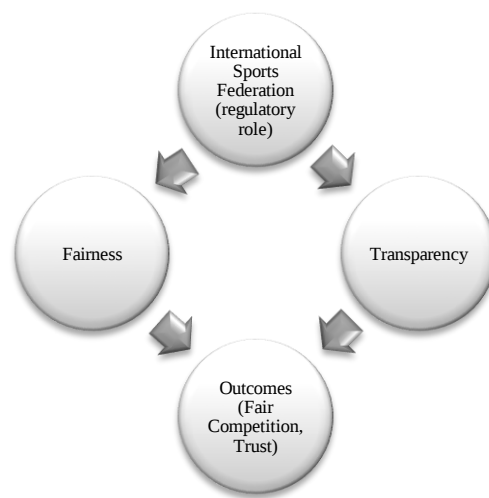


Figure 1. Conceptual framework: fairness, transparency, and international sports federations

The concept of good governance within international federations and sports organizations is not a recent development. It has been a subject of discussion in governance circles for several years. Notably, in 2001, it played a central role as a key topic during the first-ever conference on sports governance in Europe (Porreca, 2021). The global labor market for athletes offers unprecedented opportunities, allowing them to represent clubs across different countries, thus enhancing competition and raising the level of sports performance worldwide.

Transfers also have a profound economic impact, as transfer fees, agent commissions, and other financial aspects are vital for the financial health of clubs and leagues. This economic growth contributes to the development of sports infrastructure and the overall industry. Furthermore, international mobility fosters cultural exchanges and social integration, which has a positive influence on broader society.

International transfers directly affect athletes' labor rights. These include changes in salary, social benefits, contract duration, medical care, and overall protection. The process of transferring often involves terminating one contract and signing a new one, which can sometimes lead to violations of athletes' rights or breach of contract by clubs. Sports federations, such as FIFA and FIBA, have introduced mechanisms to safeguard athletes from exploitation and unfair treatment by establishing clear regulations for agents and clubs. As noticed by Siekmann (2006), according to the rules and regulations of national football associations, professional football players must be recognized as employees, and players' unions should be organized based on the membership of professional football players in their capacity as employees.

Professional athletes, like any other employees, have not only labor rights arising from their employment relationship with sports federations and clubs, but also a wider range of human rights guaranteed by international agreements and national legislation. It is important to emphasize that the right to work is a fundamental human right recognized by a number of international instruments, and athletes are no exception in this context. The right to work is enshrined in Article 23 of the Universal Declaration of Human Rights (United Nations, 1948), which provides that everyone has the right to work, free choice of occupation, just conditions of work and protection from unemployment. As part of the global workforce, athletes are also subject to these standards. Their right to work includes the opportunity to carry out professional activities in conditions that meet the principles of equality, dignity, justice and social protection.

In addition to the Universal Declaration of Human Rights, the right to work is regulated by a number of other important international instruments, such as the International Covenant on Economic, Social and Cultural Rights (United Nations, 1966). Article 6 of the International Covenant on Economic, Social and Cultural Rights states that everyone has the right to work, including the opportunity to earn his living by work he or she chooses or freely accepts. This Covenant also guarantees the right to fair working conditions and adequate remuneration, which is directly related to the employment of professional athletes (United Nations, 1966). This right is particularly important for athletes, as sports federations and clubs set the framework for their professional activities.

Athletes have the right to conclude employment contracts that provide for fair remuneration, safe working conditions, access to social guarantees and adequate protection against exploitation. Each season, clubs strive to enhance their teams and on-field performance by retaining key players, transferring those from other clubs who are considered surplus or have reached their peak value, and recruiting new talent (Horak et al., 2024).

The importance of transfers within the European Union has increased significantly since the Bosman ruling (Court of Justice, 1995), and they have now become a fundamental part of any club's core operations. Professional athletes should not be perceived as mere tools for achieving sporting results or increasing the commercial success of clubs and federations (Welch, 2020). They are individuals endowed with all human rights, including the right to decent work. This means that when considering labor relations in the sports sector, it is necessary to take into account both the specific rights of athletes as employees and general human rights that guarantee them fair working conditions and protection from discrimination, forced labor or other violations (Dotsenko & Aveskulov, 2020).

It is essential to differentiate between national and international transfer regulations. Player transfers between clubs within the same national association are regulated by specific rules set by the respective national association. In contrast, transfers between clubs in different national associations are governed by international bodies like FIFA (European Commission, 2013). These international transfer regulations are crucial for establishing global competitive standards, facilitating the organization of international competitions, and promoting cross-border sporting exchanges (Horak et al., 2024).

Despite efforts to regulate the transfer process, many deals remain opaque, especially in terms of finances and working conditions, posing risks to athletes. Furthermore, the lack of unified

international labor standards complicates the protection of athletes' rights across different countries. National labor laws often fail to align with the regulations of international federations, creating legal uncertainties. Additionally, labor migration issues, such as citizenship, visas, and other legal aspects, present challenges for athletes moving between countries. Thus, the relevance of this topic lies in the need to develop a more efficient regulatory framework for international transfers to ensure transparency and protect the labor rights of athletes in a globalized sports environment.

1.1. Literature Review

Existing literature highlights that international transfers are a fundamental aspect of modern professional sports, particularly football and basketball. Horak et al. (2024) and Pearson (2015) argue that transfers have a significant impact on both the economic and legal frameworks within sports. The Bosman ruling (Court of Justice, 1995) is often cited as a milestone that redefined player mobility across the European Union, removing restrictions on player transfers after the contract's expiration. Kozina (2012) adds that athletes, as professionals, should be protected by robust labor regulations that safeguard their rights during such transitions. In terms of governance, the Regulations on the Status and Transfer of Players (FIFA, 2001) and the Regulations Governing the International Transfer of Players (FIBA, 2010) are central to maintaining a balance between club interests and player rights.

As Siekmann (2006) notes, these regulations seek to protect players by providing clear guidelines for contractual obligations and dispute resolution mechanisms. However, Franck (2018) and Bayle (2023) highlight ongoing concerns about financial disparities and opaque transfer agreements that disproportionately benefit wealthier clubs. It is also worth noting the article by Horak et al. (2024). It explores the intricate legal and economic dimensions of player transfers in European football. The paper focuses on how transfer rules, particularly in the EU, influence both the free movement of players and the financial operations of football clubs. The authors analyze prominent legal cases, such as the Bosman, Lehtonen, Bernard, and Royal Antwerp cases, to highlight the regulatory framework governing player mobility and its evolution.

This article is highly relevant as it provides a detailed examination of the legal precedents that have shaped modern transfer systems, addressing both player rights and club responsibilities. Moreover, it discusses the economic impact of these transfers on the market, making it a valuable resource for understanding the balance between legal regulation and economic strategy in football. The insights on financial disparities, contractual obligations, and the challenges of enforcing fair play

rules are directly applicable to broader discussions on labor rights, transfers, and financial fairness in sports (Horak et al., 2024).

Finally, researchers like Moskalenko et al. (2021) and Brownell and Besnier (2019) emphasize the need for stronger global labor standards to address inequalities and protect athletes from exploitation. The article by Moskalenko et al. (2021) explores the precarious working conditions athletes often face and how these conditions affect their physical and mental health. The authors argue that the labor of athletes is insufficiently regulated by labor laws, which leaves them vulnerable to unstable contracts, injuries, and financial insecurity. The paper highlights the need for stronger legal protections to improve the working conditions of athletes, aligning sports regulations more closely with labor laws.

The article by Brownell and Besnier (2019) is valuable for this study as it provides a comprehensive analysis of the intersection between labor law and the rights of athletes, particularly in relation to the issues of health, safety, and employment stability. It underscores the importance of better legal frameworks to protect athletes' rights and health, offering a strong foundation for addressing similar issues in our discussions about transfers, labor mobility, and employment rights in sports.

Overall, this literature suggests that while international federations such as FIFA and FIBA have implemented important regulations to govern player transfers and contractual relationships, significant challenges still persist in ensuring full transparency and fairness in the global transfer market. These challenges include issues related to financial inequality between clubs, where wealthier organizations often have a disproportionate influence over transfer negotiations, thereby limiting fair competition.

Additionally, the lack of standardized enforcement mechanisms across different countries and leagues makes it difficult to ensure that regulations are consistently applied, leading to instances of contractual exploitation and opaque transfer deals. Moreover, scholars have pointed out the limited protection for young and vulnerable athletes, whose rights can be compromised by loopholes in the system, as well as the ongoing debate over the role of third-party ownership and agent fees, which can obscure the true value of transfer transactions. All these factors combined indicate that, despite progress, much remains to be done to establish a truly equitable and transparent transfer system that fairly balances the interests of athletes, clubs, and other stakeholders.

2. METHODS

2.1. Design

The study is based on a qualitative approach, which focuses on legal and regulatory analysis. The main methods used by the author are comparative legal analysis, document analysis and the formal legal method. The relevant methods were used to study the regulatory acts that regulate international transfers in professional sports. The study is based on a legal assessment, rather than on quantitative data analysis. Key documents analyzed include:

- FIFA Regulations on the Status and Transfer of Players;
- FIFA Transfer Matching System (TMS) regulations;
- FIBA Regulations Governing the International Transfer of Players;
- IIHF Official Rulebook 2025/26;
- The Universal Declaration of Human Rights – Articles on labor rights;
- The International Covenant on Economic, Social, and Cultural Rights – Article 6 on the right to work;
- EU legal framework on labor mobility and workers' rights.

The study focuses on FIFA, FIBA and IIHF regulations. These organizations play a key role in regulating transfers in the relevant sports. Legal acts are analyzed in detail in order to assess their impact on the fairness and transparency of transfers.

The comparative legal method is used to assess the similarities and differences between federations' regulations. In particular, this method is applied to fairness, transparency and employment rights of athletes. The formal legal method is used to interpret key legal provisions. This is necessary to determine how these rules work in practice. Document analysis allows us to assess the level of protection of athletes and the fairness of the transfer system by current legal acts.

In addition, the research applies methodological triangulation to enhance the validity of findings by combining legal analysis with elements of empirical verification. First, the normative framework was systematically compared with actual case law from the Court of Arbitration for Sport and disciplinary bodies of international federations (e.g., *Mutu v. Chelsea FC*, *PFC CSKA Sofia v. Loïc Bensaïd*, *IIHF v. Ivan Fedotov*). Second, relevant empirical sources were consulted. We examined statistical reports on transfer activity and the results of previous studies on transfer market dynamics. Third, selected high-profile disputes were considered as qualitative case studies to illustrate how theoretical legal provisions work in practice.

The author also adopted a case study approach. This involves a detailed analysis of specific precedents in the field of labor relations involving athletes. This method made it possible to illustrate theoretical provisions with real examples of disputes. The use of case studies made it possible to trace how international sports federations and arbitration bodies apply their regulations to resolve conflicts. In addition, it allowed us to identify the real impact of practice on the formation of current legislation in the field of athletes' labor rights.

Thus, this study offers a structured analysis of international transfer regulation, focusing on legal mechanisms. The author critically assesses their effectiveness in balancing the interests of athletes and clubs.

3. RESULTS

3.1. The role of international sports federations in regulating transfers

International sports federations play a key role in regulating transfers of athletes between clubs and countries. They develop and implement rules aimed at ensuring fairness, transparency and compliance with generally accepted standards in this area. The main task of federations is to ensure that transfer processes are in line with both the interests of clubs and the rights of athletes, ensuring that employment and contractual relationships are fair and protected (Hnizdovska, 2011). There are a large number of international sports federations operating in different sports, regulating not only the competitions themselves, but also important aspects related to athletes' transfers, contracts, and labor rights. Each federation is responsible for its own sport, developing rules that are specific to that discipline. For example, in football, basketball, hockey, tennis, and other sports, federations set clear rules for the transfer of athletes between clubs, handle labor disputes, and monitor compliance with contractual obligations.

These federations operate on a global level, and each of them adapts the general principles of labor relations and transfer regulation to the specifics of a particular sport. While the basic rights of athletes, such as the right to work and contractual guarantees, are universal, the specifics of transfer rules can vary significantly depending on the sport. This is due to the different structure of markets, the financial capabilities of clubs and the specifics of competition organization. However, it is not possible to cover all sports federations and analyze their transfer activities in detail in one article.

Therefore, for example, we will focus on leading international federations: 1) the International Football Federation (FIFA), which regulates world football; 2) the International Basketball Federation (FIBA), which is responsible for international basketball competitions; 3)

International Ice Hockey Federation (IIHF) is a worldwide governing body for ice hockey. These federations demonstrate the key principles and approaches to regulating transfers and ensuring the labor rights of athletes. The other federations remain a topic for further research, as each of them has its own characteristics and deserves special attention in the context of global labor relations in sports.

FIFA has developed a number of important regulations, such as the Regulations on the Status and Transfer of Players (RSTP), which govern the status of players, transfers between clubs, and dispute resolution between clubs and players. The RSTP were first adopted by FIFA in 2001. Since then, they have undergone several changes and updates to meet the new challenges of the football industry and adapt to changes in the legal system and the labor market for football players. These rules are among the most important in world football, as they provide uniform standards for clubs, players and associations on how transfers and contractual relationships should be handled.

Designed to guarantee transparency, fairness and protection of the rights of all stakeholders, these regulations set clear rules for national and international player transfers (Porreca, 2011). Regulation has now emerged as a central concept in sociology, particularly in the sociology of organizations, similar to its prominence in economics, political science, and law (D'Hombres, 2007). The Regulations contain a number of key aspects that govern the status and transfers of football players at the international level. One of the main provisions is a clear definition of the status of players. Athletes are divided into professional and amateur players. Professional players are those who receive remuneration that exceeds their costs of playing the sport, while amateurs play football without significant financial gain.

Contractual provisions play an important role in regulation. Article 18 of the RSTP states, the minimum duration of a contract must be from its effective date until the end of the season, while the maximum allowed length is five years. Contracts with different durations are permitted only if they comply with national laws. Players who are under 18 years old are not allowed to sign professional contracts longer than three years, and any clause that extends beyond this period will not be recognized (FIFA, 2001). We believe that this article is key to protecting the labor rights of professional football players. It sets clear limits on the minimum and maximum duration of contracts. Limiting the maximum contract duration to five years prevents situations where a player may be bound by a long-term contract that restricts his freedom of movement and career opportunities.

This allows athletes to regularly review the terms of their contract, taking into account changes in their professional level and market value. In turn, the minimum contract term until the end

of the season ensures that the player will not be left without a job in the middle of the competition period. At the same time, allowing contracts of a different duration, if it is consistent with national laws, provides flexibility and takes into account the legal specifics of different countries. This contributes to the harmonization of international and national legal norms in the field of athletes' labor relations (Koshovyi, 2015).

Another important provision is the protection of the rights of athletes under the age of 18. Limiting the maximum contract term to three years for such players protects young athletes from long-term commitments that they may not fully realize (Polack, 2018). This gives them the opportunity to renegotiate the contract on more favorable terms or choose another club after reaching the age of majority. Moreover, underage players are more vulnerable to pressure from clubs and agents. Limiting the length of the contract prevents possible abuse and exploitation of their talent. It ensures that their rights to education and personal development outside the football field are respected. Clear rules on contracts with minors help to avoid legal conflicts and disputes by ensuring transparency and legality of the agreements (Geeraert, 2019).

Thus, Art. 18(2) of the RSTP not only establishes the legal framework for contractual relations in football, but also acts as a tool for the protection of human rights, ensuring that athletes are able to freely develop their careers and realize their potential in fair and transparent conditions. Transfers are only allowed during certain periods known as transfer windows. Each country has two transfer windows per year: the main one in the off-season and an additional one in the middle of the season. Transfer windows are critical to maintaining structure and stability in professional sports (Horak et al., 2024). They ensure fair competition, protect the interests of players and clubs, regulate financial aspects, and contribute to the overall development of the sport. By restricting transfers to specific periods, sports federations create a predictable and fair environment that benefits all sports stakeholders (FIFA, 2024).

As for transfer compensation, FIFA sets rules according to which a club that signs a player before the end of his contract with the previous club is obliged to pay a certain amount of compensation. It is determined based on the player's market value, age, and other factors that affect the value of the transaction. The RSTP also guarantees the stability of contracts by ensuring that players and clubs fulfill the terms of their agreements until the end of the contract. In the event of early termination of the contract without a valid reason, the breaching party may be subject to disciplinary sanctions (Bayle, 2023). Transfer disputes are also regulated by the RSTP.

There is a specially created Dispute Resolution Chamber that considers disputes between clubs and players, especially regarding contract terms or compensation. The provisions on player development fees stand out separately. Clubs that have been involved in the training of a young athlete are entitled to receive compensation payments from the club that signs a contract with the player. This encourages clubs to invest resources in the development of young talent, knowing that they will be financially reimbursed for their work (FIFA, 2001). Thus, the RSTP is a comprehensive set of rules that regulates key aspects of football transfers, balancing the interests of players, clubs and other stakeholders, and promoting transparency and stability in this area. To increase the transparency and efficiency of transfer operations, FIFA also introduced the Transfer Matching System (TMS) in 2010, an electronic system that allows clubs to exchange information about players in real time. This significantly reduced the possibility of manipulation and corruption in transfer processes, as all transactions became more controlled and traceable (FIFA, 2010).

For comparison, it is necessary to consider experience of the International Basketball Federation (FIBA) in regulating transfers in the respective sport. The main FIBA document regulating international player transfers is called the Regulations Governing the International Transfer of Players. This regulation defines the procedure and conditions for international transfers of basketball players between clubs of different national federations. FIBA establishes its own rules for the transfer of basketball players between clubs through the Letter of Clearance system, which guarantees the legality of the transfer and compliance with labor obligations. FIBA also has provisions that protect underage players and limit their international transfers (FIBA, 2010). In addition, FIBA provides dispute resolution between players and clubs through the FIBA Arbitration Tribunal, which facilitates the quick and fair resolution of conflicts. Thus, although the FIBA and FIFA regulations differ in the specifics of the sport, both federations have similar systems for regulating international transfers, including provisions for player protection and dispute resolution (Chappelet & Kubler-Mabbott, 2012).

Similar to FIFA and FIBA, the IIHF plays a key role in regulating international player transfers and ensuring transparency in labor relations in its sport. The regulatory framework is provided by the IIHF Transfer Regulations, which are part of the official IIHF regulations – IIHF Official Rulebook 2025/26 (IIHF, 2025). This section of the regulations establishes mandatory requirements for obtaining an International Transfer Card. Without this document, no international transfer can be registered. This centralized procedure unifies standards for all national federations. Its purpose is to reduce the risk of double contracts and increase the predictability of transfer processes.

Special attention within these regulations is paid to synchronizing transfer windows and preventing circumventing transfers during the season. The document also provides for disciplinary mechanisms for violations of established procedures. This allows the IIHF to maintain regulatory policy unity among national federations and promote the stability of international competitions (Franjković et al., 2017).

Thus, the example of the IIHF demonstrates that the principles of fairness and transparency in transfer relations are implemented not only through material norms. They are implemented through strict procedural regulations integrated into a single official federation regulation. This ensures consistency of action at the international level and reduces the number of conflicts. This approach is in line with the general trend towards harmonization of labor relations in sport, as seen in the cases.

In general, the role of international sports federations is not only to organize and control competitions, but also to provide a legal framework that protects the interests of both clubs and athletes. These federations act as arbiters between stakeholders, setting rules that help ensure fairness and transparency in transfer processes. In addition, they promote the harmonization of different national laws, which makes transfer processes uniform internationally. Thus, international sports federations ensure the efficient functioning of the transfer market by creating conditions under which the interests of all parties are respected and the rights of athletes as employees are protected.

Thus, the role of international federations is to set standards that promote fair competition, protect the rights of players and guarantee the stability of the football and basketball market, as well as promote the development of global sports relations. Despite the effective regulation introduced by international sports federations, there are certain challenges that continue to call into question the transparency and fairness of transfer processes, which we propose to discuss further in the article.

It is worth noting that federations work to protect both players and the teams they play for. A striking example of such synergy is the case of *Adrian Mutu v. Chelsea FC* (2009). The *Adrian Mutu* case is an example of a conflict between an athlete's labor rights and contractual obligations to a club. It directly relates to the key topic of our research. The case describes the issue of balancing interests in labor relations in professional sports and the role of international sports bodies in ensuring fairness in contract termination.

In 2003, Romanian footballer Adrian Mutu signed a five-year contract with English club Chelsea FC. In October 2004, the club unilaterally terminated the contract after the player tested positive for banned substances. Chelsea appealed to the FIFA Dispute Resolution Chamber

(hereinafter – DRC) for compensation for breach of contract. The DRC ruled that Mutu must compensate the club for more than €17 million. This amount corresponded to the residual value of the contract. The player appealed the decision to the Court of Arbitration for Sport (hereinafter referred to as CAS) (Duval, 2021). However, CAS upheld the DRC's position (Swiss Federal Tribunal, 2009).

This case was one of the largest in terms of compensation in the history of sports. Moreover, it set a precedent for the application of contractual penalties in cases of serious disciplinary violations by an athlete. Thus, the Mutu case can be seen as an illustration of how international sports bodies work in the event of a conflict between the parties to a contract. Such bodies are able to ensure the fulfillment of obligations even in cases where the sanctions have a significant financial burden for the athlete. On the one hand, this emphasizes the need for clear regulation of the consequences of early termination of the contract. On the other, it confirms the importance of the presence of supervisory bodies.

Another important case concerning the role of federations is PFC CSKA Sofia v. Loïc Bensaid (2012). This is a significant court decision in the area of control over the actions of agents and relations with players. In particular, it highlights key issues such as dual representation, transparency, loyalty, and conflict of interest. In PFC CSKA Sofia v. Loïc Bensaid, the CSKA Sofia football club appealed to CAS after a contractual dispute with agent Loïc Bensaid. The essence of the conflict was that the agent represented both the player and the club in negotiations. In other words, dual representation was effectively carried out, potentially violating the principles of good faith. The club argued that the agent had violated the duties of loyalty and transparency provided for in Article 415 of the Swiss Civil Code. However, CAS found that the agent had fulfilled his transparency obligations, noting in particular that “the club was aware of and accepted dual representation.” CAS also emphasized that the agent “did not act in bad faith.” Compensation to the club was not awarded in favor of CSKA Sofia. Thus, the Court confirmed that dual representation is possible provided that the parties are informed and consent (CAS, 2013).

This case demonstrates that even formally permitted agency practices become feasible only with full transparency and mutual consent of the parties. Regulatory mechanisms must take into account not only the formal representation of the agent. They analyze the issue of compliance with the principle of information and good faith. International sports bodies can therefore ensure fair procedures only by clearly regulating the conduct of agents and analyzing the context of their actions.

In general, similar cases can be traced back to the other two organizations under consideration. In particular, in the case of *Federazione Italiana Pallacanestro & others v. FIBA* (2024). This case illustrates FIBA's practical role as the central arbitrator in disputes over player transfer rights in basketball. It demonstrates that FIBA not only sets standards, but also has the authority to interpret them and ensure compliance through its own internal procedures.

The subject of the dispute was the legality of FIBA's decision to issue a Letter of Clearance (hereinafter referred to as LOC) to a player for a transfer to the Serbian club Partizan. The appellants were the national federation and one of the clubs. They claimed that at the time of issuing the LOC, the player had a valid or previous contract. According to Article 3-60(a) of the FIBA Internal Regulations, this fact made the transfer impossible. FIBA, for its part, concluded that the aforementioned previous contract did not create legally binding consequences within the meaning of its internal regulations. Therefore, provided that the LOC was properly issued, the player had the right to change club affiliation. CAS upheld FIBA's position. The court confirmed that the federation acted within its powers and in a manner consistent with the principles of good faith and equal treatment of all parties (CAS, 2024).

We note the significance of this case from a scientific and practical perspective for several reasons. First, it confirms that international federations act not only as regulators but also as arbitrators capable of acting as the final authority before referral to CAS. Second, it demonstrates that unity and transparency of procedures contribute to the predictability of transfer processes on a global scale. Third, the decision illustrates the balance between the autonomy of federations in interpreting their own rules and external control by independent arbitration. Finally, it emphasizes the role of federations as institutional guarantors of labor market stability in sport, preventing unjustified obstacles to the transfer of athletes.

In hockey transfer issues, we should mention the case of *IIHF Disciplinary Board v. Ivan Fedotov*, 2023. It can be seen as a prime example of the IIHF using its disciplinary and regulatory powers to make sure international transfer rules and contract discipline are followed. The subject of the review was a situation in which, in July 2023, a player with a valid contract with the Philadelphia Flyers signed a new agreement with Moscow's CSKA (Whyno, 2023). This move violated the IIHF International Transfer Regulations. The regulations prohibit the signing of a new contract without proper release from obligations under the existing agreement. During the proceedings, the IIHF Disciplinary Board determined that the contract with the Philadelphia Flyers remains legally valid and takes precedence over the new contract. Thus, the player's transfer took place in violation of the

established international transfer procedure. Based on the results of the proceedings, the IIHF decided to impose sanctions on the player (IIHF, 2023).

This case demonstrates the IIHF's ability to effectively influence both players and clubs, regardless of their nationality, in cases of breach of contract and transfer regulations. The consideration of this dispute confirmed that strict procedural regulations are a key tool for maintaining stability. In addition, the Fedotov case illustrates that international sports bodies are capable of acting as independent arbitrators in cross-border conflicts.

Table 1. Examples of transfer dispute resolution by international sports federations

Case	Sport	Year	Parties	Key Issue	Role of Federation	Outcome & Significance
Adrian Mutu v. Chelsea FC	Football	2009	Adrian Mutu (player) v. Chelsea FC (club)	Contract termination due to doping violation	FIFA DRC & CAS – enforcement of contractual obligations and penalties	Mutu ordered to pay >€17M to Chelsea; precedent for large compensation in disciplinary cases; highlighted supervisory role of federations
PFC CSKA Sofia v. Loïc Bensaid	Football	2012	CSKA Sofia (club) v. Loïc Bensaid (agent)	Dual representation and conflict of interest	CAS – interpretation of agent conduct rules within FIFA framework	Dual representation allowed with informed consent; emphasized transparency and good faith principles
Federazione Italiana Pallacanestro & others v. FIBA	Basketball	2024	Italian Basketball Federation & club v. FIBA	Legality of Letter of Clearance for player transfer	FIBA – central arbitrator for transfer disputes	CAS upheld FIBA's decision; confirmed autonomy of federations in interpreting transfer rules and ensuring global procedural consistency
IIHF Disciplinary Board v. Ivan Fedotov	Hockey	2023	IIHF v. Ivan Fedotov (player), CSKA Moscow, Philadelphia Flyers	Breach of existing contract in international transfer	IIHF – enforcement of transfer rules and disciplinary authority	IIHF sanctioned player; confirmed validity of prior contract; demonstrated global reach of IIHF's disciplinary powers

In general, analysis of cases shows that international sports federations play a complex role, combining regulatory, law enforcement, and arbitration functions in the field of athletes' labor relations. They ensure the unification of procedures and create mechanisms for dispute resolution. The examples considered confirm that the activities of such bodies are aimed at preventing chaotic or unlawful transfers of athletes. In each case, the decision of the international federation had a transnational impact (Table 1).

3.2. Transfer market: Issues of transparency and financial inequality

Despite the fact that international sports federations such as FIFA and FIBA have created clear rules to regulate transfer processes, the problem of transparency of transactions and financial inequality between clubs remains one of the most important in modern sports. These challenges seriously affect the balance of sports competition and the economic stability of teams. Ensuring transparency in transfer agreements is an important tool to combat corruption, fraud and opaque financial schemes.

The introduction of the previously mentioned FIFA Transfer Matching System was aimed at automating and controlling international player transfers by providing access to detailed information on transactions in real time. However, despite these efforts, some transfer deals remain opaque, especially when it comes to hidden bonuses or third-party payments that are not reflected in official documentation (Nicolliello & Zampatti, 2016).

Although both FIFA and FIBA have established regulatory frameworks to regulate player transfers, the implementation of these rules differs significantly. This affects the fairness and predictability of transfer transactions. One key difference is the way in which financial transactions are monitored and controlled. FIFA has introduced a digital verification system. Its aim is to increase transparency and reduce irregularities. FIBA, on the other hand, relies on a less centralized approach. Similarly, contract stability and dispute resolution mechanisms operate differently in both organizations.

The IIHF, in turn, offers another model for regulating transfers. It requires that an International Transfer Card be obtained for any player transfer between countries. This approach provides centralized oversight and standardized procedures for all national federations. Such differences between the three federations lead to varying levels of player protection and different ways of ensuring the integrity of the transfer market. To illustrate these differences, below is a comparative table 2 of FIFA, FIBA, and IIHF approaches to key aspects of transfer regulation.

Table 2. Comparative analysis of transfer regulation in FIFA, FIBA, IIHF

Regulatory Aspect	FIFA	FIBA	IIHF
Collective bargaining agreements (CBA)	No unified global CBA; FIFPRO represents players' interests, but national regulations vary.	More developed CBA mechanisms, especially in leagues like the NBA, ensuring labor rights and contract guarantees.	No unified global CBA; national ice hockey federations may have their own agreements, but IIHF regulations set overarching transfer and eligibility rules.
Protection of young players	Strict restrictions on international transfers for minors (Article 19 RSTP); training compensation required.	More flexible transfer rules for young players; lack of standardized global training compensation system.	Transfer of players under 18 strictly regulated; ITC required for all cross-border transfers; additional consent from both national federations and guardians for minors.
Financial control and fairness	UEFA introduced Financial Fair Play (FFP) to limit excessive club spending; FIFA monitors agent fees and third-party ownership.	No financial control mechanisms similar to FFP; clubs operate with fewer financial restrictions, increasing market disparities.	No direct equivalent of FFP; centralized ITC process prevents irregular transfers; disciplinary sanctions applied to players/clubs for contract breaches to maintain fairness.
Dispute resolution mechanisms	Dispute Resolution Chamber and FIFA Tribunal provide structured but time-consuming arbitration.	FIBA Arbitration Tribunal offers a faster dispute resolution process.	IIHF Disciplinary Board and Arbitration processes handle disputes over transfers, eligibility, and contract breaches; can impose suspensions and transfer bans enforceable internationally.

We have presented a comparison in a table 2. It highlights the fundamental differences in governance between federations. It identifies the limits to maintaining fairness and transparency in the respective transfer systems. Understanding these differences is essential for assessing the strengths and weaknesses of each model.

Thus, the financial success of a sports organization does not always meet the expectations of its stakeholders if the anticipated sporting outcomes are not realized. A typical example of this is seen in European football clubs, where the pursuit of optimal on-field performance strongly influences the club's management strategy (Kennedy, 2013). Opacity in transfer processes can become a source of manipulation and undermine trust in the sports industry (Lutsenko et al., 2024). Agents, clubs, or other stakeholders may use complex financial instruments to conceal the actual terms of the agreement, making it difficult for international federations and relevant authorities to exercise proper oversight. This also negatively affects players, whose interests may be compromised due to non-transparent arrangements.

Another significant challenge facing the transfer market is the financial inequality between wealthy and less affluent clubs. Wealthier clubs have significantly more resources to attract talented players due to their large budgets and access to investments (Barajas & Rodríguez, 2014). High transfer fees, multimillion-dollar contracts, and the ability to offer lucrative bonuses make these clubs dominant players in the market (Buchholz & Lopatta, 2017). On the other hand, smaller clubs, lacking such financial resources, find themselves at a disadvantage.

They cannot afford to compete for top-tier players, which reduces their competitiveness in both national and international competitions (European Commission, 2018). As a result, talent becomes concentrated in a small number of wealthy clubs, undermining the overall balance in sports leagues (Alvad, 2018). Financial inequality also creates issues for young talent (MacInnes, 2017). Smaller clubs, which often serve as the foundation for developing young players, do not receive fair compensation for nurturing athletes (Lembo, 2011). This can lead to a situation where clubs that invest in developing young players lose them to wealthier teams without receiving appropriate financial reimbursement.

The opacity of transfer deals and financial inequality between clubs have far-reaching consequences for the sports industry. The lack of a level playing field reduces competition, which negatively impacts fan interest in the competitions and lowers the chances of smaller clubs achieving success (Franck, 2018). Players at wealthier clubs have access to more lucrative contracts, better working conditions, social security benefits, and resources for development. In contrast, athletes at smaller clubs often face less favorable contracts and limited opportunities for career advancement, which can undermine their rights to fair working conditions. Due to the dominance of big clubs, players in less financially secure teams risk becoming commodities in transfer deals, when clubs try to sell their best players for financial survival. This can lead to exploitation, when the player's interests are put on the back burner in front of the club's economic interests (Morrow, 2013).

Furthermore, due to financial inequality, larger clubs can influence player contracts and opportunities even before the agreements are concluded by promising significantly better conditions in the future, which undermines the stability and security of employment relationships in smaller clubs. To protect athletes' labor rights and mitigate the impact of opaque transfer deals and financial inequality between clubs, it is essential to implement a range of comprehensive measures at the level of international sports federations, national associations, and clubs themselves.

First and foremost, minimum standards for player contracts should be established to guarantee fair working conditions. International federations could mandate that contracts between players and clubs include clear provisions on minimum salary, contract duration, social guarantees, and compensation in case of contract termination. These standards would help prevent the exploitation of players, especially in less financially secure clubs. Moreover, mandatory disclosure of contract terms would help avoid hidden financial schemes that could infringe upon the rights of athletes (Windholz & Hoge, 2019). This would promote transparency in labor relations and give players the opportunity to better protect their interests.

Implementing financial mechanisms, such as limiting club spending on transfers in proportion to their revenues, could help balance the financial capabilities of large and small clubs. This would reduce the gap between wealthy clubs with access to vast resources and financially weaker clubs that struggle to compete in the transfer market. Additionally, introducing mandatory compensation payments to small clubs for developing young players (Bayle, 2023) would provide financial support to smaller teams and help them continue developing new talent. To combat the opacity of transfer deals, international federations must strengthen oversight of player transfers. The introduction of strict regulations for monitoring transfers and conducting regular audits of deals will help identify financial violations and reduce the risk of corruption. Creating public databases that disclose transfer fees, agent payments, and contract terms will allow fans and the public to access data and monitor rule compliance.

The introduction of collective bargaining agreements between leagues and players' unions will establish fair conditions regarding salaries, bonuses, and social guarantees for all athletes, regardless of the financial status of their clubs. Such agreements will help resolve conflicts and ensure equal rights for all players. Collective agreements can also contribute to reducing financial inequality between clubs by enabling players from smaller teams to secure appropriate working conditions and protection of their labor rights. A social dialogue based on service contracts is not feasible because, legally, the player is considered self-employed, meaning they should, in theory, be able to give instructions to the other party (the club) rather than simply follow directives.

In contrast, employment contracts center on the employee as an individual, whereas service contracts focus on the service being provided (Niemann & Brand, 2008). The fact that both types of contracts – employment and service – are separately addressed in the EC Treaty highlights their distinct legal nature. This distinction reflects widely accepted international principles of labor law, which are designed to ensure that employees are not left unprotected or treated as mere tools at their

employer's disposal (Brownell & Besnier, 2019). This reflects a broader philosophy of labor norms and values in a civilized society.

If the parties seek to create a new, hybrid option beyond the traditional employment or service contract, a collective agreement would be the most suitable mechanism. While a special football contract could theoretically exist without violating public policy, it is difficult to envision its application in football, where the player-club relationship inherently involves a power dynamic. Similarly, it is challenging to see how the management of players' transfer rights and passes could be legally regulated through a collective agreement (Siekman, 2006).

Thus, comprehensive measures should be taken at the international level to protect the labor rights of athletes and overcome the problems associated with the lack of transparency of transfer agreements and financial inequality. Improving regulations, strengthening transfer oversight, introducing financial compensation and collective bargaining agreements will help create a fair playing field for all players, regardless of their clubs or financial means. This will contribute to the development of global sport and increase the level of protection of athletes' rights.

3.3. Transfers' impact on athletes' labor rights

Transfers in professional sports, particularly in football, have a significant impact on the labor rights of athletes. Issues related to working conditions, contractual obligations, and players' rights are closely intertwined with the transfer process, which can both support the protection of athletes' rights and present new challenges. The regulation of transfers plays a key role in ensuring fair working conditions for athletes; however, opaque agreements and financial inequality between clubs can negatively affect these rights. One of the most important labor rights for athletes is their right to freedom of movement and the ability to choose their place of work after a contract ends (Garcia & Meier, 2017). This right was solidified by the Bosman case – one of the most pivotal legal decisions in the world of sports.

In 1995, Jean-Marc Bosman, a Belgian footballer, filed a lawsuit after his former club blocked his transfer to another team following the expiration of his contract. Bosman challenged the rules that allowed clubs to demand compensation for players even after their contracts had expired, effectively restricting players' freedom of movement. The European Court of Justice ruled in favor of Bosman, determining that such restrictions violated the right to free movement of workers within the European Union (Court of Justice, 1995). This decision led to radical changes in the football transfer system.

Players gained the right to freely move to another club after the expiration of their contract without the need to pay transfer compensation (Gardiner & Welch, 2016). Furthermore, restrictions on the number of foreign players from EU countries in football clubs were lifted, expanding opportunities for athletes to work in different countries within the European Union. The Bosman ruling became a crucial precedent, ensuring the protection of players' labor rights by granting them greater freedom in negotiating contracts and choosing clubs. This decision laid the foundation for the further development of legal norms that protect athletes from exploitation and restrictions on their freedom of movement.

As a result, athletes can choose clubs that better align with their ambitions and take advantage of new opportunities for professional growth. The freedom to move between clubs also allows players to adapt their careers to changing circumstances, such as improved physical fitness, rising market value, or the desire to challenge themselves at a higher level of competition (Popovych et al., 2023). Despite rulings like the Bosman case providing significant protection for athletes' rights, opaque transfer deals continue to pose risks for players.

The terms of transfers often remain unclear, leading to uncertainty about the actual financial conditions of the agreements. Agent commissions, hidden payments, or inaccurately defined contract terms can lead to conflicts and the violation of athletes' labor rights. Wealthier clubs, with access to greater resources, can manipulate the terms of transfers, securing deals on favorable conditions and acquiring the best players, often leaving athletes in a weaker position during negotiations. This creates an imbalance of opportunities between wealthy and smaller clubs, which in turn affects the labor rights of players from smaller teams.

Unstable contracts often lead athletes to seek dual employment. This is especially common in seasonal sports, where many athletes work full-time or part-time jobs alongside their sports careers (European Commission, 2012). For example, in women's rugby, 60 percent of surveyed players who earn money from competing still feel the need to supplement their income with other work. The need for stable contracts is further underscored by the fact that a professional athlete's career typically lasts 12-15 years, excluding the risk of injury. According to the International Labor Organization, over 50 percent of athletes surveyed have faced financial hardships within five years of retiring, which in some cases has led to mental health challenges (Popovych et al., 2022). Improving the stability of labor contracts for athletes is crucial, but higher education can also help mitigate these financial risks (Moskalenko et al., 2021).

For a club, an athlete is viewed not as an employee in relation to other clubs, but rather as an asset that can be transferred, sometimes without the athlete's explicit consent (Binder & Findlay, 2011). Legally, once a player's contract with their current club expires, they are free to sign contracts with other clubs. However, for players still under contract, any transfer must be negotiated between the involved clubs, with a transfer fee set to compensate for the early termination of the existing contract (Chetwynd, 2009).

The transfer process involves the transfer of a player's sports registration from the current (holding) club to the new (debtor) club. In European professional football, this process typically occurs during transfer windows, when player registrations can be officially completed. While the negotiations surrounding a player's new employment are primarily conducted between the clubs, the player and their agent can play a role in determining salary and bonus structures (Feess & Muchlheusser, 2003). It's notable that football clubs collectively spend approximately 3 billion dollars annually on player transfers (Moskalenko et al., 2021).

Athletes generally have limited rights when it comes to terminating their employment contracts on their own initiative. In most cases, if an athlete wishes to terminate their contract early, they must typically identify a breach of the contract by the employer. Otherwise, to terminate the contract prematurely, the athlete is often required to compensate the employer with a sum specified in the agreement. Even after contract termination, certain restrictions in specific sports remain in place. In Europe, particularly in football, transfer systems dictate whether a transfer fee must be paid between clubs for a player to sign with a new team (Barry, 2016).

As we noted, FIFA introduced additional transfer regulations aimed at enhancing the labor mobility of football players. However, some restrictions still persist, such as the prohibition on contract termination mid-season, which continues to limit an athlete's right to change employment. This is largely due to the fact that the rules governing athletes' employment, particularly in football, are set by international sports governing bodies. These regulations often overlook national labor laws and European Union directives regarding the free movement of workers, creating friction between the two systems.

In this context, we should mention the case of French football player Lassana Diarra. He had been playing for Lokomotiv Moscow since 2013. However, due to a conflict with the club's management in 2014, he decided to terminate his contract unilaterally. Lokomotiv considered this termination unjustified and filed a lawsuit with FIFA. The organization ruled in favor of the Russian

club and ordered Diarra to pay the club compensation in the amount of 10.5 million euros. This was a big financial blow for the player. Any new club that wanted to sign him would have to assume or help pay off these obligations. As a result, Diarra was left without a club for a long period of time and could not continue his professional career. The player appealed to the Court of Arbitration for Sport and later appealed the decision to the Court of Justice of the European Union (Bellia, 2017).

In October 2024, the Court of Justice of the European Union made a historic decision. According to it, some FIFA rules on transfers contradict EU law. In particular, the court ruled that rules requiring players to pay multimillion-dollar compensation after unilateral termination of their contracts restrict their right to freedom of work and movement guaranteed by EU law (Court of Appeal, 2022). This decision is revolutionary because it significantly weakens the control of clubs over players (Bellia, 2017). This is especially true when they want to change clubs due to unfavorable contract terms. In addition, the decision calls into question the current FIFA transfer system. In some aspects, it creates legal barriers to labor migration of athletes. Moreover, this judgment is a precedent, which means that further litigation by football players who face similar problems when transferring between clubs is possible.

Thus, the EU Court of Justice's decision in Diarra may have a significant impact on the revision of transfer regulation in world football. It contributes to the creation of fairer standards. Therefore, the Lassana Diarra case is a vivid example of the conflict between the current transfer system and the fundamental employment rights of athletes. It demonstrates how existing rules can create legal and financial barriers for players. This approach significantly limits their freedom of movement and the possibility of continuing their careers. The decision of the Court of Justice of the EU has become a precedent in the field of sports law.

In the context of this study, the Lassana Diarra case plays several important roles. First, it illustrates that the current transfer system is not always fair and transparent. Instead, it can contribute to entrenching the imbalance between players and clubs. Second, it proves the need for reforms in the regulation of transfers. First of all, the introduction of more effective mechanisms for the legal protection of athletes. Third, this case clearly shows that EU case law can play a key role in changing regulatory norms. Its application opens up new opportunities for improving the legal regulation of international transfers in sport. Thus, the analysis of this case allows for a deeper understanding of the problems associated with adhering to the principles of fairness and transparency in transfer processes.

However, transfers also offer several advantages for players. They foster competition between clubs for the most talented athletes, which contributes to the increase in players' market value. Clubs compete to sign contracts with leading players, resulting in higher wages and bonuses for the athletes. This is especially beneficial for players, as they can use transfers as a tool to boost their market worth. Additionally, this allows them to play a more active role in negotiations with clubs, leading to better contract conditions (Hoey et al., 2021).

Transfers also provide athletes with the opportunity to gain international experience by playing in different countries and leagues. This allows players to broaden their professional horizons, adapt to new styles of play, coaching methods, and cultural traditions. By playing in various countries, athletes acquire invaluable experience that helps them improve their skills and grow as individuals. It also offers them the chance to expand their cultural perspectives and professional networks, which can be beneficial for their career development after they retire from playing.

Transfer processes in sports offer many benefits for players. They create opportunities for career advancement, increased earnings, international experience, and access to better working conditions. Through transfers, athletes can move to clubs that offer better contracts, social benefits, and superior infrastructure for developing their professional skills. These advantages enable players to realize their potential and build stable careers in professional sports. However, transfers also carry certain risks and violations of players' rights. Opaque transfer deals, financial inequality between clubs, and restrictions on freedom of movement create challenges for athletes (Yaroshenko et al., 2024).

In many cases, players become commodities in transfer negotiations between clubs, which can affect their right to freely choose their place of work. Additionally, the rules established by international sports federations often disregard national labor laws, potentially limiting athletes' rights and leading to unequal working conditions. To address these issues, more transparent mechanisms for regulating transfer agreements need to be implemented. This can be achieved by enhancing oversight of financial transactions and requiring clubs to disclose the terms of transfers and contracts. Furthermore, greater support should be provided to smaller clubs to reduce financial inequality and create equal opportunities for all players. It is also essential to harmonize international sports regulations with national and European labor laws, ensuring fair treatment of athletes and guaranteeing their right to freely choose their place of employment. Thus, balancing the benefits of the transfer process with the protection of athletes' labor rights is a key task for sports federations and regulatory bodies.

3.4. Gender dimension in the transfer market

Although the regulatory frameworks of international sports federations formally apply to all athletes, the experience of female athletes' transfers presents specific challenges that are often overlooked. Research shows that women's professional sports operate in a separate and less developed market. Frick (2011) notes that financial resources and career development opportunities are significantly limited compared to men's sports. This structural inequality directly affects the transparency, fairness, and stability of transfer processes for female athletes.

One of the most significant imbalances is the low level of contractual stability. Many female athletes sign short-term or semi-professional contracts. Moreover, comprehensive labor protection, which is standard in men's professional sports, is often neglected (O'Brien et al, 2025). For example, in soccer, Regulations on the Status and Transfer of Players formally apply to women's transfers. However, many leagues lack standards for salary or maternity leave. Such shortcomings make female athletes vulnerable to contract termination or reduced pay during pregnancy (FIFPRO, 2020).

Financial inequality further complicates the situation. Transfer fees in women's sports are significantly lower. In some cases, they are non-existent. This leads to frequent “free transfers” and reduces clubs' motivation to invest in the development of women's sports (Bowes, 2021). Limited budgets also mean fewer resources for adequate support, which increases the risk of exploitation.

Another critical issue is the lack of adequate publicity and transparency of transfer data in women's sports. Unlike men's professional leagues, women's transfers often take place without public disclosure. The lack of transparency limits accountability and complicates the monitoring of financial and contractual obligations.

Some international federations have already begun to take steps in this direction. For example, in 2021, FIFA introduced regulations on pregnancy and maternity, which provide for a minimum of 14 weeks of paid maternity leave for players and a ban on dismissal due to pregnancy. However, the implementation of these regulations remains uneven across different national associations. Moreover, similar comprehensive guarantees are currently lacking in basketball and hockey. It is logical to argue that strengthening gender-specific provisions in transfer regulations will help reduce inequality and protect the rights of female athletes in the global transfer market (Fig. 2).

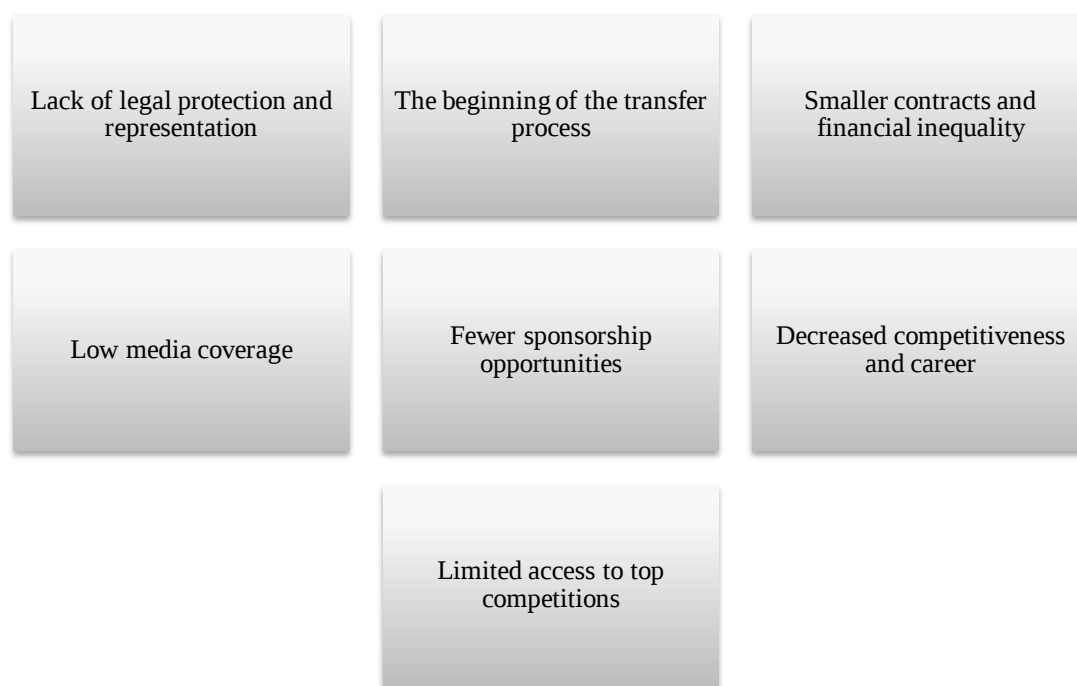


Figure 2. Pathway Diagram: Gender-Specific Barriers in Athlete Transfers

Persistent structural inequalities in the global sports transfer market, especially those affecting female athletes, require targeted reforms to overcome existing problems. To ensure fairness, transparency, and long-term career stability for female athletes, a multi-level approach is needed that combines contractual, financial, and institutional solutions.

A key reform should be the introduction of mandatory minimum contract standards adapted to the conditions of women's professional sports. These should include: a guaranteed minimum wage; clearly defined contract terms; social insurance; and mandatory provisions for maternity leave. The absence of such standards leaves female athletes vulnerable to sudden termination of contracts and unstable employment. Incorporating these guarantees into the regulations of international federations will ensure a minimum set of rights for all female athletes, regardless of club level. The aforementioned FIFA 2021 provisions are an important step, but they should be extended to all sports and unified at the international level.

Mandatory transparency should be introduced for transfers of female athletes. Non-transparent financial schemes create inequality and complicate control. To overcome this, international federations should introduce mandatory disclosure of key data: transfer amounts, agent commissions, and basic contract terms. This will enable governing bodies to exercise more effective

oversight. The creation of open transfer databases should function similarly to those that already exist in men's football. In addition, it is advisable to develop a compensation system for the training of female athletes. This will encourage clubs to invest in youth programs. The amount of payments should correspond to the resources invested, which will contribute to a more even distribution of talent. Regulations such as Financial Fair Play in men's sports are aimed at preventing financial instability, but women's sports need an adapted model. Instead of strict spending limits, it would be advisable to set a minimum investment threshold for female teams.

The proposed measures comprehensively address structural and procedural gaps in the current regulation of transfers of female athletes. Minimum contract standards and transparency requirements create a basic level of protection that prevents abuse. Compensation systems and adapted financial rules will help reduce the gap between large and small clubs. Advanced dispute resolution mechanisms and stronger collective representation will enable female athletes to defend their rights more effectively. Together, these steps can create a more fair, transparent, and competitive global transfer market.

4. DISCUSSION

Summarizing the considered information, it can be stated that the transfer market in sports, especially in football, provides significant opportunities for the career development of athletes, but at the same time carries a number of problems related to the labor rights of players. Although international labor law standards and sports regulations attempt to guarantee fair working conditions, transfer processes remain complex due to issues of transparency, financial inequality and restrictions on freedom of movement (Moskalenko et al., 2021). The Bosman case was an important milestone in the protection of athletes' rights, but the current system needs further improvement (Court of Justice, 1995).

International sports federations play a central role in regulating transfers. They establish rules that govern player mobility, contractual obligations and financial transactions. Their regulatory framework is designed to ensure fairness and transparency. However, its effectiveness varies significantly across sports. FIFA, as the governing body of world football, has implemented a highly structured transfer system. These mechanisms aim to prevent contractual breaches and increase financial transparency in transfers. However, as highlighted in previous studies (Kennedy, 2013; Nicolliello & Zampatti, 2016), despite their implementation, certain aspects of transfers remain opaque.

Furthermore, the Court's ruling in the Diarra case has shown the need to review many of FIFA's existing rules. The case also raises concerns about whether FIFA's regulatory framework is consistent with broader principles of employment rights, including the right to work and freedom of movement. FIBA, on the other hand, has a less centralised model. This approach gives national federations greater control over transfers. However, it does not have the same level of financial control and transparency. Research by Siekmann (2018) shows that while this decentralized system provides greater flexibility, it also creates differences between different leagues. We believe that the key task for both federations is to balance the interests of all parties while maintaining regulatory consistency.

Despite the implemented international regulations and mechanisms, several significant challenges remain in the field of transfers and labor rights of athletes. First, the financial disparity between clubs continues to exacerbate the imbalance in sporting competitions. Richer clubs have significant advantages in the transfer market, which not only affects sports competition, but also creates an unequal playing field for athletes (Barajas & Rodríguez, 2014). Players from smaller clubs have limited opportunities to transfer to clubs with better working conditions, which limits their rights to career development (Alvad, 2018).

The second important problem is the lack of transparency of transfer agreements. Incomplete or hidden information regarding financial conditions and contracts can lead to abuse and violations of players' rights (Porreca, 2011). In many cases, athletes may find themselves in situations where their interests are not properly taken into account, as the transfer process is between clubs and players may have limited influence over the terms. Another problem is the restriction of players' freedom of movement during the contract period (Garcia & Meier, 2017). Although players have the right to change clubs after the end of their contract, the presence of a transfer fee during the contract makes this process much more difficult. This can limit the right of players to freely choose a place of work and creates dependence on the decisions of clubs (Koshovyi, 2015).

In response to these challenges, several modern trends in the regulation of transfer processes are observed. Strengthening transparency mechanisms is becoming one of the key initiatives of international sports organizations. The implementation of electronic systems, such as the Transfer Matching System, helps monitor financial transactions and reduce the number of hidden transactions. Another important trend is the strengthening of the role of sportsmen's trade unions (Yaroshenko et al., 2022). Collective bargaining with clubs and leagues is becoming an effective tool to protect the labor rights of athletes, especially in matters of contracts, compensation payments and social

protection. There is also an increasing emphasis on protecting the rights of young players, especially minors, by limiting international transfers to a certain age (Brownell & Besnier, 2019).

To overcome challenges and ensure the further development of the transfer system in sports, a series of changes need to be implemented. First, financial mechanisms should be improved to reduce the imbalance between large and small clubs. This may include redistributing a portion of revenue or increasing compensation for player development, allowing smaller clubs to compete on more equal terms. Second, mandatory audits of transfer deals should be introduced to ensure transparency in financial operations and protect the interests of players.

This will help avoid situations where players become hostages to closed negotiations between clubs. It is also important to harmonize international and national labor regulations so that players can enjoy the same level of protection of their rights, regardless of the country or league in which they play. This will contribute to fair regulation of labor relations and ensure athletes' right to freely choose their place of work even during the contract period. Thus, to ensure stability and protect athletes' rights, it is necessary to continue improving transfer regulations, allowing the economic interests of clubs to be balanced with the rights and needs of the players.

Additionally, it is worth paying attention to the power architecture of international sports federations. On the one hand, they act as guarantors of uniform rules and arbitrators in transfer disputes. However, on the other hand, they concentrate regulatory and control functions in their hands. This creates risks of quasi-monopoly, when the influence of other entities is significantly limited. FIFA's experience demonstrates that centralization of decisions increases the manageability of the system, but reduces its flexibility and accountability, which can lead to closed processes and slow response to the needs of players.

In this context, when improving the existing structure, it is worth considering whether it is possible to achieve a fair balance between the economic interests of clubs and the rights of athletes without radically disrupting the existing structure. The history of sports law shows that even local but well-designed changes can have a cumulative effect, transforming the system from within. At the same time, critical analysis indicates that excessive centralization of power in large federations can lead to closed regulatory processes. This requires the development of mechanisms for internal accountability and dialogue between federations, clubs, and player representative bodies. One possible way forward could be to expand the practice of collective bargaining, which has been successful in some leagues.

5. CONCLUSIONS

International standards of labor law in sports are an important tool for protecting the rights of athletes in professional relations with clubs and federations. Athletes, like any other workers, are entitled to the protection of their labor rights at the international level, and these rights are enshrined in various legal acts. The main document that guarantees the rights of workers, including athletes, is the Universal Declaration of Human Rights. It enshrines the right of every person to work, fair working conditions and protection against unemployment. In addition, the International Covenant on Economic, Social and Cultural Rights also ensures the right to fair remuneration, safe working conditions and social security. These rights apply to athletes as professional workers, and their work should be regulated according to international standards.

International standards also require that athletes be guaranteed fair working conditions when entering into new contracts. Athletes and their agents have the right to participate in the negotiation process regarding the terms of wages and other compensation. This is established at international level and is implemented during every transfer, where clubs must adhere to the regulations set by international sports bodies. International sports federations play a crucial role in regulating athlete transfers by establishing rules and mechanisms that ensure fairness, transparency, and stability in this area.

Organizations provide clear regulatory frameworks for both international and national player transitions, overseeing contract conditions and implementing systems to protect athletes, particularly minors. Their regulations, such as the Regulations on the Status and Transfer of Players and the Regulations Governing the International Transfer of Players, help streamline transfer processes globally. These rules ensure that players' labor rights are respected and that their contracts are safeguarded, especially through dispute resolution systems.

Despite being a vital part of modern sports, the transfer market faces significant challenges regarding transparency and financial inequality. The lack of transparency in deals creates opportunities for manipulation, which can result in the violation of players' rights and unfair conditions for smaller clubs. Wealthy clubs, with access to considerable financial resources, can dominate the market, while smaller teams often struggle to compete on equal footing. This creates an imbalance in sporting competition, where a few affluent clubs can assert dominance in the transfer market. Transfer processes in sports provide athletes with significant advantages. They open the door to career development, higher earnings, gaining international experience and better working

conditions. With transfers, players can move to clubs that offer better contracts, better social guarantees and opportunities for professional growth. This allows athletes to maximize their potential and build a successful career in professional sports.

However, transfers can also create risks and violations of players' rights. Opaque agreements, financial disparity between clubs and restrictions on freedom of movement can have a negative impact on the careers of athletes. Players often become objects in negotiations between clubs, which limits their right to independently choose their place of work. In addition, international regulations set by sports federations often do not take into account national labor laws, resulting in unfair working conditions for athletes.

To solve these problems, it is necessary to improve the mechanisms of control over transfer agreements. This could include increasing the transparency of financial transactions and requiring clubs to disclose all terms of transfers and contracts. It is also important to provide support to smaller clubs to reduce financial inequality and create equal opportunities for all athletes. In addition, it is necessary to harmonize international regulations with national and European labor standards in order to ensure fair conditions for players and guarantee their right to freely choose their place of work.

Regarding study limitations, the study focuses on three sports, but does not examine transfer regulations in other major. Although there are different governance models in place there. Expanding the scope to other federations would provide a more comprehensive perspective on international transfer systems. Due to the confidential nature of many transfer agreements, obtaining precise financial details remains a challenge. Future research could focus on case studies of controversial transfers. Despite these limitations, this study highlights the fundamental differences between FIFA, FIBA, IIHF in regulating player transfers.

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CONFLICTS OF INTEREST

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