

## **CJEU APPROVES THE CREATION OF THE EUROPEAN SUPER LEAGUE**

A significant step forward for the European Super League project was taken on 21 December 2023, as the Court of Justice of the European Union (CJEU) ruled that UEFA has abused a dominant position in the control of European football.

Proponents of the creation of the European Super League argue that UEFA's ban on this competition and its threat of punishment for clubs that join the competition constitutes an illegal monopoly under EU competition law.

The European Super League project, whose main figure is Florentino Pérez (president of Real Madrid C.F), was born out of the frustration of several European clubs with UEFA's dominant role as organiser of the UEFA Champions League and their dissatisfaction with the format of this competition and its revenue model.

The CJEU ruling of 21 December 2023 ruled that FIFA and UEFA rules requiring their prior approval of new football competitions and prohibiting the registration of players taking part in those competitions were unlawful, stating that the rules giving FIFA and UEFA exclusive control of the commercial exploitation of the rights relating to those competitions were likely to restrict competition, given their high degree of importance to many football fans.

Considering that the organisation of football competitions is an economic activity, the CJEU believes that competition rules must therefore be observed. However, it should be clarified that the CJEU's decision does not imply that the European Super League must necessarily be approved, since its ruling is aimed at FIFA and UEFA rules in general, not a specific project.

However, the CJEU's decision is recognised as a significant step towards the realisation of the European Super League project, which aims to replace the UEFA Champions League, even though it faces strong opposition from fans as well as national leagues.



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