



### **Marco Balmelli**

Dr. iur., Attorney at Law and Notary Public | Partner  
admitted to the bar

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Dr. Marco Balmelli is an experienced Arbitrator at the Court of Arbitration for Sports (CAS/TAS) in Lausanne and a profound specialist in sports law. He is on the CAS' football list and was nominated as arbitrator for the CAS AD HOC Division at the UEFA EURO 2024. In addition to his sport law practice, Dr. Marco Balmelli advises clients in national and international M&A-transactions and Joint Ventures. He is an experienced corporate lawyer, specialised in advising entrepreneurs and companies. Further, he is president and member of board of directors with several national and international companies. He also specialises in real estate law and commercial criminal law. Dr. Marco Balmelli is authorized to act as Notary Public for the Canton of Basel-City.

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### **CAS experience**

Dr. Marco Balmelli is highly experienced in Football arbitration proceedings and has dealt with over 100 cases as an arbitrator so far (December 2024). The cases mainly concern financial disputes between clubs regarding transfer agreements or solidarity contribution (see published leading cases Al Ittihad FC v. Fluminense FC – CAS 2014/A/3723, Cruzeiro E.C. v. Club Atlético Morelia –CAS 2018/A/5738 and Hellas Verona FC v. Latvian Football Federation (LFF) & JFC Skonto, CAS 2019/A/6639) and between clubs and player, coaches or agents regarding termination of contracts with or without just cause (cf. recently published CAS 2022/A/9219 Jubilo Co. LTD v. FIFA). He has broad knowledge of disciplinary cases (inter alia Luis Suarez v. FIFA – CAS 2014/A/3665 and Josip Simunic v. FIFA – CAS 2014/A/3562). Furthermore, Dr. Marco Balmelli has arbitrated in proceedings concerning regulations of FIFA Confederations and their relation to FIFA Regulations (e.g. CBF v. FIFA & CONMEBOL – CAS 2015/A/4203 (eligibility of Neymar) and Lao Toyota Football Club v. AFC – CAS 2018/A/5500). In another leading case, he had to decide on the interpretation of the FIFA Regulations regarding joint liability of the new club (CD Saprissa v. Nantong Zhiyun FC & Román Rubilio Castillo Álvarez - CAS 2021/A/7784).

Dr. Marco Balmelli is also familiar with appeal proceedings concerning domestic disputes (e.g. Russian Football Federation, Romanian Football Federation, South African Football Association, Ghana Football Federation). Non-football cases include financial disputes regarding sponsoring contracts and the Swiss ice-hockey case EHC Olten & Ronny Keller v. Stefan Schnyder & Swiss IHF.

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**Practice areas**

Arbitrator at the Court of Arbitration for Sports (CAS/TAS) in Lausanne, sports law  
M&A, Corporate  
Real estate law

**Practice Groups**

Sports law  
M&A and Corporate  
Construction, real estate and industrial facilities  
Notarial services

**Education**

1998: Notary Public  
1997: Bar Exam  
1996: Dr. iur., Universities of Basel and Lausanne  
1993: lic. iur.

**Languages**

German  
English  
French  
Italian

**Memberships / Board memberships**

Society of Trust and Estate Practitioners (STEP)  
Member of the Foundation Board of the Basel Institute on Governance  
Member of several Boards of Directors of national and international companies

**Further activities**

Arbitrator at the Court of Arbitration for Sport (CAS/TAS) in Lausanne

**Publications and presentations**

BALMELLI, Die Bestechungstatbestände des schweizerischen Strafgesetzbuches, Bern 1996 (Diss. Basel 1996)

Amstutz/Breitschmid et al. (Hrsg.), Handkommentar zum Schweizer Privatrecht, Basel u.a. 2007 / 2012, Kommentierung von Art. 516 bis 529 O

BALMELLI, Entschädigung von Sportlern: Erscheinungsformen, rechtliche Qualifikation und Vertragsgestaltung, in: Arter/Baddeley (Hrsg.), Sport und Recht, Bern 2007

Anmerkungen zu Überprüfung des Auswahlverfahrens zur Olympiateilnahme, Spurt 2006 (mit Andrea Schmutz)

Rechtsfolge bei Absage bzw. Verschiebung von Sportgrossveranstaltungen unter Schweizer Recht, Spurt 2005 (mit Oliver Kronenberg)

Ausländerklauseln im Schweizer Spitzensport aus Athletensicht, in: jusletter vom 29. März 2004

Auswirkungen des Personenfreizügigkeitsabkommens auf Ausländerklauseln im Schweizer Spitzensport, Spurt 4/2002 (mit PD Dr. Pascal Grolimund), S. 171 ff.