

THE ROLE OF ARBITRATION IN RESOLVING SPORTS DISPUTES: LESSONS FROM CAS AND IMPLICATIONS FOR NIGERIA

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Abstract

The resolution of disputes in sports has become increasingly significant as the sector evolves into a multi-billion-dollar global industry. Traditional litigation often proves inadequate for resolving sports conflicts due to its delays, jurisdictional limits, and lack of specialized expertise. Arbitration has therefore emerged as the preferred method, offering neutrality, confidentiality, and speed. At the centre of this global framework is the Court of Arbitration for Sport (CAS), established in 1984, which has built a strong jurisprudence on matters ranging from doping, eligibility, and player transfers, to sponsorship and disciplinary issues. CAS has become a cornerstone of international sports governance, ensuring uniformity and predictability in sports dispute resolution. In Nigeria, sports dispute resolution remains underdeveloped despite provisions in the Nigeria Football Federation (NFF) Statutes. Articles 68 and 69 of the Statutes prohibit recourse to ordinary courts for football-related matters, directing disputes instead to the NFF Arbitration Tribunal or, in international cases, to CAS. However, in practice, Nigerian sports disputes are frequently taken to civil courts, undermining both the statutory framework and FIFA's global dispute resolution standards. The NFF Arbitration Tribunal itself suffers from institutional weaknesses, including questions about independence, credibility, and enforceability of awards. This paper critically analyses the role of arbitration in resolving sports disputes, with lessons drawn from CAS, and evaluates their implications for Nigeria. It argues that while Nigeria's recognition of arbitration in its statutes is commendable, effective implementation requires reform. By institutionalizing credible arbitral structures, embracing independence and impartiality, and adopting CAS principles, Nigeria can enhance athlete welfare, reduce delays, and strengthen its sports governance in line with international best practices.

Keywords: Role; Arbitration; Resolving; Sports and Disputes.

1. Introduction

Sports have evolved far beyond recreation and entertainment; they now constitute a multi-billion-dollar global industry with deep connections to commerce, employment, mass media, international relations, and even national identity.¹ Football alone commands the passion of

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¹ W Andreff, *Economic Issues of Sport in Developing Countries* (Paris: Editions L'Harmattan, 2011), 15–20.

billions worldwide, generating unprecedented levels of income through broadcasting rights, sponsorship deals, and merchandising.² Alongside football, athletics, basketball, boxing, and other sports have created vast economic ecosystems that directly impact the lives of athletes, clubs, corporate investors, and fans. With this expansion, however, comes the inevitable rise of disputes conflicts over player transfers, unpaid salaries, breach of sponsorship contracts, doping scandals, disciplinary sanctions, and governance struggles within sports federations.³

These disputes are uniquely complex. First, they are highly time-sensitive: the eligibility of a player to participate in a tournament, or the determination of points in a league, must often be resolved within days or weeks, not years.⁴ Second, they require specialized expertise that ordinary courts, already burdened with heavy dockets, may not possess. Third, globalization has transformed sports disputes into **cross-border conflicts**, as athletes, sponsors, and federations increasingly operate across multiple jurisdictions. For these reasons, ordinary litigation is often inadequate for resolving sports disputes.⁵

Arbitration has emerged globally as the **preferred mechanism** for resolving sports-related disputes. Arbitration provides neutrality, confidentiality, speed, and finality, while ensuring that decisions are made by experts with knowledge of sports law, governance, and industry practices.⁶ Unlike litigation, arbitration is less adversarial and allows for the maintenance of relationships between parties in an industry where long-term partnerships are common⁷. Moreover, arbitral awards are binding and, under the New York Convention of 1958, can be enforced internationally making arbitration particularly attractive in a cross-border industry like sports.

The most significant institutional development in sports arbitration is the **Court of Arbitration for Sport (CAS)**, established in 1984 by the International Olympic Committee (IOC).⁸ Headquartered in Lausanne, Switzerland, CAS was designed to provide a neutral and specialized forum for resolving sports disputes outside of national courts. Over the years, CAS has grown into a respected body of global authority, often described as the “Supreme Court of World Sport.”⁹ It maintains a roster of arbitrators with expertise in sports law and related disciplines, and it has jurisdiction over disputes ranging from doping violations and player eligibility to contractual disputes, match-fixing, broadcasting rights, and governance issues within international sporting bodies.

² FIFA, FIFA Financial Report 2020 (Zurich: FIFA, 2020), 10–15.

³ M David, *Dispute Resolution in Sport: Athletes, Law and Arbitration* (London: Routledge, 2015), 15–20.

⁴ Court of Arbitration for Sport, Rules for the Ad Hoc Division (Lausanne: CAS, 2020), rule.

⁵ F Ken, “The Autonomy of Sport: A Legal Perspective,” *Entertainment and Sports Law Journal* 8, no. 1 (2010): 12–15.

⁶ B Ian, *Sports Law* (The Hague: T.M.C. Asser Press, 2017), 110–15.

⁷ B Simon, “Sports Arbitration: Lessons from the Common Law World,” *Entertainment and Sports Law Journal* 11, no. 1 (2013): 45–50.

⁸ International Olympic Committee, Olympic Charter (Lausanne: IOC, 2020), art. 61.

⁹ B Michael et al., *Sports Law*, 2nd ed. (Oxford: Hart Publishing, 2012), 110–15.

CAS has developed a robust jurisprudence that ensures consistency and predictability in the interpretation of sports regulations.¹⁰ Through landmark decisions, CAS has defined the standards for anti-doping enforcement, clarified the obligations of clubs and federations in player transfers, and set precedents on gender eligibility and fair competition.¹¹ The role of CAS in safeguarding the integrity of sport globally cannot be overstated.¹²

In Nigeria, however, the dispute resolution landscape is less developed and often inconsistent. Although sports generate significant economic and social activity particularly football, the legal and institutional framework for resolving disputes remains fragmented.¹³ The **Nigeria Football Federation (NFF) Statutes** provide some recognition of arbitration as the preferred mechanism for resolving disputes. Specifically, **Article 68** prohibits recourse to ordinary courts for football-related disputes, requiring instead that such matters be submitted to an independent arbitration tribunal recognized by the NFF or FIFA.¹⁴ **Article 69** further directs that disputes of national dimension may be referred to the NFF Arbitration Tribunal, while disputes of international character may be taken to CAS in Lausanne. These provisions place Nigeria, at least on paper, within the mainstream of international sports law practice.¹⁵

Despite these statutory provisions, practice in Nigeria reveals persistent challenges. Sports disputes, particularly those involving football administrations, are often escalated to civil courts in contravention of both NFF statutes and FIFA regulations.¹⁶ Ordinary courts, lacking the urgency and expertise required for sports disputes, frequently deliver decisions that disrupt competitions and undermine the autonomy of sports federations.¹⁷ Furthermore, the NFF Arbitration Tribunal has been criticised for its lack of independence, limited institutional capacity, and questions regarding the enforceability of its awards. Similar challenges exist in other Nigerian sports federations, many of which do not maintain specialised arbitration panels or credible dispute resolution frameworks.¹⁸

The weakness of Nigeria's sports dispute resolution system has several negative consequences.¹⁹ First, it erodes confidence in domestic sports governance. Athletes, clubs, and investors are reluctant to rely on domestic mechanisms when outcomes are delayed, politicized, or unenforceable.²⁰ Second, it exposes Nigeria to sanctions from FIFA and other international bodies that prohibit recourse to civil courts in sports disputes. Third, it discourages investment

¹⁰ R Antonio, "CAS Jurisprudence and Its Impact on Global Sports Governance," *Journal of Global Sport Management* 3, no. 2 (2018): 67–70.

¹¹ CAS 2014/A/3759 *Dutee Chand v. IAAF*, *Court of Arbitration for Sport*, July 24, 2015.

¹² L Johan, "The Court of Arbitration for Sport and Its Jurisprudence," *Sports Law and Policy Review* 18, no. 1 (2017): 23–25.

¹³ C.T. S Aaron, "Sports Governance in Africa: Challenges and Opportunities," *African Journal of Sports Management* 3, no. 1 (2017): 34–40.

¹⁴ FIFA, Circular No. 1689: Judicial Interference in Football (Zurich: FIFA, 2019), 2–3.

¹⁵ D Antoine, "Transplanting Legal Models: The Challenges of Sports Arbitration in Africa," *Journal of African Law* 59, no. 2 (2015): 245–50.

¹⁶ Transparency International, *Political Interference in African Sports* (Berlin: Transparency International, 2016), 15–20.

¹⁷ M David, "Protecting Athletes' Rights Through Arbitration," *International Sports Law Review* 13, no. 3 (2013): 56–60.

¹⁸ W Andreff, *Governance Issues in African Sport* (Paris: Editions L'Harmattan, 2013), 80–85.

¹⁹ D Antoine and H Daniela, "Access to Justice in Sports Arbitration: Barriers for Developing Countries," *International Sports Law Review* 16, no. 3 (2016): 89–95.

²⁰ G Simon, "The Accessibility of CAS for African Athletes," *Sports Law Review* 12, no. 4 (2014): 67–70.

and undermines athlete welfare, as disputes over wages, contracts, or eligibility remain unresolved.

This paper therefore seeks to examine the role of arbitration in resolving sports disputes, with particular emphasis on the lessons Nigeria can learn from CAS. The central argument is that Nigeria's recognition of arbitration through the NFF Statutes is a commendable step, but the implementation of those provisions is weak and inconsistent.²¹ By studying the structure, jurisprudence, and practices of CAS, Nigeria can adopt reforms that will strengthen its dispute resolution framework and align its sports governance with international best practices.²²

The paper will proceed in several parts. It will first provide an overview of arbitration in the global sports industry, highlighting the creation and significance of CAS. It will then examine the dispute resolution framework under Nigerian law, with a focus on the NFF Statutes and their practical limitations.²³ The paper will critically analyze the gap between Nigeria's statutory provisions and the reality of sports dispute resolution in practice. Finally, it will propose reforms to strengthen Nigeria's domestic sports arbitration system, including the establishment of independent, professional, and credible arbitral panels, the adoption of expedited procedures, and increased awareness among stakeholders.²⁴

Ultimately, the study contends that Nigeria must embrace arbitration as the central pillar of sports dispute resolution. By doing so, it will not only ensure fairness and efficiency in the settlement of disputes but also promote athlete welfare, attract investment, and safeguard the integrity of sports in the country.²⁵

2. Arbitration and the Rise of Sports Disputes

The modern sports industry is characterized by rapid commercialization, cross-border transactions, and a complex network of stakeholders, ranging from athletes and clubs to sponsors, broadcasters, agents, and governing bodies.²⁶ This growth has inevitably led to a rise in disputes that are not only frequent but also uniquely sensitive. Unlike conventional commercial conflicts, disputes in sports often demand urgent resolution because the outcome may determine whether an athlete competes in a championship, whether a club participates in a league, or whether a federation maintains its legitimacy in international competitions.²⁷

Traditional litigation has proven to be an ill-suited mechanism for resolving such disputes. National courts are typically overburdened, slow, and lacking in the specialized knowledge required to appreciate the technical and regulatory complexities of sports. Furthermore, resort to ordinary courts risks interference with the autonomy of sports federations, a principle jealously guarded by international governing bodies such as FIFA and the International Olympic Committee (IOC). This is why FIFA, in its statutes, prohibits football-related disputes from

²¹ D Antoine, "Reforming Sports Arbitration in Africa," *International Sports Law Review* 17, no. 1 (2017): 50–55.

²² A.R N James, "Arbitration of Sports Disputes: A Global Perspective," *Journal of International Arbitration* 29, no. 4 (2012): 411–15.

²³ Nigeria Football Federation, NFF Statutes (Abuja: NFF, 2010), art. 69.

²⁴ D Antoine, "Hybrid Models for African Sports Arbitration," *Sports Law and Policy Review* 20, no. 1 (2019): 55–60.

²⁵ African Union of Sports Councils, Strategic Plan 2020–2025 (Addis Ababa: AUSC, 2020), 20–25.

²⁶ W Andreff, *Economic Issues of Sport in Developing Countries* (Paris: Editions L'Harmattan, 2011), 25–30.

²⁷ Court of Arbitration for Sport, Rules for the Ad Hoc Division (Lausanne: CAS, 2020), rule 10.

being taken to ordinary courts, instead mandating that such matters be resolved through arbitration or specialized tribunals.

Arbitration addresses these shortcomings by providing an alternative dispute resolution mechanism that is flexible, confidential, and efficient.²⁸ One of the most important advantages of arbitration in sports is **time sensitivity**: disputes can be resolved within days or weeks, ensuring minimal disruption to competitions. Another advantage is **specialization**: panels are often composed of experts in sports law, commercial law, or governance, thereby ensuring decisions are grounded in both legal reasoning and sporting realities. Arbitration also offers **finality**, awards are binding, and under the New York Convention of 1958, they can be enforced internationally.²⁹ This is crucial in an industry where parties are spread across multiple jurisdictions.

The rise of arbitration in sports also reflects the **increasing complexity of disputes**.³⁰ For example, doping cases involve intricate intersections of medical science, ethics, and law. Sponsorship and broadcasting disputes may involve multi-million-dollar contracts with cross-border implications. Election disputes within federations often raise issues of governance, fairness, and compliance with international statutes.³¹ Arbitration has proven adaptable to each of these areas, providing flexible procedures that can be tailored to the needs of the parties and the urgency of the matter.

The global acceptance of arbitration in sports has been institutionalized through the establishment of **CAS**, which has become the default forum for international disputes. CAS decisions now shape the global jurisprudence of sports law and provide uniformity across jurisdictions, reinforcing the role of arbitration as the backbone of modern sports dispute resolution.³²

Thus, the rise of arbitration in sports is not merely a procedural convenience; it represents a fundamental shift in the governance of global sport. It ensures that disputes are resolved in a manner that balances legal certainty with the unique demands of competition, athlete welfare, and the integrity of sport.³³

3. The Court of Arbitration for Sport (CAS)

The institutionalization of arbitration in sports law reached its defining expression with the creation of **CAS** in 1984 by the International Olympic Committee (IOC). Its establishment marked a turning point in the governance of international sport.³⁴ For decades, sporting disputes

²⁸ B Ian, *Mediating Sports Disputes: National and International Perspectives* (The Hague: T.M.C. Asser Press, 2002), 15–20.

²⁹ United Nations, *New York Convention Guide* (New York: UNCITRAL, 2016), 65–70.

³⁰ D Antoine, “Critiques of the Court of Arbitration for Sport,” *International Sports Law Journal* 12, no. 3 (2012): 60–65.

³¹ Nigeria Football Federation, *Report on Governance Disputes 2015–2020* (Abuja: NFF, 2020), 15–20.

³² R Antonio, “CAS Jurisprudence and Its Impact on Global Sports Governance,” *Journal of Global Sport Management* 3, no. 2 (2018): 70–75.

³³ A.R.N James, “Arbitration of Sports Disputes: A Global Perspective,” *Journal of International Arbitration* 29, no. 4 (2012): 415–20.

³⁴ Court of Arbitration for Sport, *History of the CAS* (Lausanne: CAS, 2020), <<https://www.tas-cas.org/en/general-information/history-of-the-cas.html>> accessed 25 August 2025

had been addressed inconsistently by national courts, sports federations, or ad hoc committees, often leading to protracted conflicts, conflicting decisions, and interference with competitions.³⁵ CAS was therefore designed as a permanent, neutral, and specialized tribunal dedicated exclusively to the settlement of sports-related disputes.

CAS is headquartered in Lausanne, Switzerland, but its influence extends across the globe. It functions under the **Code of Sports-related Arbitration**, which sets out its jurisdiction, organization, and procedural rules.³⁶ Structurally, CAS operates with different divisions: the **Ordinary Arbitration Division**, which handles disputes of a contractual or commercial nature (such as sponsorship, broadcasting, and player contracts), and the **Appeals Arbitration Division**, which hears appeals against decisions taken by sports federations and governing bodies. CAS also operates *ad hoc* divisions during major sporting events such as the Olympic Games, capable of rendering decisions within 24 to 48 hours. This ability to deliver justice swiftly, without compromising fairness, highlights CAS's adaptability to the unique time pressures of the sports industry.³⁷

The legitimacy of CAS is reinforced by its **global acceptance**. Nearly all major international federations including FIFA, UEFA, the International Olympic Committee, and the International Association of Athletics Federations (now World Athletics), recognize CAS as the ultimate authority in dispute resolution.³⁸ Sports contracts across the world, whether player transfers, sponsorship deals, or broadcasting rights, routinely include arbitration clauses referring disputes to CAS. Its awards are binding and enforceable under the New York Convention of 1958, giving CAS decisions international recognition and enforceability akin to commercial arbitral awards.

Over the years, CAS has delivered landmark rulings that have defined modern sports law.³⁹ High-profile doping disputes, such as those involving Marion Jones, Maria Sharapova, and the Russian athletics scandal, underscore its centrality in enforcing the **World Anti-Doping Code**. CAS rulings have also reshaped football's regulatory landscape, particularly in cases involving the transfer of minors, third-party ownership, and breaches of contract by clubs or players. Another area where CAS has made significant contributions is in issues of gender and eligibility, exemplified by the cases of Caster Semenya and Dutee Chand, which raised critical questions about the balance between inclusivity, fairness, and competitive equity.⁴⁰

The importance of CAS lies not only in the disputes it resolves but also in the **jurisprudence it develops**.⁴¹ Its decisions provide consistency, predictability, and coherence in global sports

³⁵ J. M. Matthew, "The Court of Arbitration for Sport: An International Perspective," *Entertainment and Sports Law Journal* 10, no. 1 (2012): 60–65.

³⁶ Court of Arbitration for Sport, CAS Statutes (Lausanne: CAS, 2020), art. S4.

³⁷ R Antonio and H Erika, "Sports Arbitration: A Practitioner's Guide," *International Arbitration Law Review* 15, no. 3 (2012): 80–85.

³⁸ World Athletics, Constitution (Monaco: World Athletics, 2020), art. 20.

³⁹ L Johan, "The Court of Arbitration for Sport and Its Jurisprudence," *Sports Law and Policy Review* 18, no. 1 (2017): 25–30.

⁴⁰ CAS 2014/A/3759 Dutee Chand v. IAAF, Court of Arbitration for Sport, July 24, 2015.

⁴¹ R Antonio, "CAS Jurisprudence and Its Impact on Global Sports Governance," *Journal of Global Sport Management* 3, no. 2 (2018): 75–80.

governance.⁴² National federations often look to CAS rulings for guidance when interpreting their own statutes or resolving domestic disputes. In this way, CAS functions as both a tribunal and a de facto global regulator, harmonizing the principles of sports law across jurisdictions.⁴³

For countries like Nigeria, CAS offers both a **model and a challenge**. On one hand, it demonstrates how arbitration can be institutionalized to provide independence, impartiality, and credibility in sports dispute resolution⁴⁴. On the other hand, CAS exposes the weaknesses of domestic systems where statutory recognition of arbitration such as in the **Nigeria Football Federation (NFF) Statutes 2010, Articles 68 and 69** exists largely on paper but is undermined by poor implementation. Nigerian athletes, clubs, and federations frequently bypass domestic tribunals and escalate disputes directly to CAS or even to national courts, often in breach of FIFA regulations.⁴⁵

By studying CAS, Nigeria can identify the essential building blocks of effective sports arbitration: independence from political interference, a roster of trained and impartial arbitrators, enforceability of awards, and procedures that are fast, transparent, and fair.⁴⁶ CAS is not merely a dispute resolution body; it is an essential component of sports governance, a custodian of fairness, and a guarantor of the credibility of competition. For Nigeria to enhance its sports governance and protect the rights of its athletes, it must learn from and adapt the principles that have made CAS the “Supreme Court of World Sport.”⁴⁷

4. Nigeria’s Sports Dispute Resolution Framework

Nigeria occupies a central place in African sport, particularly in football, which remains the nation’s most popular and commercially significant sport.⁴⁸ Successes at the Africa Cup of Nations, the Olympic Games, and international youth competitions have cemented Nigeria’s reputation as a football powerhouse. Yet, beneath these successes lie persistent governance challenges, one of the most pressing being the resolution of disputes within the sports sector.

5. The NFF Statutes 2010: Recognition of Arbitration

The **Nigeria Football Federation (NFF) Statutes 2010** formally acknowledge arbitration as the preferred mechanism for resolving football-related disputes.⁴⁹ This aligns Nigeria with the global standards set by FIFA and the International Olympic Committee (IOC), which prohibit recourse to ordinary courts except in limited circumstances to wit:

i. Article 68 (NFF Statutes 2010) expressly provides:

“Recourse to ordinary courts of law is prohibited unless specifically provided for in FIFA regulations. Instead, disputes must be taken to an independent arbitration tribunal

⁴² B Ian, *Sports Law* (The Hague: T.M.C. Asser Press, 2017), 120–25.

⁴³ A.R.N James, “Arbitration of Sports Disputes: A Global Perspective,” *Journal of International Arbitration* 29, no. 4 (2012): 420–25.

⁴⁴ Court of Arbitration for Sport, *ICAS Statutes* (Lausanne: CAS, 2020), art. S6.

⁴⁵ CAS 2018/A/5734 Samson Siasia v. FIFA, Court of Arbitration for Sport, June 21, 2019.

⁴⁶ G Simon, “Building Trust in Sports Arbitration,” *Sports Law Journal* 15, no. 3 (2017): 65–70.

⁴⁷ J.M Matthew, “The Court of Arbitration for Sport: An International Perspective,” *Entertainment and Sports Law Journal* 10, no. 1 (2012): 65–70.

⁴⁸ N John, “Sport and the African Diaspora,” *Sport in Society* 17, no. 8 (2014): 1015–20.

⁴⁹ Nigeria Football Federation, *NFF Statutes* (Abuja: NFF, 2010), art. 68.

recognised by the NFF or to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland.”

- ii. **Article 69 (NFF Statutes 2010)** supplements this by stating:
 “Any dispute of national dimension may be referred to an independent arbitration tribunal recognized by the NFF, while disputes of international dimension shall be referred to CAS.”

In principle, these provisions create a clear pathway for the resolution of disputes: national disputes should remain within Nigeria under the authority of the NFF Arbitration Tribunal, while international disputes proceed to CAS.⁵⁰ This dual framework reflects the global philosophy that sports disputes are best resolved by specialized tribunals, not civil courts.⁵¹

6. The Problem of Implementation

In practice, however, Nigeria’s framework for sports arbitration has not achieved the intended effect.⁵² Several recurring problems have undermined its credibility:

1. Resort to Civil Courts

Despite Article 68’s prohibition, athletes, clubs, and even administrators routinely take disputes to Nigerian civil courts. Election disputes within the NFF, relegation battles in the Nigeria Professional Football League, and contractual disagreements involving coaches and players have all been subjects of litigation in the regular courts. These interventions disrupt sporting calendars, delay competitions, and violate FIFA’s rule against “government or third-party interference.” On multiple occasions, FIFA has threatened Nigeria with suspension for such violations.

2. Weakness of the NFF Arbitration Tribunal

Although envisaged in Article 69, the NFF Arbitration Tribunal has struggled to function effectively.⁵³ Its independence is often questioned, as members are typically appointed by the same authorities that are parties to the disputes. This creates conflicts of interest and undermines confidence in its neutrality.⁵⁴ In addition, the tribunal lacks adequate institutional support, resources, and trained arbitrators to handle complex disputes.⁵⁵

3. Limited Scope Beyond Football

The arbitration framework under the NFF Statutes applies only to football. Other sports federations in Nigeria, such as athletics, basketball, and boxing, lack consistent arbitral mechanisms for dispute resolution. This gap forces many disputes into ad hoc solutions or the civil courts, perpetuating inefficiency and uncertainty.

4. Lack of Awareness and Acceptance

Many stakeholders, including athletes, coaches, and club owners, remain unfamiliar with arbitration as a process. The culture of resorting to civil courts persists, partly due to lack of trust in federation-appointed panels and partly due to insufficient education on the advantages of arbitration.⁵⁶

⁵⁰ Nigeria Football Federation, *Arbitration Tribunal Rules* (Abuja: NFF, 2010), rule 2.1.

⁵¹ Court of Arbitration for Sport, *Code of Sports-Related Arbitration* (Lausanne: CAS, 2020), art. R47.

⁵² D Antoine, “Transplanting Legal Models: The Challenges of Sports Arbitration in Africa,” *Journal of African Law* 59, no. 2 (2015): 255–60.

⁵³ Nigeria Football Federation, *Arbitration Tribunal Rules* (Abuja: NFF, 2010), rule 3.1.

⁵⁴ M David, *Dispute Resolution in Sport: Athletes, Law and Arbitration* (London: Routledge, 2015), 105–10.

⁵⁵ D Antoine and H Daniela, “Access to Justice in Sports Arbitration: Barriers for Developing Countries,” *International Sports Law Review* 16, no. 3 (2016): 95–100.

⁵⁶ G Simon, “Building Trust in Sports Arbitration,” *Sports Law Journal* 15, no. 3 (2017): 70–75.

7. Consequences for Nigerian Sports

The weaknesses of Nigeria's dispute resolution system have had far-reaching implications. They undermine the credibility of domestic competitions, erode investor confidence, and place athletes at a disadvantage when disputes arise over wages, eligibility, or contracts. They also expose Nigeria to international embarrassment, as repeated resort to civil courts runs contrary to FIFA and IOC regulations.⁵⁷

Most importantly, the gap between the **law (NFF Statutes 2010) and practice (continued reliance on civil courts)** highlights a systemic failure to institutionalize arbitration effectively. This is where lessons from CAS become instructive: independence, impartiality, professionalism, and enforceability are key attributes that Nigeria must adopt to bridge the gap between statutory recognition and practical implementation.⁵⁸

8. Lessons Nigeria Can Learn from CAS

The experience of the CAS offers a valuable blueprint for Nigeria as it seeks to strengthen its sports dispute resolution framework.⁵⁹ While the **NFF Statutes 2010** recognize arbitration in principle, their weak implementation highlights the need for reforms that mirror CAS's tested practices. Several lessons stand out.⁶⁰

1. Independence and Impartiality

CAS has earned legitimacy because it is structurally independent of the IOC and international federations, despite its origins. Arbitrators are selected from an international roster, with parties given the right to choose panel members, thereby reinforcing confidence in impartiality. In Nigeria, by contrast, the NFF Arbitration Tribunal suffers from conflicts of interest, as members are often appointed by the federation itself.⁶¹ Nigeria can learn from CAS by creating **independent arbitral panels**, possibly under the Nigerian Olympic Committee or a neutral sports arbitration centre, with arbitrators drawn from a pool of trained legal and sports professionals.

2. Professionalism and Expertise

CAS maintains a list of arbitrators with specialized expertise in sports law, commercial law, and international law.⁶² This ensures that panels are competent to handle the complex technical and regulatory issues unique to sports. Nigeria should emulate this by accrediting **sports arbitrators** trained in law, dispute resolution, and sporting regulations. Universities, bar associations, and professional bodies could collaborate to develop certification programmes in sports arbitration.⁶³

3. Expedited Procedures

⁵⁷ FIFA, RSTP Commentary (Zurich: FIFA, 2018), art. 17, para. 3.

⁵⁸ Court of Arbitration for Sport, Annual Report 2020 (Lausanne: CAS, 2020), 15–20.

⁵⁹ D Antoine, "Reforming Sports Arbitration in Africa," *International Sports Law Review* 17, no. 1 (2017): 50–55.

⁶⁰ A.R.N James, "The Future of Sports Arbitration," *Journal of International Dispute Settlement* 5, no. 2 (2014): 325–30.

⁶¹ Transparency International, *Corruption in African Sport* (Berlin: Transparency International, 2017), 35–40.

⁶² Court of Arbitration for Sport, Training Programs for Arbitrators (Lausanne: CAS, 2020), <<https://www.tas-cas.org/en/arbitration/training-programs.html>> accessed 25 August 2025

⁶³ *University of Lagos, Sports Law Curriculum Proposal* (Lagos: University of Lagos, 2021), 5–10.

One of CAS's defining strengths is its ability to deliver decisions quickly, particularly through its ad hoc divisions during major events such as the Olympic Games. Cases can be heard and decided within 24 to 48 hours, ensuring that athletes do not miss opportunities due to procedural delays. Nigeria should adopt similar **fast-track procedures** for urgent disputes, such as player eligibility or election challenges, ensuring that justice is delivered within the competitive timeframe.

4. Enforceability of Awards

CAS awards are binding and recognized globally under the New York Convention of 1958. In Nigeria, enforcement remains a weak link: decisions of arbitral panels are often ignored or challenged in civil courts.⁶⁴ For reforms to succeed, Nigeria must strengthen the legal framework by ensuring that arbitral awards in sports are **final and enforceable**, with minimal judicial interference, except in cases of manifest injustice. Legislative backing through an amendment to the NFF Statutes or even the **National Sports Industry Policy** could give arbitral awards the force of law.⁶⁵

5. Transparency and Accessibility

Although CAS proceedings are confidential, summaries of important decisions are published, creating a body of jurisprudence that guides future disputes. Nigeria's current tribunals lack such transparency, contributing to mistrust among stakeholders. By adopting CAS's model of publishing anonymized awards or summaries, Nigerian sports federations can build a consistent and predictable jurisprudence.

6. Institutional Support

CAS benefits from strong institutional support through its Court Office, which administers cases efficiently.⁶⁶ Nigeria must invest in administrative infrastructure to ensure that arbitration panels are well-resourced, transparent, and efficient. This would involve creating a **Sports Arbitration Secretariat** within the NFF or at the national level, tasked with managing filings, timetables, and communication.⁶⁷

Summary of Lessons

Nigeria's key takeaway from CAS is that dispute resolution in sports is only credible when it is:

- a. **Independent** of political and administrative interference,⁶⁸
- b. **Professional**, staffed by experts in law and sport,⁶⁹
- c. **Efficient**, capable of resolving urgent matters quickly,
- d. **Enforceable**, with awards binding on all parties, and
- e. **Transparent**, building trust through accessible jurisprudence⁷⁰.

⁶⁴ D Antoine, "Enforcement Challenges in African Sports Arbitration," *Sports Law and Policy Review* 19, no. 2 (2018): 50–55.

⁶⁵ Nigeria Football Federation, NFF Statutes (Abuja: NFF, 2010), art. 70.

⁶⁶ Court of Arbitration for Sport, Annual Report 2020 (Lausanne: CAS, 2020), 20–25.

⁶⁷ D Antoine, "Hybrid Models for African Sports Arbitration," *Sports Law and Policy Review* 20, no. 1 (2019): 60–65.

⁶⁸ *Gundel v. Fédération Equestre Internationale*, Swiss Federal Tribunal, 4A_199/1992, March 15, 1993.

⁶⁹ Court of Arbitration for Sport, List of Arbitrators (Lausanne: CAS, 2020), <<https://www.tas-cas.org/en/arbitration/list-of-arbitrators.html>> accessed 25 August 2025.

⁷⁰ G Simon, "Building Trust in Sports Arbitration," *Sports Law Journal* 15, no. 3 (2017): 75–80.

By adopting these principles, Nigeria can close the gap between the **letter of the NFF Statutes** and the **practice of dispute resolution**, ensuring that sports arbitration works in reality as it does in law.

9. Reform Proposals for Nigeria

The recognition of arbitration under the **NFF Statutes 2010 (Articles 68 and 69)** is commendable, but weak enforcement and institutional gaps undermine its effectiveness.⁷¹ To bring Nigeria's sports dispute resolution system in line with international best practices, a series of legal, institutional, and policy reforms are urgently needed.⁷²

1. Establishment of an Independent Sports Arbitration Tribunal

Nigeria must move beyond the current NFF Arbitration Tribunal, which suffers from questions of neutrality. An **independent National Sports Arbitration Tribunal** should be created, either under the Nigerian Olympic Committee or as a standalone statutory body.⁷³ Its membership should include trained arbitrators, retired judges, sports lawyers, and professionals with expertise in governance and dispute resolution.⁷⁴ Independence in appointments and funding will guarantee credibility.

2. Legislative and Statutory Reform

The current provisions under the NFF Statutes are inadequate for enforcement. Parliament or the Ministry of Sports should consider enacting **Sports Arbitration Regulations** that:

- a. Mandate arbitration as the final forum for sports disputes.
- b. Incorporate CAS principles of impartiality, enforceability, and expedited procedures.
- c. Prohibit interference by civil courts, except on narrow grounds (e.g., breach of natural justice)⁷⁵.
- d. Such reforms would give arbitral awards the same legal force as court judgments, ensuring compliance.⁷⁶

3. Training and Accreditation of Sports Arbitrators

Nigeria should develop a pool of accredited sports arbitrators through collaboration between the **Nigerian Bar Association (NBA)**, the **Chartered Institute of Arbitrators (CIArb, UK/Nigeria branch)**, and universities offering law and sports management programmes. This will build capacity and professionalism, ensuring that disputes are heard by competent experts.

4. Creation of Fast-Track Dispute Resolution Procedures

Borrowing from CAS's **ad hoc divisions**, Nigeria should establish **fast-track panels** during key competitions (e.g., Nigeria Professional Football League seasons, national trials, NFF elections).

⁷¹ *Nigeria Football Federation, Report on Arbitration Challenges 2018* (Abuja: NFF, 2018), 25–30

⁷² A.R.N James, "The Future of Sports Arbitration," *Journal of International Dispute Settlement* 5, no. 2 (2014): 330–35.

⁷³ *Nigerian Olympic Committee, Strategic Plan 2020–2025* (Lagos: NOC, 2020), 15–20.

⁷⁴ Nigerian Bar Association, Sports Law Committee Report 2020 (Lagos: NBA, 2020), 12–15.

⁷⁵ United Nations, Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958), art.

⁷⁶ D Antoine, "Enforcement Challenges in African Sports Arbitration," *Sports Law and Policy Review* 19, no. 2 (2018): 55–60.

These panels should deliver rulings within 48–72 hours to prevent disruptions to competitions and athlete participation.

5. Enforceability of Awards

To prevent arbitral awards from being ignored, Nigeria must strengthen enforcement mechanisms.⁷⁷ Awards of sports arbitration panels should be enforceable through:

- a. Automatic registration in the High Court.
- b. Disciplinary sanctions by the NFF or Ministry of Sports against non-compliant parties.
- c. Recognition of CAS awards under Nigerian law to avoid conflicting interpretations.⁷⁸

6. Transparency and Publication of Decisions

Nigerian sports arbitration bodies should publish summaries of awards (while maintaining confidentiality where necessary).⁷⁹ This will build a body of jurisprudence, promote consistency, and improve stakeholder trust. A publicly accessible **sports arbitration database** would also serve as a learning tool for lawyers, athletes, and administrators.⁸⁰

7. Awareness and Stakeholder Education

A culture shift is necessary. Athletes, clubs, administrators, and the media must be educated on the benefits of arbitration over civil litigation.⁸¹ The NFF, the Nigerian Olympic Committee, and the Ministry of Sports should conduct **awareness campaigns, workshops, and training** to build confidence in arbitral processes.⁸²

8. Integration with CAS

Nigeria should strengthen its relationship with CAS by encouraging the referral of international disputes to Lausanne, while also positioning its domestic tribunal as a credible first instance forum⁸³. Nigerian arbitrators could also be nominated to CAS lists, enhancing local expertise and ensuring that Nigeria contributes to global sports jurisprudence.⁸⁴

Reforming Nigeria's sports dispute resolution system requires more than statutory recognition, it demands **independent institutions, enforceable awards, expedited procedures, and a culture of trust in arbitration**.⁸⁵ By adapting the principles that have made CAS the "Supreme Court of

⁷⁷ D Antoine, "Enforcement Challenges in African Sports Arbitration," *Sports Law and Policy Review* 19, no. 2 (2018): 60–65.

⁷⁸ United Nations, Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958), art. III.

⁷⁹ Court of Arbitration for Sport, Publication Policy (Lausanne: CAS, 2020), <<https://www.tas-cas.org/en/arbitration/publication-policy.html>> accessed 25 August 2025

⁸⁰ Nigerian Bar Association, Sports Law Committee Report 2020 (Lagos: NBA, 2020), 15–20.

⁸¹ G Simon, "Building Trust in Sports Arbitration," *Sports Law Journal* 15, no. 3 (2017): 80–85.

⁸² Nigerian Olympic Committee, Sports Administration Report 2020 (Lagos: NOC, 2020), 15–20.

⁸³ Court of Arbitration for Sport, Partnerships for Arbitration Development (Lausanne: CAS, 2020), <<https://www.tas-cas.org/en/arbitration/partnerships.html>> accessed 25 August 2025

⁸⁴ R Antonio, "CAS and Regional Arbitration Collaboration," *International Arbitration Law Review* 16, no. 2 (2013): 45–50.

⁸⁵ D Antoine, "Hybrid Models for African Sports Arbitration," *Sports Law and Policy Review* 20, no. 1 (2019): 65–70

World Sport,” Nigeria can establish a credible, efficient, and internationally respected system.⁸⁶ This will not only protect athlete welfare and enhance investor confidence but also strengthen Nigeria’s position in global sports governance.⁸⁷

10. Conclusion

The growth of sports into a global industry has transformed the way disputes are managed, demanding mechanisms that are not only fair and just but also efficient and credible.⁸⁸ Traditional litigation, with its delays, technical rigidities, and lack of specialised knowledge, cannot adequately respond to the fast-paced and highly regulated environment of modern sport.⁸⁹ Arbitration has therefore become the gold standard for sports dispute resolution, offering confidentiality, impartiality, enforceability, and above all, speed.⁹⁰

At the heart of this system is **CAS**, whose jurisprudence has become the backbone of international sports law.⁹¹ CAS has demonstrated how a truly independent, impartial, and professional tribunal can deliver justice that preserves the integrity of competition, protects the welfare of athletes, and fosters confidence among stakeholders.⁹² It has not only resolved high-profile doping cases, transfer disputes, and governance conflicts but has also created a predictable body of principles that guide federations and stakeholders globally.

Nigeria, by contrast, finds itself at a crossroads. On paper, the **NFF Statutes 2010** reflect a clear commitment to arbitration, particularly through Articles 68 and 69, which prohibit recourse to civil courts and direct disputes to arbitral tribunals or CAS.⁹³ In practice, however, this framework has failed to achieve credibility. Disputes are still litigated in civil courts, arbitral tribunals lack independence, and enforcement mechanisms remain weak.⁹⁴ This gap between law and practice undermines confidence in Nigeria’s sports governance, discourages private investment, and exposes the nation to FIFA sanctions.

The lesson from CAS is clear: arbitration in sports can only work if it is **independent, professional, efficient, enforceable, and trusted**.⁹⁵ Nigeria must urgently reform its sports dispute resolution framework by establishing an independent national sports arbitration tribunal, legislating clear enforcement procedures, accrediting and training sports arbitrators, creating fast-track procedures for urgent disputes, and promoting transparency through the publication of

⁸⁶ > J.M Matthew, “The Court of Arbitration for Sport: An International Perspective,” *Entertainment and Sports Law Journal* 10, no. 1 (2012): 70–75.

⁸⁷ African Union of Sports Councils, Strategic Plan 2020–2025 (Addis Ababa: AUSC, 2020), 25–30.

⁸⁸ W Andreff, *Economic Issues of Sport in Developing Countries* (Paris: Editions L’Harmattan, 2011), 30–35.

⁸⁹ J.M Matthew, “Judicial Review of Sports Disputes,” *Journal of Dispute Resolution* 2009, no. 2 (2009): 155–60.

⁹⁰ B Ian, *Mediating Sports Disputes: National and International Perspectives* (The Hague: T.M.C. Asser Press, 2002), 20–25.

⁹¹ Ibid.

⁹² L Johan, *The Court of Arbitration for Sport: A Jurisprudential Analysis* (The Hague: T.M.C. Asser Press, 2019), 25–30.

⁹³ Nigeria Football Federation, *NFF Statutes* (Abuja: NFF, 2010), art. 68.

⁹⁴ Transparency International, *Political Interference in African Sports* (Berlin: Transparency International, 2016), 30–35.

⁹⁵ Court of Arbitration for Sport, *ICAS Statutes* (Lausanne: CAS, 2020), art. S6.

arbitral awards. Awareness campaigns must also shift the mind-set of stakeholders away from the civil courts and toward arbitration as the legitimate avenue for resolving disputes.⁹⁶

If these reforms are embraced, Nigeria stands to benefit enormously. Athletes will have greater protection of their rights and careers.⁹⁷ Clubs and investors will gain confidence in the certainty of dispute resolution.⁹⁸ Federations will operate with enhanced credibility, free from disruptive court interventions. Most importantly, Nigeria will position itself as a leader in sports governance on the African continent, aligning its practices with global standards and securing its place in the international sporting community.⁹⁹

In conclusion, arbitration is not simply an alternative to litigation in sport, it is the lifeblood of modern sports governance.¹⁰⁰ For Nigeria, adopting and institutionalising CAS principles is not optional but essential.¹⁰¹ It is the path to safeguarding the integrity of its competitions, protecting its athletes, and ensuring that Nigerian sport thrives in the competitive and highly regulated global sporting arena.¹⁰² The time for reform is now; delay will only deepen the credibility crisis, while decisive action can secure Nigeria's future as a respected sporting nation.¹⁰³

⁹⁶ Confederation of African Football, Public Awareness Campaign for Arbitration (Cairo: CAF, 2021), 15–20.

⁹⁷ M David, "Protecting Athletes' Rights Through Arbitration," *International Sports Law Review* 13, no. 3 (2013): 60–65.

⁹⁸ Aaron C.T. Smith, "Sports Governance in Africa: Challenges and Opportunities," *African Journal of Sports Management* 3, no. 1 (2017): 45–50.

⁹⁹ A.R.N James, "Arbitration of Sports Disputes: A Global Perspective," *Journal of International Arbitration* 29, no. 4 (2012): 425–30.

¹⁰⁰ B Ian, "The Future of Sports Arbitration," *International Sports Law Journal* 9, no. 1 (2009): 35–40.

¹⁰¹ D Antoine, "Hybrid Models for African Sports Arbitration," *Sports Law and Policy Review* 20, no. 1 (2019): 70–75.

¹⁰² Court of Arbitration for Sport, Annual Report 2020 (Lausanne: CAS, 2020), 30–35.

¹⁰³ G Simon, "Building Trust in Sports Arbitration," *Sports Law Journal* 15, no. 3 (2017): 85–90.