

Abstract

Nationality in sport environment

The main task of this thesis is to consider the current state of nationality in sport environment with the respect to increasing numbers of international transfers of athletes and the following possible connections of nationality and sport eligibility. At the same time, I am trying to find the answer to question whether it is possible to create complex regulations within international sport law on this issue. The main sources for my research were international treaties, different national laws and also European Union Law. Since much of this work is influenced by *lex sportiva* it became an integral part of this work as well.

Within the first and second chapter I am dealing with the concepts of nationality and naturalization in general, which are analyzed mainly in the light of international treaties, international customs and available case law. I am complementing this data with the findings of national regulations which have had great influence for the field of nationality.

In the following text I am analyzing the concept of sport eligibility, mainly its content and significance in general and within this work. I am doing this with the help of the judgments of the Court of Arbitration for Sport and the doctrinal articles. In Chapter Five I am referring to possible connections of nationality and sports eligibility and the main differences between these two, along with the similarities of their relationship. Within this chapter I am supporting my statements with the data which I have collected in previous chapters and once again the case law of the Court of Arbitration for Sport. This case law and the support from the internal rules of international sports organizations have been my main sources for the conclusions drawn in this case. In following chapter, the importance of international sports organizations and their internal rules have been the most important sources for comparing individual international sports organizations along with their impact on the questions in matter.

Last but not least, this thesis deals with the related prohibition of discrimination on grounds of nationality, mainly in the light of European law. It was principally the case law of the European Court of Justice which I have applied as a main resource for the last chapter.

In most of the chapters listed above I have used methods of description and comparison. Then, in the first half of my work, I have tried to analyze the question in matter and due to the outcomes, I could use the synthesis method and following summarization then.

After the detailed analysis of the questions at hand, I have come to the conclusion that in certain cases the concept of nationality can be in danger and it is caused mainly by the actions of countries that are trying to get the athletes on their side for the purpose of their own greater visibility. However, I have proved that it is the sovereign right of each state to determine who can become a citizen and despite the fact that the states are limited by mandatory standards of international law, they have a lot of freedom in creating their own law on nationality.

The international sports organizations also seek to control the question in matter by their own tools, but because of their nature of private law entities and the abovementioned rule on national regulation of citizenship, they have no power to intervene in this sovereign right of states. In my opinion, the diversity within the system of international sports organizations does not allow for comprehensive and unified regulations.

Keywords: nationality, naturalization, sport eligibility