

Abstract

Aspects of the right to a fair trial in proceedings before the federal bodies of the Football Association of the Czech Republic

This thesis deals with aspects of the right to a fair trial in proceedings before the federal bodies of the Football Association of the Czech Republic (FACR). The thesis analyses how individual proceedings, whether disciplinary or arbitration (including appeals), are structured and assesses their compliance with the requirements of a fair trial under Czech and international law, including the Convention for the Protection of Human Rights and Fundamental Freedoms. It focuses on the procedural rules set out in the Disciplinary Rules and the Procedural Rules of the FACR, including issues of evidence, the necessity to observe due process within the association, the application of legal principles of the right to a fair trial, the conduct of the proceedings themselves and the degree of autonomy of the association in reviewing the decisions of the association's body by the courts (both national and international).

The thesis specifically describes the disciplinary proceedings before the FACR Ethics Committee and the decision-making processes of the Appeals Committee. It discusses specific issues such as the possibility of punishing non-members of the association or the use of evidence obtained in criminal proceedings. At the same time, it points out the contradictions between the Ethics and Appeals Commissions. Emphasis is also placed on the proportionality of the sanctions imposed and the role of the second instance in ensuring that errors in decision-making are corrected.

Apart from selected forms of disciplinary proceedings, the thesis also deals with proceedings before the Board of Arbitrators, which take the form of property disputes. The thesis attempts to give the reader a peripheral insight into the nature of these proceedings and compares the individual differences with disciplinary proceedings.

In reviewing the judicial and international approach, the thesis analyses key decisions of the Czech courts and the CJEU. Recent decisions of the CJEU illustrate the influence of European law on the regulation of federal autonomy in the sporting environment.

The aim of the thesis is to assess whether the FACR's internal processes in proceedings before the federal authorities meet the standards of due process, whether sufficient procedural rights of FACR members are preserved and to offer some opinion and evaluations of individual aspects of due process within the FACR.

Keywords: FACR, right to a fair trial, association, disciplinary proceedings, autonomy of the association