

## Obituary - DIRK-REINER MARTENS

*Dr. Dirk-Reiner Martens* passed away suddenly and unexpectedly on 12<sup>th</sup> November 2019 and so a colleague who was highly-esteemed around the world and who was a remarkable person in the field of sports law, is sadly no longer with us. Dr. Martens was a pioneer in the field of sports law from its very beginning. There can hardly be a colleague in the sports law fraternity, either nationally or internationally, who did not in one way or another come into contact with his exceptional and impressive contribution to the field of Law & Sport. He was passionately dedicated and, besides his outstanding expertise, the traits that characterized him were his truly humane manner and ethos.

Born in Berlin in 1942, Dirk-Reiner Martens – a former basketball junior national team player (which included captaining the first Albert Schweitzer Tournament in 1960) and subsequently a first-tier league player with USC Munich – specialized at an early stage in advising athletes, clubs and associations in amateur and competitive sport at a national and international level. His significant involvement in the International Basketball Federation, FIBA, over decades, including as permanent legal counsel and at times as “*FIBA Deputy Secretary General*” at the side of the prominent FIBA General Secretary, Borislav Stankovic, remains unforgotten and very much lives on. Basketball-insiders know that Reiner played a key role in furthering, and decisively influencing, the careers of the next FIBA General Secretary, Patrick Bauman, as well as the current incumbent, Andreas Zagklis. In 2010, Dr. Martens was awarded the “FIBA Order of Merit” at the FIBA Congress in Istanbul.

After 35 years of successful partnership in a large commercial law firm, Reiner established the law firm “*Martens Rechtsanwälte*” in 2009, which, under his leadership, received many prestigious accolades in the field of sports arbitration and mediation (including *Best Lawyers Germany*). In 2007, he brought the “*Basketball Arbitral Tribunal (BAT)*” into being and with this Reiner & his team developed a highly efficient arbitration process for bringing about decisions in sports disputes more quickly and cost-effectively. Since its inception, almost 1500 cases have been brought before the *BAT* and administrated by *Martens Rechtsanwälte*. In 2005, building on the great success of the *BAT*, Dr. Martens established the “*Court of Innovative Arbitration (COIA)*”, a counterpart to the *BAT* for commercial disputes. His work for the *BAT* and *COIA* particularly benefited from Dirk-Reiner Martens’ enormous and invaluable experience gained as a member of the international Court of Arbitration for Sport (CAS) in Lausanne. In that role, and since as long ago as the mid-1980s, Dr. Martens was involved in approximately 200 CAS cases and he was a member of the *CAS Ad Hoc Division* for four Olympic Games.

In light of these great achievements in sports law, which can only be outlined in brief here, and Reiner’s personality, the entire sports law family was palpably devastated when it learned of Dr. Martens’ sudden death. Particularly on the “*Net*” it became apparent that the sports law fraternity (whether they be members of the German Association for Sports Law, the German Bar Association’s Sports Law Working Group or the German Court of Arbitration for Sport) felt a deep need to express their grief and to proclaim their high regard for their colleague Dr. Martens. Some of their words, which speak for themselves, should explicitly be cited at this point in order to lend the said German sports family a representative voice. So there follow a few examples of what colleagues wrote about Reiner: “... a great lawyer, who always had a clear position, was well-regarded and esteemed as a litigator nationally and beyond, even outside the field of sport, particularly in big arbitration cases ...” or, “... Let me say at this point that the death of Dr. Martens – one of the pioneers of sports law and sports arbitration – did not only shock me. He will be sorely missed...” or, “I both valued him as a person and he had my respect as a CAS arbitrator on the other side of the table ... and there were only a few colleagues in Germany who put their mark on the case law of the CAS as much as he did ...” and, finally, short and to the point, “... a truly great one in our field ...”.

To close, let me add something personal: Reiner was (the first to be) asked by a publishing house in the mid-1990s to publish a book with the title “*Sportrecht*” (“Sports Law”). At the time we were adversaries litigating a sports law case before, inter alia, the CAS. Reiner turned down the offer but without hesitation recommended me to the publishing house in a most encouraging way, as I later heard. I shall never forget that, and it shows that not only was Reiner a very fine and fair sportsman in his whole demeanour, but also, above all, he was a person for whom sincerity, respect and regard for his fellow human beings were close to his heart.

On 12<sup>th</sup> November 2019 I would normally have had a hearing at the CAS together with Reiner. We sat cheerfully together just the evening before at the pre-hearing dinner. Amongst other things we chatted about his basketball training every Friday evening, which was sacrosanct to him. In the morning we then waited for Reiner, but in vain. I still cannot believe it. He was enjoying life to the full and quite evidently still had so many plans for the future. All the more reason to be so shocked by his sudden death; he leaves behind a very painful void.

We will never forget Reiner and we will always honour his memory. His work will continue to live on at many levels.

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