

However, this decision does not affect the eligibility status of the players who have been validly entered by their National Olympic Committee and who remain fully eligible to compete in the Olympic Games of Beijing 2008.

In view of FIFA's recommendation made to the clubs to release their players as well as of the Olympic spirit, the CAS call upon the good will and good sense of FIFA and the clubs to find a reasonable solution with regard to players who wish to represent their country in the Olympic Games.

For further information related to the CAS activity and procedures in general, please contact Mr Matthieu Reeb, CAS Secretary General, Château de Béthusy, Avenue de Beaumont 2, 1012 Lausanne, Switzerland. Tel: (41 21) 613 50 00; fax: (41 21) 613 50 01, or consult the CAS website: www.tas-cas.org



PRESS RELEASE

FOOTBALL - OLYMPIC GAMES

PLAYERS' RELEASE: THE CAS UPHOLDS THE APPEALS FILED BY FC SCHALKE 04, SV WERDER BREMEN AND FC BARCELONA

Lausanne, 6 August 2008 – The Court of Arbitration for Sport (CAS) has upheld the appeals filed by FC Schalke 04, SV Werder Bremen and FC Barcelona against the decision issued on 30 July 2008 by the Single Judge of the FIFA's Player's Status Committee that consequently has been set aside in its entirety.

The FIFA decision challenged in appeal concluded that the release of players under the age of 23 for the Olympic Football Tournament Beijing 2008 was mandatory for all clubs on the basis of a long lasting and undisputed practice which had become a customary law for the clubs.

After this decision, on 31 July 2008, FC Schalke 04, SV Werder Bremen and FC Barcelona filed an appeal with the CAS. The appeals were joined and referred to the same Panel, which was constituted as follows: Mr Efraim Barak, Attorney-at-law (Israel), President, Mr Michele Bernasconi, Attorney-at-law (Switzerland) and Mr Ralph Zloczower, Attorney-at-law (Switzerland).

The CAS Panel, on the occasion of a hearing held on an urgent basis in Zurich on 5 August 2008, reviewed all arguments presented by the parties and reached the following conclusions:

- The Olympic Football Tournament Beijing 2008 is not included in the Coordinated Match Calendar and there is no specific decision of the FIFA Executive Committee establishing the obligation for the clubs to release players under 23 for this tournament.
- The requirements to justify a legal obligation of clubs to release their players for the Football Tournament Beijing 2008 on the basis of customary law are not met.

Accordingly, the Panel concluded that FC Schalke 04, SV Werder Bremen and FC Barcelona had no legal obligation to release the players Rafinha, Diego and Messi, respectively, for the Olympic Football Tournament Beijing 2008.