



MEDIA RELEASE

FOOTBALL

CASE UEFA - FC SION

THE COURT OF ARBITRATION FOR SPORT (CAS)

PUBLISHES THE REASONS OF ITS DECISION

Lausanne, 1 February 2012 - In the arbitration procedure between the European Union of Football Association (UEFA) and Olympique des Alpes SA/FC Sion, the Court of Arbitration for Sport (CAS) has, as previously announced, published at the end of January 2012 the reasons of its decision rendered on 14 December 2011.

The award, available in English, can be downloaded from the CAS website (www.tas-cas.org/jurisprudence):

http://www.tas-cas.org/d2wfiles/document/5475/5048/0/Award20FINAL20_2011.01.31.pdf

Among the reasons published, the following issues must be emphasized :

- The CAS stated that it had jurisdiction to rule on this dispute on the basis of the entry form for the UEFA Europa League 2011/2012 signed by the President of FC Sion, and acknowledging the CAS jurisdiction, as well as on the basis of article 61 of the UEFA Statutes which provides also for the exclusive CAS jurisdiction.
- Seven claims have been filed by the UEFA and five of them have been declared inadmissible by the CAS, mainly in the absence of an existing legal interest. In order to determine if UEFA has committed an abuse of a dominant market position in the light of the Swiss Cartel Act, the CAS has examined in particular if UEFA was entitled to review the qualification of the players for the UEFA Europa League following the protest filed by Celtic Glasgow; the CAS has considered that, in accordance with the rules of the Europa League, the UEFA was entitled to proceed to such a review, notwithstanding the fact that the players were qualified at the national level, on the basis of a temporary decision of justice.
- The CAS noted that, in any event, the UEFA must be in position to ensure the uniform application of its regulations at the European level in order to guarantee the equality between all clubs participating in its competitions.
- The CAS finally concluded that, with its decision to disqualify FC Sion from the Europa League 2011/2012, the UEFA did not commit an abuse of dominant market position in the light of the Swiss Cartel Act.
- Considering that the Tribunal Cantonal de Vaud had recognised in its judgement of 5 October 2011 that the CAS had jurisdiction to decide the present dispute on the merits, the CAS lifted the provisional measures which had been imposed by the same Tribunal Cantonal of Vaud towards the UEFA.