CAS 2024/A/10756 FK "ZETA" Golubovci, Bojan Matanovic & Danilo Raicevic v. Football Association of Montenegro

ARBITRAL AWARD

delivered by the

COURT OF ARBITRATION FOR SPORT

sitting in the following composition:

Sole Arbitrator: Jonathan Hall, Solicitor (England and Wales), Dubai, U.A.E.

in the arbitration between

FK "ZETA" Golubovci, Golubovci, Montenegro

&

Bojan Matanovic, Zeta, Montenegro

&

Danilo Raicevic, Golubovci, Montenegro

All represented by Mr Miroje Jovanović, Attorney at Law, Novi Sad, Republic of Serbia

Appellants

and

Football Association of Montenegro, Podgorica, Montenegro

Represented by Dr Marco Del Fabro, Rechtsanwälte, BFMS Rechtsanwälte, Zurich, Switzerland

Respondent

I. PARTIES

- 1. FK "ZETA" Golubovci, (the "Club" or the "First Appellant") is a professional football club based in Golubovci, Zeta, Montenegro and is affiliated to the Football Association of Montenegro, which is in turn affiliated to the Fédération Internationale de Football Association ("FIFA"), the world governing body of football, headquartered in Zurich, Switzerland. During the 2023-2024 season it participated in the Montenegrin Third League, which is the lowest tier football in Montenegro.
- 2. Mr Bojan Matanovic (the "Second Appellant") is a football player who played as an amateur for the Club.
- 3. Mr Danilo Raicevic (the "Third Appellant") is a goalkeeper who played as an amateur for the Club.
- 4. The Football Association of Montenegro ("FAM" or the "Respondent") is the national football association of Montenegro, which has it seat in Podgorica, Montenegro. It is affiliated with the Union of European Football Associations ("UEFA") and FIFA.
- 5. The First Appellant, the Second Appellant and the Third Appellant are together referred to as the "Appellants" and collectively with the Respondent as the "Parties".

II. FACTUAL BACKGROUND

- 6. On 27 May 2024, the Club played a play-off game against FC Budva (the "Match"). The game ended in a draw (3:3) and FC Budva won the penalty shoot-out (4:2). The Match Delegate's Report does not reflect any concerns regarding the players' behaviour.
- 7. On 28 May 2024, the FAM Competition Commission filed a complaint against the Appellants "for their suspected participation in irregularities in [the Match]".
- 8. On the same day, the Match Delegate submitted a "Supplementary Report" to the FAM Competition Commission "at the request of the Chairman of the Competition Commission" (the "Supplementary Report"). In his Supplementary Report, he states as follows:
 - "At the beginning of the second half, there was a noticeable passivity in the guest team. FK Budva scored two goals in the 48th and 56th minutes of the match. After the equalizing goals, the intensity of the game visibly decreased for both teams, and the offensive activity dropped until the end of the match."
- 9. On 30 May 2024, the FAM Disciplinary Commission decided to initiate disciplinary proceedings against the Club and both players "for participating in the irregularities at the match, in a way that was beneficial or damaging to another club and therefore violated the competition and the Rules of the Football Game", "due to reasonable

suspicion that they have committed an offense under Article 92 of the Disciplinary Rules of the FAM".

- 10. On 25 June 2024, the FAM Disciplinary Commission issued the following decision:
 - "1. Disciplinary measure is hereby imposed against FC "Zeta" Golubovci and FC "Budva" Budva and the said football clubs are ordered to return to a lower level of competition, and the clubs are banned from advancing to a higher level of the competition for the 2024/2025 competitive season as a result of the clubs taking part in the irregularity of the match of the 3rd round of the Play-off for the filling of the Second League of Montenegro between FC "Budva" FC "Zeta",
 - by the above described actions the clubs committed an offence under Article 92 of the Disciplinary Rules of the FAM.
 - 2. Disciplinary measure is hereby imposed against Danilo Raičević and Bojan Matanović, players of FK "Zeta" [...], and the said players are banned from playing for a period of 18 (eighteen months) for taking part in the irregularity of the match of the 3rd round of the Play-off for the Second League of Montenegro between FK "Budva" and FK "Zeta",
 - whereby the said players committed an offence under Article 92 of the Disciplinary Rules of the FAM"
- 11. After analysing the reports of the match officials, including the Supplementary Report, and the video recording of the Match, the FAM Disciplinary Commission "undoubtedly determined that [the Appellants] committed the offenses described in the operative part of the Decision". It held that the two players "showed a lack of will and desire to prevent the opponent from scoring" and that "their inaction and obvious lack of commitment, enabled the home players of FC "Budva" to score three goals". The FAM Disciplinary Commission further stated as follows:

"In the video recording, it is possible to precisely point to the obvious failure to react and comical mistakes of the players of FK Zeta and FK "Budva" and it is obvious that the players do not have reactions that would be made under normal circumstances by players and with a responsible and serious approach to the game itself, and such a level of play and attitude towards the game is not seen even in the lightest of training sessions."

- 12. On 2 July 2024, the Appellants filed an appeal with the FAM Appeals Commission.
- 13. On 11 July 2024, the FAM Appeals Commission dismissed the appeals and upheld the first instance decision: "The appeal of FC "Zeta" and the players of that club Danilo Raičević and Bojan Matanović is hereby rejected as unfounded and the decision of the Disciplinary Commission of the FAM no. 2388/BD-3 of 25 June 2024 is hereby upheld" (the "Appealed Decision"). The FAM Appeals Commission held that "the first-instance commission correctly concluded that the match was subject to irregularities".

III. PROCEEDINGS BEFORE THE COURT OF ARBITRATION FOR SPORT

- 14. On 23 July 2024, the Appellants filed with the Court of Arbitration for Sport (the "CAS") a Statement of Appeal against the Respondent with respect to the Appealed Decision. In their Statement of Appeal, the Appellants made an application for a stay of execution of the Appealed Decision pursuant to Article R37 of the Code of Sports-related Arbitration (2023 edition) (the "Code"). The Appellants submitted the following prayers for relief:
 - "1. The application for provisional measures filed by Football club "Zeta" Golubovci in the matter CAS 2024/A/(...) Football club "Zeta" Golubovci, Matanović Bojan and Raičević Danilo v. Football Association of Monenegro IS GRANTED.
 - 2. The decision issued on June 25, 2024 by the Disciplinary Commission of the Football Association of Montenegro under number: 2388/BD-3 and the decision rendered on July 11, 2024 by the Appeals Commission of the Football Association of Montenegro under number 2480, ARE STAYED.
 - 3. The Football Association of Montenegro IS ORDERED TO DESIST FROM ENFORCEMENT of the decision issued on June 25, 2024 by the Disciplinary Commission of the Football Association of Montenegro under number: 2388/BD-3 and the decision rendered on July 11, 2024 by the Appeals Commission of the Football Association of Montenegro under number 2480, until the CAS has rendered its final Award in this matter.
 - 4. The Football Association of Montenegro IS ORDERED TO INCLUDE the Football club "Zeta" Golubovci in the competition schedule for the season 2024/2025 in the Second Football League of Montenegro ("2. CFL").
 - 5. The costs of the present order shall be determined in the final award or in any other final disposition of this arbitration."
- 15. On 25 July 2024, the CAS Court Office initiated an appeals arbitration procedure under the reference CAS 2024/A/10756 FK "ZETA" Golubovci, Bojan Matanovic & Danilo Raicevic v. Football Association of Montenegro and inter alia invited the Respondent to file its position on the Appellants' request for a stay of execution within 3 days from receipt of the CAS Court Office letter by courier.
- 16. On 2 August 2024, the Respondent objected *inter alia* to the implementation of an expedited procedure and to the appointment of a sole arbitrator. It further contested the jurisdiction of the CAS, with reasons to be provided in its position on the Appellants' request for provisional measures.
- 17. On 5 August 2024, the Respondent filed its Answer to the Appellants' request for a stay.
- 18. On 6 August 2024, the CAS Court Office acknowledged receipt of the Answer to the Appellants' request for a stay and informed the Parties that the President of the CAS

- Appeals Arbitration Division, or her Deputy, would render an Order on the Appellant's request for a stay in due course.
- 19. On 8 August 2024, the CAS Court Office issued the operative part of the Order on Request for a Stay ruling that the application for a stay is dismissed and that the costs of the Order shall be determined in the final award or in any other final disposition of this arbitration.
- 20. On 8 August 2024, the Respondent confirmed that it would pay its share of the advance of costs and requested that the time limit for filing its statement of defence be fixed once a decision had been made regarding the Appellants' legal aid applications and/or the payment by the Appellants of their share of the advance of costs. The Respondent also requested the following motion, arguing that, if agreed, the procedure could be simplified:
 - "That the proceedings be limited currently to the question of the jurisdiction of the CAS."
- 21. On 12 August 2024, the CAS Court Office confirmed, *inter alia*, that the time limit for the Respondent to file its Answer was set aside and that it would be fixed once the Appellants had paid their share of the advance of costs or once their legal aid application had been granted.
- 22. On 4 September 2024, the CAS Court Office advised the Parties that the Appellants had been granted legal aid from the Football Legal Aid Fund and that the time limit for the Respondent to file its Answer would remain suspended pending a decision by the Panel or Sole Arbitrator on the request for bifurcation (of the matter of CAS jurisdiction).
- 23. On 4 September 2024, the Appellants requested the opportunity to provide comments on the Respondent's request for bifurcation and on 5 September 2024 the CAS Court Office invited the Appellants to comment on such request by 12 September 2024.
- 24. On 9 September 2024, the CAS Court Office followed up on the issuance of the operative part of the Order on Request for a Stay by issuing the reasoned Order to the Parties, in which the Deputy President of the CAS Appeals Arbitration Division held that "the CAS does not have prima facie jurisdiction to hear the present proceedings, without prejudice to any final decision the Panel or Sole Arbitrator might take in this respect".
- 25. On 12 September 2024, the Appellants provided their comments (and exhibits) on the Respondent's request for bifurcation. On the same date the Appellants, in response to the CAS Court Office acknowledging receipt of the Appellants' comments, provided some additional comments on the Respondent's request.
- 26. On 13 September 2024, the CAS Court Office noted the Appellants' additional comments and its (the CAS Court Office's) understanding that the Appellants agreed with the request for bifurcation and that they (the Appellants) also requested the Panel/Sole Arbitrator to issue a preliminary decision on jurisdiction. The CAS Court

- Office also confirmed that, notwithstanding the Appellants' objection, the time limit for the Respondent to file its Answer would remain suspended.
- 27. On 23 September 2024, the CAS Court Office, pursuant to R54 of the Code and on behalf of the Deputy President of the CAS Appeals Arbitration Division, informed the Parties that the Panel appointed to decide the case constituted a sole arbitrator, Mr Jonathan Hall, Solicitor in Dubai, U.A.E..
- 28. On 29 October 2024, the CAS Court Office, on behalf of the Sole Arbitrator, confirmed that the Respondent's request for bifurcation was granted, invited the Respondent to file its submissions on jurisdiction by 12 November 2024 (thereafter allowing the Appellants a similar deadline to comment) and that the Sole Arbitrator would deal with all other issues (non-CAS jurisdiction issues, including the Appellants' request for production of documents) at a later stage, subject to the decision on CAS jurisdiction.
- 29. By way of the CAS Court Office letter dated 12 November 2024, the Respondent's request for a ten (10) day extension to submit its submissions on CAS jurisdiction was granted such submissions to be made by 22 November 2024.
- 30. The Respondent filed its submissions on 22 November 2024 and the Appellants were consequently invited to file their comments on those submissions by 9 December 2024.
- 31. On 26 November 2024, the Respondent filed enclosure 1 to its submission of 22 November 2024 (as stated in the same submission), enclosure 1 being Article 14 para 3 of the Rules of Procedure of the Arbitration Court of FAM.
- 32. On 29 November 2024, the Appellants were granted an extension to 18 December 2024 to file their comments on the Respondent's submission.
- 33. On 19 December 2024, the CAS Court Office acknowledged receipt of the Appellants' submission on CAS jurisdiction filed on 18 December 2024 and confirmed to the Parties that the Sole Arbitrator, having considered the Parties' positions with respect to a hearing and pursuant to Article R57 of the Code, deemed himself sufficiently well-informed to decide the issue of jurisdiction based solely on the Parties' written submissions without the need for a hearing.

IV. PARTIES' SUBMISSIONS ON THE BIFURCATED ISSUES RELATING TO CAS JURISDICTION

A. Respondent's submissions

- 34. The Respondent disputes that the CAS has jurisdiction. It submits that neither the FAM Statutes nor regulations provide for the jurisdiction of the CAS in this matter and neither have the Parties concluded a specific arbitration agreement.
- 35. It submits that a global reference to FIFA Statutes and regulations in the FAM Statutes as well as a provision of recognition of the jurisdiction of the CAS in the FAM Statutes (namely, Articles 4 and 63 of the FAM Statutes) is not sufficient for the CAS to have jurisdiction in this matter. In this respect it agrees with the *prima facie* finding of the

- Deputy President of the Appeals Arbitration Division of the CAS in her Order of 9 September 2024.
- 36. The Respondent further submits that, specifically, Article 24 of the FAM Statutes (as referred to by the Appellants) only governs the recognition of the CAS jurisdiction and does not itself provide for jurisdiction and, generally, there is no provision of the FAM Statutes that provides for, or grants, jurisdiction to the CAS with respect to disciplinary decisions passed by the FAM.
- 37. With respect to whether or not there is a specific arbitration agreement concluded by the Parties, the Respondent submits that it is clear that the Parties have not concluded any such arbitration agreement. Firstly, recognition of the CAS by a member of a disciplinary body vis a vis the federation cannot be construed as a declaration to a third party and, secondly, members of a federation disciplinary body have no authority to conclude an arbitration agreement on behalf of a federation, not least due to the separation of powers which means that such disciplinary body members are not permitted to carry out any operational activities for a federation.
- 38. In the alternative, the Respondent also submits that the CAS is not competent to deal with the present dispute because the Appellants have not exhausted all legal remedies available to them prior to the appeal to the CAS.
- 39. It points out that the FAM has incorporated provisions into its Statutes establishing a national dispute resolution system arising from FAM regulations (Articles 62, 63 and 64 of the FAM Statutes) and that Article 14 para 3 of the Rules of Procedure of the Arbitration Court of the FAM defines its jurisdiction as follows:
 - "The Arbitration Court of FAM has jurisdiction to resolve disputes as a revisionary (third instance) body concerning final decisions issued by FAM bodies or authorities, provided this is stipulated by the FAM Statute or general acts."
- 40. It further submits that, whilst Article 62 para 2 of the FAM Statutes explicitly excludes the jurisdiction of the Arbitration Court of FAM over final decisions made in disciplinary proceedings, an extraordinary legal remedy is not excluded in such cases. It submits that this position follows from Article 64 of the FAM Articles of Association which provides for a legal remedy for all disputes at a national level:
 - "Any dispute at the national level arising from or relating to the application of the Statutes, regulations and other legal documents of FAM shall be referred in the last instance to an independent and impartial Arbitration Court of FAM, to the exclusion of any ordinary court unless expressly prohibited by the current legislation of Montenegro."
- 41. The authority of the Arbitration Court of FAM to assess the legality of final decisions cannot therefore be equated with the authority to resolve disputes as a review (third instance) in relation to final second instance decisions made by the organs and bodies of the FAM. The Arbitration Court of FAM is therefore free to decide on this matter on the basis of separation of powers.

- 42. The Respondent also submits that, even if the Arbitration Court of FAM were to declare the extraordinary remedy inadmissible, there are also arbitration proceedings under Montenegro's Sports Law to consider. Article 81 paras 1 and 7 of the Sports Law state that:
 - "A national sports federation must establish an arbitration body for resolving disputes within a specific sport in accordance with Articles 82(2) and 82(3) of the Sports Law."
 - "Sports entities must first address the national sports federation's arbitration body for dispute resolution. If the dispute cannot be resolved this way, or if the arbitration is transferred, sports entities may approach the arbitration body under the jurisdiction of the Montenegrin Olympic Committee (COC)."
- 43. This means that the Arbitration Court of FAM is primarily to be called upon, and if the dispute cannot be resolved that way then the Montenegrin Olympic Committee has jurisdiction. There has been no final decision by a Montenegrin national body.
- 44. The Respondent therefore makes the following requests:
 - "1. To dismiss the Appellants' appeal against the decision of the FAM Appeals Commission dated 11 July 2024 due to lack of jurisdiction and to confirm the appealed decision.
 - 2. To order the Appellants to bear all costs of the present procedure.
 - 3. To order the Appellants to pay CHF 10,000.- as a contribution to the legal fees and expenses of the Respondent in relation to the present procedure."

B. Appellants' submissions

- 45. The Appellants submit that the FAM Statutes unequivocally grant the CAS jurisdiction to hear this matter.
- 46. As the Code does not dictate the particulars of the arbitration agreement, the Appellants submit that there needs to be reference to PILA Article 178 para 1 for clarification which states as follows:
 - "As to the form the arbitration agreement shall be valid if it is made in writing, by telegram, telex, telecopier, or any other means of communication that establishes the terms of the agreement by a text."
- 47. The Appellants submit that an arbitration agreement is a bilateral/multilateral contract pursuant to which two or more parties agree to submit dispute(s) to an arbitration panel/institution to the exclusion of state courts; and Swiss law is "very liberal" when determining the criteria for the written form of such an agreement.
- 48. Furthermore, the definitions in the FAM Statutes explicitly state the courts with jurisdiction over sport disputes as being the "Court of Arbitration" and "CAS" and the Order of the Deputy President of the CAS Appeals Arbitration Division of 9 September

2024 only narrowly interprets the FAM Statutes and cannot therefore serve as evidence to support the Respondent's position in this matter.

- 49. Article 63 of the FAM Statutes states, *inter alia*, that FAM, its bodies and officials "recognize the jurisdiction of the Court of Arbitration for Sport (CAS) in Lausanne [...]." (para 1); and "[...] the entities referred to in paragraph 1 of this Article undertake not to bring the dispute before the ordinary courts." (para 2). This means that clubs and players (and other parties) are prohibited from presenting a dispute in the ordinary courts.
- 50. Whilst there is an established arbitration court within the FAM Statutes, Article 62 para 2 of the FAM Statutes expressly states that the Arbitration Court cannot decide on "[...] disputes regarding final decisions made in the disciplinary procedure [...]". Furthermore, the Respondent's Appeals Commission in its decision dated 11 July 2024 rejected the Appellants' appeal as unfounded, upheld the decision of the FAM Disciplinary Commission of 25 June 2024 and stated that the decision was final.
- 51. For these reasons, the Appellants therefore submit that the FAM Arbitration Court cannot decide on this matter and there are no other legal remedies available within Montenegro or the Respondent, and the CAS is therefore the competent body to hear the Appellants' appeal.
- 52. Furthermore, the express exclusion within Article 62 para 2 above is clear cut and means that there is no third instance procedure available to the FAM Arbitration Court as the second instance decision of the Respondent's Appeals Commission is final.
- 53. The Appellants contest the Respondent's interpretation of Article 81 of the Montenegrin Sports Law on the basis that the Respondent's interpretation is based on an inaccurate translation downloaded from the internet. The Appellants state that the correct translation is as follows (only the relevant extract highlighted by the Appellants):

"Arbitration

Article 81

For the resolution of disputes in a particular sport, the competent national sport federation is obliged to set up an arbitration in accordance with Article 82 para 2 and 3 of this Act.

 $[\ldots]$

Sports entities, for dispute resolution address first to the arbitration of the national sports federation, i.e. the POC, and if the dispute is not resolved in this way, or the arbitration is transferred, sports entities turn to the arbitration under the jurisdiction of the OCM."

54. As the Appellants have already submitted, the FAM Arbitration Court does not have the power to adjudicate on disputes concerning final decisions reached in disciplinary proceedings (by virtue of the exclusion in Article 62 para 2 of the FAM Statutes) and

because initiating arbitration at the Montenegrin Olympic Committee (OCM) requires completion of an initial arbitration process before the FAM Arbitration Court, the Appellants were precluded from engaging in OCM arbitration. The Montenegrin Sports Law therefore provides no legal remedy for the Appellants to exhaust on this matter.

- 55. The Appellants further submit that they have accepted the "proposal" or "offer" from FAM to recognise the CAS as a means for arbitration by virtue of having provided the requisite statement under Article 13 of the FAM Statutes (membership conditions for club and other members of FAM) whereby they recognise the CAS.
- 56. Furthermore, the members of the FAM disciplinary commission and appeal commission have also accepted the CAS jurisdiction in this matter by virtue of providing a statement under Article 24 of the FAM Statutes that they "[...] recognize the exclusive jurisdiction of the [...] Court of Arbitration for Sport (CAS) of Lausanne for national and international disputes without recourse to the civil courts."
- 57. The Appellants also submit that the FAM Statutes "contain no clauses that restrict the CAS's authority to hear certain types of dispute" whereas the FAM Statutes (Article 62) do restrict the FAM Arbitration Court's authority as previously submitted.
- 58. The Appellants further submit that the President of FAM signed mandatory written statements accepting/recognizing the exclusive jurisdiction of the CAS as did the members of the Respondent's disciplinary bodies (in accordance with Article 24 of the FAM Statutes) and these therefore subject the Respondent to the jurisdiction of the CAS, whether explicitly or by way of "apparent authority (Anscheinsvollmacht)" recognised in various jurisdictions including in Montenegrin law.
- 59. The Appellants also submit that the FAM Statutes should be interpreted in such a way that the Respondent "did indeed intend to give the CAS jurisdiction the widest possible scope" and that the principles of good faith, trust and utility must be applied to an objective interpretation that allows the Appellants to rely on the provisions in the FAM Statutes that exclusively recognise the jurisdiction of the CAS and the disputes are resolved outside of state courts. As the CAS is the only judicial authority recognised by the Parties in this matter, the CAS has jurisdiction to decide the present dispute.
- 60. The Appellants therefore request that "the Sole Arbitrator rule on its jurisdiction IN A PRELIMINARY AWARD and TO REJECT all of Respondent's objections and to assert that the CAS has jurisdiction over this dispute i.e. that the Court of Arbitration for Sport rules that: IT DOES HAVE JURISDICTION to decide on the appeal filed on July 23, 2024 by [the Appellants] against the decision rendered on 11 July 2024 by the Appeals Commission of the Footbal Association of Montenegro".

V. JURISDICTION OF THE CAS

61. In accordance with Article 186 of the Swiss Private International Law Act ("PILA"), the CAS has power to decide upon its own jurisdiction.

62. Article R47(1) of the Code states, *inter alia*, that:

"An appeal against the decision of a federation, association or sports-related body may be filed with CAS if the statutes or regulations of the said body so provide or if the parties have concluded a specific arbitration agreement and if the Appellant has exhausted the legal remedies available to it prior to the appeal, in accordance with the statutes or regulations of that body."

63. Therefore in order for the CAS to have jurisdiction in this matter, it has to be shown that:

either

(i) the FAM Statutes or regulations provide for an appeal against the decision of the FAM Appeals Commission of 11 July 2024;

or

(ii) the Parties have concluded a specific arbitration agreement;

and, if either of these has been shown, it also has to be shown that the Appellants have exhausted all the legal remedies available to them prior to the appeal to the CAS.

- 64. CAS 2011/A/2472 confirms this by making it clear that in order for the CAS to have jurisdiction to hear an appeal, the statutes or regulations of the sports-related body from whose decision the appeal is being made must expressly recognise the CAS as an arbitral body of appeal or a specific arbitration agreement referring to the CAS must have been concluded by the relevant parties.
- 65. The Sole Arbitrator finds that none of the submissions made by the Appellants demonstrates to the Sole Arbitrator's satisfaction that the requirements of Article R47(1) of the Code have been met.
- 66. There is no provision in the FAM Statutes or regulations that expressly provides for an appeal against a decision of an FAM Appeals Commission on a disciplinary matter nor is there a specific arbitration agreement that has been concluded on the matter between the Parties.
- 67. In particular, Article 63 of the FAM Statutes relied on by the Appellants is simply a general recognition of the jurisdiction of the CAS and prevents FAM, its bodies, officials and members, players, etc. from bringing the dispute before State courts. However it does not directly or expressly provide an arbitration clause allowing clubs and players affiliated to the FAM to challenge FAM decisions (including appeal decisions of a FAM Appeals Commission) before the CAS.
- 68. Furthermore, in relation to the Appellants' submissions (including their reference to PILA Article 178) that there is in some way a specific arbitration agreement (e.g. by virtue of the statements provided under Articles 13 and/or 24 of the FAM Statutes and/or signed by the President of FAM), the Sole Arbitrator is not satisfied that there is

sufficient evidence that FAM (whether itself through its Statutes and regulations or through any individual with authority so to act on behalf of FAM) has made an offer actually intended to submit a dispute relating to a FAM disciplinary decision to arbitration at CAS.

69. It is therefore unnecessary for the Sole Arbitrator to consider whether or not the Appellants have exhausted all the legal remedies available to them prior to the appeal to the CAS as neither of the first parts of R47(1) of the Code (viz. para 65 (i) and (ii) above) have been satisfied.

VI. Costs

(...).

ON THESE GROUNDS

The Court of Arbitration for Sport rules that:

- 1. The Court of Arbitration for Sport does not have jurisdiction to decide upon appeal filed by FK "ZETA" Golubovci, Mr Bojan Matanovic and Mr Danilo Raicevic on 23 July 2024 against the decision of the FAM Appeals Commission dated 11 July 2024.
- 2. (...).
- 3. (...).
- 4. All other motions or prayers for relief are dismissed.

Seat of arbitration: Lausanne, Switzerland

Date: 26 March 2025

THE COURT OF ARBITRATION FOR SPORT

Jonathan Hall Sole Arbitrator