



## MEDIA RELEASE

### FOOTBALL

#### APPEAL OF HATEM BEN ARFA DISMISSED BY THE COURT OF ARBITRATION FOR SPORT (CAS)

*Lausanne, 18 September 2015* – The Court of Arbitration for Sport (CAS) has dismissed the appeal filed by the French football player Hatem Ben Arfa against a decision taken by the Single Judge of the FIFA Players’ Status Committee.

In August 2010, Hatem Ben Arfa signed to Newcastle United football club in England. During the 2014/2015 season he played one match for their under 21 team in the U21 Professional Development League before being transferred on loan to Hull City, where he played in a number of official matches. In January 2015, the player’s employment contract with Newcastle United was terminated by mutual consent and Hatem Ben Arfa signed a contract to play for O.G.C. Nice Côte d’Azur until the end of the 2014/2015 season. Before validating the contract, the French Professional Football League (LFP) asked the French Football Federation (FFF) to obtain clarification from the FIFA Players’ Status Department as to the official character of the U21 PDL match played by Hatem Ben Arfa. Specifically, whether matches played in this league could be considered “official matches” given that the FIFA Regulations on the Status and Transfer of Players (RSTP) stipulate that a player may be registered with a maximum of three different clubs during one season, and that during that period, the player is only eligible to play official matches for two clubs.

On 30 January 2015, the Single Judge of the FIFA Player’s Status Committee issued a decision (the FIFA Decision) confirming to the FFF that matches played in England in the context of the U21 PDL were considered to be official matches. In light of FIFA’s response, the LFP validated the contract between Hatem Ben Arfa and O.G.C. Nice but with the restriction that the player could not participate in official matches for O.G.C. Nice until the end of the 2014/2015 season.



In his appeal to the CAS, Hatem Ben Arfa sought the annulment of the FIFA Decision. The decision of the LFP to restrict Hatem ben Arfa's ability to play for O.G.C. Nice was not challenged by the player before the relevant bodies.

The CAS arbitration was referred to a panel of arbitrators composed of: Prof. Luigi Fumagalli, President (Italy), Mr Didier Poulmaire (France) and Mr Michele Bernasconi (Switzerland). A hearing was held at the CAS headquarters in Lausanne, Switzerland on 16 June 2015.

In its decision, the Panel noted that the player was not a party to the FIFA proceedings, which were launched by the FFF at the request of the LFP, and that FIFA had not taken a decision relating to the specific circumstances of his situation, but only on whether some matches were to be considered as official matches in the sense of the FIFA RSTP. Furthermore, the Panel found that the player's invoked interest, namely his right to play football, was merely linked to the LFP decision and not to the FIFA decision. In addition, the player did not prove how the annulment of the FIFA Decision would impact him financially or sportingly. In conclusion, the Panel found that Hatem Ben Arfa did not have standing to challenge the FIFA Decision and dismissed his appeal.