



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

CAS 2024/A/10914 Saad Tarek Saad Tawfik Soliman et al. v. Egyptian Football Association & Pyramids Football Club

ARBITRAL AWARD

delivered by the

COURT OF ARBITRATION FOR SPORT

sitting in the following composition:

Sole Arbitrator: Mr. Andrew Mercer, United Kingdom

in the arbitration between

Saad Tarek Saad Tawfik Soliman, Youssef Abdallah Al Sayed Rabia, Muhammad Hesham Abd El-Fatah Mekkawy, Muhammad Nagy Mohamed El Driney and Mohamed Ali Sayed Ali Mostafa, Egypt

Represented by Mr. Islam Hisham and Mrs. Shimaa El-Daly of Islam Hisham & Partners Law Firm, Cairo, Egypt and Mr. Alfonso León Lleó and Mr. Gytis Rackauskas of Ruiz-Huerta & Crespo, Valencia, Spain

Appellants

and

1/Egyptian Football Association, Cairo, Egypt

Represented by Mr Mohamed El Mashta, EFA Legal Manager, and Mr Mohamed Eltobgy, EFA Legal Counsel

First Respondent

2/Pyramids Football Club, Egypt

Represented by Mr. Rolf Müller of Müller Papis, Zurich, Switzerland

Second Respondent

I. PARTIES

1. Mr. Saad Tarek Saad Tawfik Soliman, Mr. Youssef Abdallah Al Sayed Rabia, Mr. Muhammad Hesham Abd El-Fatah Mekkawy, Mr. Muhammad Nagy Mohamed El Driney and Mr. Mohamed Ali Sayed Ali Mostafa are football players of Egyptian nationality (the “Players” or “Appellants”).
2. The Egyptian Football Association is the national governing body for the sport of football in Egypt with its seat in Cairo, Egypt (the “EFA” or “First Respondent”).
3. Pyramids Football Club is a professional football club based in Egypt (the “Club” or “Second Respondent”). The Club is affiliated to the EFA.
4. The EFA and the Club are referred to collectively as the “Respondents”.
5. The Appellants and the Respondents are referred to collectively as the “Parties”.

II. FACTUAL BACKGROUND

6. Below is a summary of the relevant facts and allegations based on the Parties’ written and oral submissions, pleadings and evidence adduced in the course of the present proceedings and at the hearing. Additional facts and allegations found in the Parties’ written and oral submissions, pleadings and evidence may be set out, where relevant, in connection with the legal discussion that follows. While the Sole Arbitrator has considered all the facts, allegations, legal arguments and evidence submitted by the parties in the present proceedings, he refers in this Award only to the submissions and evidence he considers necessary to explain his reasoning.
7. The Players are minors and amateur football players who trained with the Club and played for the Club’s youth team(s).
8. In 2024, a dispute arose between the Players and the Club. In particular, the Players alleged that the Club had failed to properly discharge its child safeguarding duties and that the Players had been unfairly restricted from changing teams.
9. On 11 August 2024, the Players terminated their relationship with the Club.
10. On 13 August 2024, the Players lodged separate complaints with the Players’ Status Committee of the EFA (the “EFA PSC”).
11. On 26 September 2024, the EFA PSC issued a joint decision in the Players’ cases in which it dismissed all of their complaints (the “Appealed Decision”). The Appealed Decision was notified to the Players on the same day.

III. PROCEEDINGS BEFORE THE COURT OF ARBITRATION FOR SPORT

12. On 4 October 2024, in accordance with Articles R47 and R48 of the CAS Code of Sports-related Arbitration (the “CAS Code”), the Appellants filed a joint Statement of

Appeal with the Court of Arbitration for Sport (the “CAS”) against the Respondents with respect to the Appealed Decision.

13. In their Statement of Appeal, the Appellants submitted a joint request for provisional measures in accordance with Article R37 of the CAS Code.
14. On the same date, the CAS notified the Parties of the Statement of Appeal and the request for provisional measures and granted the Respondents an urgent deadline until 7 October 2024 to file their comments on the Appellants’ request.
15. In addition, a copy of the Appellant’s legal submissions and exhibits was served on the Respondents on the same day.
16. On 5 and 7 October 2024, the Respondents filed their respective replies to the Appellants’ request for provisional measures.
17. On 7 October 2024, the Appellants’ request for provisional measures was rejected by the Deputy President of the CAS Appeals Arbitration Division (the “Order”).
18. On 9 October 2024, the Appellants submitted a request for document production and requested the suspension of the deadline to provide the Appeal Brief.
19. Later on 9 October 2024, the CAS gave the Respondents a deadline of 14 October 2024 to comment on the Appellants’ request and/or produce the requested documentation. The CAS also confirmed the suspension of the deadline to provide the Appeal Brief.
20. On 14 October 2024, the Respondents submitted their responses to the Appellants’ request for document production.
21. On 15 October 2024, the Appellants filed a letter with the CAS in which it questioned the Respondents’ compliance with the request for document production.
22. Also on 15 October 2024, the CAS gave the First Respondent a deadline of three days to rectify certain technical issues in its submission.
23. On 16 October 2024, the First Respondent submitted certain documentation to the CAS. This email and its attachments were forwarded to the Parties by the CAS on 21 October 2024.
24. On 13 November 2024, the CAS invited the Appellants to confirm if their request for document production had been satisfied.
25. On 18 November 2024, the Appellants again questioned the Respondents’ compliance with the request for document production.
26. On 19 November 2024, the CAS asked for the First Respondent’s position on this matter.
27. On 20 November 2024, the First Respondent indicated by letter to the CAS that it had, in its opinion, complied with the request for document production.

28. On 21 November 2024, the CAS confirmed that the deadline to provide the Appeal Brief was no longer suspended. The CAS also stated that the matter of document production would be referred to the Sole Arbitrator.
29. On 19 December 2024, the Appellants filed their joint Appeal Brief (having been granted several extensions of time). An amended version of the Appeal Brief was also filed by the Appellants on 20 December 2024.
30. On the 20 December 2024, the CAS notified the Parties of the filing of the Appeal Brief (and the amended version).
31. Subsequently, the Respondents were granted several extensions of time for the submission of their Answers to the Appeal Brief.
32. On 6 February 2025, the Second Respondent submitted a request for bifurcation in order that the Sole Arbitrator could first decide whether the CAS has jurisdiction in the case and issue a preliminary award. The Second Respondent also included requests that the CAS appoint an independent legal expert and arrange for certain certified translations.
33. On 7 February 2025, the CAS invited the Appellants and the First Respondent to submit their comments on the Second Respondent's bifurcation request and the issue of jurisdiction. The Second Respondent's deadline for filing its answer to the Appeal Brief was also suspended.
34. On 9 February 2025, the First Respondent submitted its response on the question of bifurcation and the issue of jurisdiction.
35. On 11 February 2024, the CAS informed the Parties that the Respondents' deadlines for filing their answers to the Appeal Brief were suspended until the resolution of the bifurcation request.
36. On 21 February 2025, the Appellants filed their response on the question of bifurcation and the issue of jurisdiction, and made further submissions on additional topics.
37. The appointment of Mr. Andrew Mercer as Sole Arbitrator in this case was duly communicated to the parties on 24 February 2025.
38. On 28 February 2025, the reasoned Order was issued by the CAS.
39. On 5 March 2025, the Second Respondent objected to the additional submissions of the Appellants.
40. On 10 March 2025, the Parties were informed that the Sole Arbitrator had decided that the additional submissions made by the Appellant on 21 February 2025 were not admissible and, accordingly, the Sole Arbitrator would not take them into account in his deliberations. In the same communication, the Parties were informed that the Sole Arbitrator had decided to hold a preliminary hearing for the discussion of the issue of CAS jurisdiction. Subsequently, an online hearing was scheduled for 28 May 2025.

41. On 15 May 2025, the Second Respondent submitted a letter to the CAS in which it called into question the expertise and independence of the Appellants' witnesses. The Second Respondent also asked for clarification on whether the counsels of the EFA would be available to provide witness testimony at the hearing and reiterated its request that the CAS appoint an independent legal expert.
42. On 19 May 2025, the CAS informed the Parties that the Sole Arbitrator had rejected the Second Respondent's request for the CAS to appoint a legal expert. The Sole Arbitrator considered that the Second Respondent should have sought an expert opinion itself if it wished to rely on it and it was not for the CAS to correct any potential defects in the Second Respondent's case. The Sole Arbitrator further noted that the Respondents could challenge the Appellants' witnesses' expertise and credibility at the hearing if they wished.
43. On 27 May 2025, the Second Respondent made a further submission to the CAS in which it objected to the Sole Arbitrator's decision.
44. On 28 May 2025, this submission was shared with the other Parties and the Sole Arbitrator by the CAS. The CAS noted that this submission had been made after the close of business on 27 May 2025 and thus could only be shared shortly before the hearing.
45. On 28 May 2025, a hearing was held by videoconference. Besides the Sole Arbitrator and Mr. Fabien Cagneux, Managing Counsel, the following persons also attended:

For the Appellants:

- Mr. Islam Hisham, counsel
- Ms. Shimaa El Daly, counsel
- Ms. Angham Grami, counsel
- Mr. Alfonso León Lleó, counsel
- Mr. Gytis Rackauskas, counsel
- Dr. Ahmed Sa'ad, expert witness
- Dr. Ahmed Yassien, expert witness
- Mr. Nader Fathy, translator
- Mr. Mahmoud Abo Al Rokab, parent of one of the Appellants

For the First Respondent:

Mr. Mohamed El Mashta, in-house counsel

Mr. Mohamed Eltobgy, in-house counsel

For the Second Respondent:

Mr. Rolf Müller, counsel

Mr. Zani Dzaferi, counsel

Mr. Nour Sabry, counsel

46. At the outset of the hearing, the Parties confirmed that they had no objections with respect to the Sole Arbitrator hearing the matter.
47. During the hearing, the Second Respondent challenged the participation of certain of the Appellants' counsels arguing that the relevant power of attorney was deficient. After reviewing the document, the Sole Arbitrator decided that the power of attorney was sufficient and underlined that this objection had been made late.
48. At the hearing, the Parties were given the full opportunity to present their cases regarding the jurisdiction of the CAS and answer any questions from the Sole Arbitrator.
49. In closing, the Second Respondent again reiterated its position regarding the appointment of an expert by the CAS and renewed its request for certain certified translations.

IV. SUBMISSIONS OF THE PARTIES

50. In the interests of efficiency, the Sole Arbitrator has limited his explanation of the Parties' submissions to those which concern the issue of jurisdiction only.
51. Further, the Sole Arbitrator presents the arguments of the Second Respondent first since this is the party that made the bifurcation request, and the submissions of the First Respondent and Appellants were made in response to this request.
52. For the avoidance of doubt, it is underlined that the Appealed Decision was rendered by the EFA PSC. Based on the submissions of the Parties and in the absence of any evidence to the contrary, it must be assumed that the occasional references to the "*Players Affairs Committee*" in the Parties' submissions and in certain translations of the relevant rules submitted by the Parties are to EFA PSC, and that the slight difference in name is due to a translation issue. For this reason, the term EFA PSC is used by the Sole Arbitrator throughout this Award. It is noted that this approach is consistent with the position taken in the reasoned Order.

A. The Second Respondent

53. The Second Respondent makes the following request in its submission dated 6 February 2025:

“Therefore, for procedural-economic reasons, it is necessary to first decide about the jurisdiction (preliminary award) and to bifurcate the procedure, before taking and initiating further procedural steps.”

54. The Second Respondent’s arguments may be summarised as follows:

- The CAS lacks jurisdiction since the Appellant did not exhaust all the internal remedies available within the EFA.
- In particular, the Second Respondent argues that an appeal against decisions issued by the EFA PSC must be lodged before the EFA Appeals Committee (the “EFA AC”) in accordance with Articles 3 and 17 of the EFA Appeals Committee Regulations (the “Regulations”).
- The Regulations were validly issued by the EFA Board of Directors (the “EFA BOD”) in accordance with Article 39 of the EFA Statutes.
- Article 67 of the EFA Statutes is not intended to be an exhaustive list of the matters that fall within the jurisdiction of the EFA AC.
- The EFA Statutes (specifically, Article 51) and EFA Players’ Affairs Regulations do not specify that the decisions of the EFA PSC are final and cannot be appealed to another judicial body of the EFA.
- The EFA AC is an established judicial body of the EFA and has heard many cases over the years, including appeals filed against decisions of the EFA PSC. Examples are cited in this regard.
- The Second Respondent is not responsible for the Appellants’ alleged lack of awareness of the EFA’s regulations and judicial processes.
- The Second Respondent anyway disputes that the Appellants were unaware of the EFA AC and the Regulations, pointing to the experience and past conduct of their counsel.
- The EFA is not obliged to publish the Regulations on its website under the EFA Statutes. Even if any regulations were not published, such regulations would not be rendered invalid.
- The witnesses called by the Appellant are not independent.
- Several of the English translations of the EFA Statutes and other EFA rules provided by the Appellants are selectively presented and/or inaccurately translated.
- The Appellants’ communications with the EFA were not made in good faith and only with the aim of seeking a confirmation and reason to appeal directly to the CAS.
- If they had any doubts, the Appellants could have *“precautionarily submitted an appeal”* to the EFA AC *“to be on the safe side”*, but they did not.

B. The First Respondent

55. The First Respondent states the following request for relief in its submission dated 9 February 2025:

“Find that, CAS lacks jurisdiction to entertain this case.”

56. The First Respondent’s arguments may be summarised as follows:

- The First Respondent agrees with the Second Respondent regarding the reasons and justification for the bifurcation request.
- By reference to Articles 16 and 69 of the EFA Statutes, the CAS only has jurisdiction to resolve disputes arising from decisions of the EFA after all internal channels have been exhausted. This principle is also reflected in Article R47 of the CAS Code.
- Article 3 of the Regulations expressly provides for the jurisdiction of the EFA AC to hear appeals against decisions of the EFA PSC.
- Accordingly, the Appellants should have continued their case with the EFA AC but instead wrongfully decided to resort to the CAS.
- The Regulations have been applied for many years without issue and the Appellants’ counsel is aware of the rules and processes.
- Article 39 of the EFA Statutes establishes the ability of the EFA BOD to issue the Regulations.
- The Appellants’ interpretation of Article 87 of the EFA Statutes regarding the publication of EFA regulations is incorrect.

C. The Appellants

57. The Appellants’ requests for relief in their submission dated 21 February 2025 are as follows:

- “1) To Reject the bifurcation request.*
- 2) To Accept the jurisdiction to hear the Appeal at hand.*
- 3) To Accept the Appellants’ (Minors/Amateurs) claims in Full, as provide in our Statement of Appeal, and Appeal Brief.*
- 4) To left [sic] the suspension (with immediate effect) for both Respondents and proceeding with the case.”*

58. The Appellants’ arguments may be summarised as follows:

- The Appellants do not agree with the bifurcation request, which they consider to be a bad faith tactic designed to prolong the case. They dismiss any suggestion that the

CAS does not have jurisdiction in this matter and submit that they have exhausted the relevant internal remedies available within the EFA.

- Article 51 of the EFA Statutes states that decisions of the EFA PSC are final. Any appeal of an EFA PSC decision must be pursued externally, outside of the EFA.
- Under Article 67 of the EFA Statutes, the EFA AC's jurisdiction is limited to hearing appeals against decisions of the EFA's disciplinary and ethics committees only. The EFA AC therefore lacks jurisdiction over decisions of the EFA PSC and there is no legal basis for the EFA AC to review the Appealed Decision.
- Article 69 of the EFA Statutes provides that decisions issued by the EFA can be appealed before the Egyptian Sports Settlement and Arbitration Centre (the "ESSAC"). The decisions of the ESSAC can, in turn, be appealed before the CAS. However, the ESSAC does not currently exist and therefore CAS is the only competent authority to hear the appeal against the Appealed Decision. As such the Appellants were left with no alternative but to bring their case directly to the CAS.
- The CAS has full authority and jurisdiction to review and assess the legality and enforceability of the EFA's regulations.
- The EFA has failed to publish its regulations, relied on non-approved regulations, not responded to formal communications from the Appellants and failed to provide guidance on legal remedies. This demonstrates bad faith.
- The Regulations are not published by the EFA on its website. The EFA has therefore breached Article 87 of the EFA Statutes. Accordingly, the rules are not known to the Appellants and shall not be binding on them. Without publication, no regulations can take legal effect.
- The EFA General Assembly is the supreme legislative body of the EFA. The EFA BOD has no legislative powers. The EFA BOD did not have the authority to issue the Regulations. The EFA BOD has no authority to issue rules which violate what is stated in the EFA Statutes by granting additional powers to the EFA AC that are not stated in the EFA Statutes. Any purported delegation to the EFA BOD was unlawful. Article 39 of the EFA Statutes does not establish that the EFA BOD had the authority to issue the Regulations.
- In any event, the Appellants argue that the Regulations were not duly approved within the EFA (by the EFA BOD or otherwise). It is claimed that the document is not official. The Appellants argue that there is no evidence that the rules were brought into force. Accordingly, the Regulations are invalid and unenforceable, and the EFA AC has no authority to hear any appeal of a decision of the EFA PSC.
- The Appellants point to certain differences between the current version of the EFA Statutes (2021) and the previous version (2017). It is alleged that the EFA amended the EFA Statutes to align them with the prevailing FIFA Statutes and that this intentionally involved, *inter alia*, mirroring FIFA's approach to its player status

committee and appeals committee (i.e. in particular, that decisions of the former are not appealed to the latter).

- The Second Respondent's suggestion that it is the usual practice for decisions of the EFA PSC to be appealed to the EFA AC is irrelevant if the EFA has acted contrary to the EFA Statutes.
- The legal basis and grounds of the Appealed Decision were not provided to the Appellants.
- The Appellants' witnesses are independent and highly respected professionals.

V. JURISDICTION

59. In accordance with Article 186 of the Swiss Private International Law Act, the CAS has power to decide upon its own jurisdiction.

60. Article R47 of the Code provides as follows:

"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."

61. In the absence of a specific arbitration agreement, 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.

62. In this regard, Article 69 (1) of the EFA Statutes provides as follows:

"Disputes arising in the association or disputes that may affect its members, leagues, league members, clubs, club members, players, and representatives, may be referred, as a final resort, after exhausting all internal remedies within the Egyptian Football Association, to the Egyptian Sports Arbitration and Settlement Center, should it have competence, which settles the disputes conclusively and definitely without involving ordinary courts of law, unless it is explicitly prohibited by law in Egypt. Its decision may be appealed before the court of arbitration for sports (CAS)."

63. For the sake of completeness, it is uncontested among the Parties that the ESSAC does not currently exist and so, whilst this fact creates a degree of uncertainty around the operation of Article 69 (1) of the EFA Statutes, it is clear that the CAS is, in principle, competent to resolve relevant disputes as the instance of last resort pursuant to that provision. Article 69 (1) of the EFA Statutes provides for a clear external (non-EFA) process which is still capable of being performed, even if one of the intermediary steps is absent. The Sole Arbitrator is of the opinion that the non-existence of ESSAC does not render the article inoperative and the intent of the provision can still be delivered upon (i.e. to avoid recourse to the ordinary courts after internal remedies).

64. The Respondents do, however, object to the jurisdiction of CAS on the basis that the Appellants failed to exhaust the internal remedies available within the EFA in the present case – specifically the EFA AC. Accordingly, the challenge to jurisdiction concerns an earlier instance in the tiered dispute resolution mechanism provided for in Article 69 (1) of the EFA Statutes in the context of EFA PSC decisions – that is, the alleged role and function of the EFA AC as an internal channel of the EFA (prior to any hypothetical step with the ESSAC). Hence, there is no need to dwell on the ESSAC issue when that more significant prior issue requires determination.
65. In this regard, the Sole Arbitrator notes that the distinction between jurisdiction and admissibility in cases of non-exhaustion of internal legal remedies is complex and that the CAS jurisprudence in relation to this issue is not unanimous (see, for example, CAS 2019/A/6677 and CAS 2022/A/8664).
66. Nevertheless, it can sensibly be concluded that the question of whether the Parties have agreed to refer their dispute to an arbitration tribunal to the exclusion of a state court, namely the CAS, concerns the issue of jurisdiction, whereas all procedural issues of a non-jurisdictional nature that may bring the arbitration to an end for procedural reasons fall within the scope of admissibility (MAVROMATI/REEB, *The Commentary of the Code of Sports-related Arbitration*, 2nd edition, Kluwer, 2025, n. 11 ad Article R47, p. 428). Accordingly, the Sole Arbitrator considers that the issue of the exhaustion legal remedies falls within the scope of admissibility. Therefore, this issue will be addressed in the following section.

VI. ADMISSIBILITY

67. Paragraph 1 of Article R47 of the CAS Code provides that an appellant has to have “*exhausted the legal remedies available to it prior to the appeal, in accordance with the statutes or regulations of that body*”.
68. Article 3 of the Regulations provides as follows:
- “The Competence of the Committee*
- The Committee (i.e. Appeals Committee) has the jurisdiction to rule the appeals and challenges filled [sic] against the decisions of Disciplinary Committee, decisions of Players Affairs Committee. Competitions Committee and Sectors Committee, and all other technical committees within the association.”*
69. In addition, Article 17 of the Regulations states as follows:
- “Decisions of the Committee*
- The decisions issued by the Committee are final and binding to all concerned parties, and they may not be challenged within the association.”*
70. Having considered the facts and circumstances of the present case and the submissions of the Parties, the Sole Arbitrator determines as follows:

- Applying Article 3 of the Regulations, the Appealed Decision should have been challenged by the Appellants before the EFA AC in order to exhaust the internal legal remedies available to them under the EFA Statutes and the Regulations. The Appellants failed to do so and challenged the Appealed Decision before the CAS.
- The EFA's apparent failure to publish its rules on its website (including the Regulations) and its shortcomings in failing to communicate with the Appellants point to a lack of transparency and created uncertainty in the EFA's judicial processes.
- Nevertheless, the language of the Regulations is clear and the fact that the Regulations allegedly do not appear on the EFA website does not automatically have the effect of rendering them invalid, even if it is not best practice.
- The Sole Arbitrator is not in a position to monitor all available channels of publication in Egypt and the lack of cooperation from the EFA on this point was unhelpful, however, publicly available information indicates that the EFA AC is currently active and has been so for several years (including, it seems, in connection with non-disciplinary/ethics matters). Indeed, EFA AC decisions have even been appealed to the CAS (see, for example, CAS 2019/A/6187 & CAS 2019/A/6189 which relate to an appeal of a EFA PSC decision and CAS 2022/A/9225 which relates to a decision of the EFA BOD). The ecosystem of football and its judicial bodies in Egypt is functioning, including the EFA AC. There is clearly an awareness of the existence of the appeals body and its role, and logically then the Regulations. This contradicts the Appellants' position.
- The Regulations appear to have been validly issued by the EFA BOD in accordance with the EFA Statutes (specifically, Article 39). It aligns with international standard practice in sports governing bodies for a congress or general assembly to exercise oversight over an executive body and approve changes to the statutes or constitutional documents. Regulations, such as disciplinary/ethics and similar rules, however, commonly stand to be ratified by the executive body of the organisation. It would, after all, be impractical if all regulations had to be approved by a congress or assembly which meets relatively infrequently. In the opinion of the Sole Arbitrator, the Appellants were unable to provide any convincing evidence to support their claim that the EFA BOD did not validly approve the Regulations and that the EFA was trying to deceive them.
- Although the Appellants' observations concerning the 2017 and 2021 versions of the EFA Statutes have some merit, the Sole Arbitrator was not comfortably satisfied that the EFA had intended to limit the jurisdiction of the AC with these changes or that the current language actually limits the EFA AC's jurisdiction in the manner described by the Appellants. It is true that the earlier version of the EFA Statutes more explicitly provided for the EFA AC to hear appeals of decisions of the EFA PSC, however, it does not automatically follow that the new provisions exclude that jurisdiction.
- The statutory changes were clearly done to align the EFA Statutes with the FIFA Statutes (generally and not only in relation to appeals matters), however, it seems

that in doing so the EFA ended up not being as clear as it had previously been when it came to some of its pre-existing and ongoing processes.

- However, the Sole Arbitrator considers that Article 67 of the EFA Statutes is not exhaustive and, anyway, should not be read in isolation. A clearer picture of the role and function of the EFA AC can only be achieved by reading the various provisions of the EFA Statutes together with the Regulations, and giving due regard to the continued activity and apparent acceptance of the EFA AC in the years following the coming into force of the 2021 edition of the EFA Statutes (as referred to above).
- In light of the foregoing, the Sole Arbitrator considers that the validity of the Regulations should be accepted and that the jurisdiction of the EFA AC to hear an appeal from the EFA PSC was established.
- The Sole Arbitrator considered the Appellants' communications with the EFA, in particular the correspondence exchanged after the Appealed Decision was issued. The language and content of these letters and emails indicate that inquiries were made in general terms about potential routes of appeal and EFA regulations, with the Appellants requesting various documents and asking general questions. There is in these communications an apparent degree of acceptance or knowledge of the possibility that there was a potential internal EFA channel of appeal for the Appealed Decision. Despite this seeming awareness, no appeal was submitted to the EFA, for the attention of the EFA AC or otherwise. Only the Appellants' counsel will know if this was indeed a bad faith attempt to expedite the case to the CAS as alleged by the Respondents, but the language of the communications does indicate that some form of legal tactic was at play, and it is difficult to take these communications at face value. The Appellants could have attempted to submit an appeal to the EFA even if just to 'tick' the procedural box (as they apparently did with the non-existent ESSAC), however, their communications with the EFA stop short of this. Such an appeal could also have been made alongside the appeal to the CAS, with the latter being withdrawn as necessary.

71. In light of the foregoing, the Sole Arbitrator is comfortably satisfied that the Appellants' appeal is inadmissible.

VII. COSTS

(...)

ON THESE GROUNDS

The Court of Arbitration for Sport rules that:

1. The appeal filed by Saad Tarek Saad Tawfik Soliman, Youssef Abdallah Al Sayed Rabia, Muhammad Hesham Abd El-Fatah Mekkawy, Muhammad Nagy Mohamed El Driney and Mohamed Ali Sayed Ali Mostafa on 4 October 2024 against the decision of the Players' Status Committee of the Egyptian Football Association is inadmissible.
2. (...).
3. (...).
4. All other motions or prayers for relief are dismissed.

Seat of arbitration: Lausanne, Switzerland

Date: 26 January 2025

THE COURT OF ARBITRATION FOR SPORT

Andrew Mercer
Sole Arbitrator