



MEDIA RELEASE

CASE UEFA - OLYMPIQUE DES ALPES SA (FC SION)

THE COURT OF ARBITRATION FOR SPORT (CAS) REFUSES TO ORDER THE REINTEGRATION OF FC SION IN THE EUROPA LEAGUE 2011/2012

THE PROVISIONAL MEASURES ORDERED BY THE TRIBUNAL CANTONAL OF VAUD ARE LIFTED

Lausanne, 15 December 2011 - The Court of Arbitration for Sport (CAS) has rendered its decision in the arbitration between the European Union of Football Associations (UEFA) and Olympique des Alpes SA/FC Sion (OLA). The CAS first decided that it had jurisdiction to rule on the request for arbitration filed by UEFA on 26 September 2011. It then decided to confirm that OLA should not be reintegrated in the UEFA Europa League 2011/2012, confirming indirectly the validity of the decision of the UEFA Appeals Body of 13 September 2011. Furthermore, it declared inadmissible, in the absence of a sufficient legal interest, the other requests of UEFA asking the CAS to state more generally the conformity of the UEFA decisions and Regulations with Swiss law. Finally, the CAS has lifted the provisional measures which were ordered by the Cour Civile of the Tribunal Cantonal of Vaud on 5 October 2011. OLA will have to bear 2/3 of the arbitration costs, while UEFA will bear 1/3 of such costs. Finally, OLA has been ordered to pay an indemnity of CHF 40'000.-- to UEFA for its legal costs.

This decision has been rendered unanimously by the three Swiss arbitrators composing the arbitral Panel in charge of this case, i.e. Mr Patrick Lafranchi (Berne), Mr Jean Gay (Martigny/Geneva) and Mr Hans Nater (Zurich), President, designated by the first two arbitrators.

The award is published on the CAS website, section "Case law". The grounds for the award will be communicated to the parties and published by the CAS within the next weeks. Thereafter, an appeal will be possible at the Swiss Federal Tribunal (time limit of 30 days from receipt of the grounds for the award).

To date, the status of the other procedures connected to the present case is the following:

- Swiss Football League (SFL): the decisions taken by the SFL authorities in July 2011 refusing the qualification of the players GLARNER, FEINDUNO, GOMES GONCALVES, KETKEOPHOMPHONE, MUTSCH and GARCIA DE LA TORRE have become final and binding following the withdrawal of the appeal that OLA filed at the CAS.



- The civil procedure initiated by the six players in Martigny/Switzerland against the SFL and FIFA: the provisional measures requested by the six players to the Tribunal Civil of Martigny was initially granted by the same tribunal but was ultimately rejected by the Tribunal Cantonal of Canton du Valais in a decision of 16 November 2011.
- Two other arbitration procedures are currently pending before the CAS in relation to the Martigny case: requests for arbitration have been filed by the SFL and by FIFA against the six players following the decision of the Tribunal Civil of Martigny (decision of 3 August 2011) to grant provisional measures at the request of the same players.
- Civil procedure initiated by the six players in Martigny against UEFA: the provisional measures requested by the six players at the Tribunal Civil of Martigny have been rejected (decisions of 2 and 7 September 2011).
- Civil procedure initiated by OLA at the Tribunal Cantonal of Vaud (issues related to competition law): on the basis of the decision for provisional measures issued by the Tribunal Civil of Martigny, the Tribunal Cantonal of Vaud ordered provisional measures on 5 October 2011, ordering UEFA to take all useful measures in order to include FC Sion in Group I of the UEFA Europa League until the outcome of the procedure on the merits; the Tribunal Cantonal of Vaud, in the same decision, determined that the CAS had jurisdiction to rule on the merits with respect to OLA's request and fixed a time limit of 60 days to OLA to file a claim with the "competent authority"; to date, no claim has been filed with the CAS by OLA following the decision of the Tribunal Cantonal of Vaud.
- Decision of the UEFA Appeals Body of 13 September 2011: this decision, which could have been object of an appeal at the CAS within the time limit provided by the UEFA Regulations, has finally been challenged by OLA before the Tribunal d'Arrondissement de la Côte in Nyon/Switzerland; this procedure is currently pending.