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FIFA RSTP & CAS Jurisprudence

FIFA, CAS and Minors: the Return of the Laudable Purposes and the Disproportionate Tools

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➔ ***Minors – FIFA Regulations – Court of Arbitration for Sport (CAS) – Fundamental rights***

During these last years, not since 2009 when FIFA published its amendment to the Regulations on the Status and Transfer of Players to include Article 19bis but during the last 5 years, we have seen how FIFA has developed a particularly strict and sometimes indecipherable policy regarding protection of minors.

Introduction

As everybody knows, for the implementation of what FIFA considers one of its keystone measures - "*Protection of Minors and Training Clubs*" - two Articles, 19 and 19bis were developed, which aim to ban any transfer of minor players.

This leads FIFA to two of the most criticised articles of the RSTP, not because of its target, but because of the lack of certainty.

On one hand, Article 19 establishes that no international transfer will be allowed for players that are not over 18, but nine articles before the RSTP also establish that no ITC will be necessary for players under 10 years old (rule amended in 2015, until then the rule established 12), therefore allowing transfers without ITC of players, subject to three exceptions:

- Unless proven that the football transfer is due to a family city transfer and not *vice versa*, not leaving room for children without parents;
- An EU or EEA transfer if the player is under 18 but over 16 years old, always provided that some requisites are met; but what if a Spanish 17-years-old boy is emancipated in accordance with Spanish Civil Law and he wants to leave Spain and play football in Germany?
- The commonly known rule of the 50km from the border. Another absurd rule that instead of establishing a 100km distance as a limit requires that the Player and the Club are not based more than 50km far from the border, what if a Player lives 70km from the border and the Club is far 30km?

These three exceptions also apply to those cases when a minor is registered for the first time in a country that is not his country of birth. It is true that this last rule was also amended in 2016 with the inclusion of a 5-year residence requisite.

> ***The rules are way too restrictive, even from the perspective of EU Regulations***

On the other hand, Article 19bis establishes the obligation of every club that operates an academy, irrespective of the link, to report every minor that attends it, and that every academy, specifically without any link to any club, becomes a club that participates in national championships.

In the authors' opinion, the rules are way too restrictive, even from the perspective of EU Regulations, but the main problem is that they have been drafted in a way that cause the disparity of cases we have found in the latest jurisprudence. In this sense, there have been many cases but there are some milestones that have to be considered specifically; *i.e. BETANCOURT*, *VADA*, *RENEAU*, *HILTON*, *FC Barcelona* and *Real Madrid*.

Recent cases

We can mention the case of ***Rodrigo BETANCOURT*** (CAS 2012/A/2839 *Boca* v. *FIFA*), who was born in Uruguay. When he was 7 years old his mother passed away and his father later married an Argentinean woman and he had two twin sisters.

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When *Rodrigo* was 14 years old the family relocated to Buenos Aires, but the father kept his company in Uruguay.

FIFA did not authorize the registration of *Rodrigo* with *Boca Juniors* because in its opinion, it was not proven that the family did not transfer to Buenos Aires for reasons not linked to football. Amongst other arguments, FIFA did not consider the mother-in-law as one of the "*parents*" of *Rodrigo* as required by Article 19.

CAS overturned the decision considering the mother-in-law as a parent, and even if the father's business was in Uruguay, the family was living in Buenos Aires: school, leisure time, etc. *Rodrigo* was allowed to register with *Boca*.

In the case of ***Valentin Vada*** (TAS 2012/A/2862 *Girondins de Bordeaux* v. *FIFA*), the player was born in Argentina but was a European citizen (passport). In 2011, he transferred to Bordeaux (France) and, being 15 years old, requested to be registered with *Girondins de Bordeaux* in application of Article 19 first exception (transfer not linked to football). FIFA rejected the request and CAS confirmed FIFA decision.

One year later, when he was 16, the French club requested it again but this time through Article 19.2.b (EU players transfer). FIFA considered it was not a EU transfer because the Player was moving from Argentina, but CAS upheld the appeal and considered the player an EU citizen who had the same right to freedom of movement that anyone else.

Regarding ***Alex Reneau*** (CAS 2013/A/3140 *A.* v. *Atletico de Madrid & RFEF & FIFA*), FIFA rejected the request to be registered with *Atlético de Madrid*. CAS overturned the decision basing its decision in several factors: the player's family was wealthy and multicultural, his mother was Colombian, his sister was living in London. As a wealthy family, they did not depend on the child's future salary in football and they began with the visa and residence long before transferring.

In the case of John ***Kenneth Hilton*** (CAS 2015/A/4312 *John Kenneth Hilton* v. *FIFA*),[1] the Player was a promising future of USA football, a member of the U14 national team, and played several times in Europe against teams like *FC Barcelona*, *Ajax* or *Manchester City*. In 2014, the Player together with his mother and siblings moved to Manchester and he was enrolled at *St Bede*'s high school. His father stayed in USA for business and pension-related reasons, and finally in 2015, again with his mother and siblings, he moved to Amstelveen (Netherlands) and enrolled at the "*Amsterdam International Community School*".

The Dutch FA (KVNB) requested the registration of the Player on behalf of *AFC Ajax,* but FIFA rejected the request because:[2]

"*22. In view of all the above, the Single Judge held, in particular, that, based on the documentation submitted, it* ***could not be undoubtedly and clearly established*** *that the player's mother had relocated for reasons that were not linked to football. In fact, it would rather appear that the player's football career* ***was presumably*** *the predominant reason for the move, and that the player's mother moved to the Netherlands in order to circumvent the regulations related to the protection of minors.*

23. On account of the above, the Single Judge determined – applying ***strictly*** *the Regulations – that in the present matter, the requirements set out in art. 19 par. 2a) of the Regulations are not met.*

24. Consequently, the Single Judge decided to reject the request made by the Koninklijke Nederlands Voetbalbond (KNVB) on behalf of its affiliated club, AFC Ajax, for the approval prior to the request for the International Transfer Certificate of the US minor player, John Kenneth Hilton." (emphasis added)

CAS recently confirmed the decision rendered by FIFA and denied the Player his right to play football.

The criteria used to uphold the appeal in *Reneau*'s case were not considered this time by CAS even if the father's salary was up to USD 300,000 (approx. EUR 275,000) a year (therefore they were not dependent on their son's football income), the family was multicultural (Brazilian-American and speak Dutch), the three sisters also moved to the Netherlands and the visas' request were made before *Ajax* contacted the family.

The CAS Panel considered that[3]:

"*The Panel also agrees with CAS jurisprudence (CAS 2011/A/2494, para. 63 et seqq.)* ***that it is not required that the parents' main objective in their decision to move is their child's football activity*** *– it is rather sufficient that the move of the player's parents occurred due to reasons that are not independent from the football activity of the minor or are somehow linked to the football activity of the minor.*" (emphasis added)

In this sense:[4]

"*In a recent CAS case on the matter (CAS 2013/A/3140, para. 8.25), the CAS Panel considered that* ***whenever the player's parents took football***

1 For more information on this case, see Football Legal # 7 (June 2017), p. 86

2 CAS 2015/A/4312 John Kenneth Hilton v. FIFA, par. 26

3 CAS 2015/A/4312, par. 79

4 Ibid., par. 81

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into consideration, even if this was only part of the reasons for the move, then the exception is not applicable." (emphasis added)

It is actually surprising that the Panel in the Hilton case decided to take that exact paragraph from *RENEAU*'s case into account instead of this other one:[5]

"*In that respect,* ***it is hard to conclude that an entire family, such as the family of the Player****, would have made important choices as regards its place of location, for grounds linked to the footballing activity of the Player. As mentioned previously, it appears that the Appellant's family has many possibilities to live in different places in the United States and outside the United States, as they did already in the past, so that it is doubtful that the location of a particular football club would have played any role in the organisation of the family life.* ***Even if the family would be keen in favouring the football activities of the Player, one can think that such activities could have been performed in many other places all over the world***." (emphasis added)

This paragraph, in our opinion, should have led the Panel to disregard the appeal filed by Mr *RENEAU* in 2013, in application of their own previous statement; **whenever the player's parents took football into consideration**, even if this was only part of the reasons for the move, **then the exception is not applicable**.

But for some reason, the economic possibilities of the family to live wherever they want to and the fact that apparently "*It is further beyond doubt that the Appellant* ***is not regarded as a particularly or exceptionally talented Player***"[6] had more weight than the principles of Article 19. (emphasis added)

Our conclusions from the *HILTON* award are very critical with both FIFA and CAS; a minor that moves with his family, mother and 3 sisters, in a multicultural environment, with economical meanings to live wherever they want in Europe, pick a location that is close to a top football team, sees his career jeopardized because FIFA considers that **it could not be undoubtedly and clearly established** that the player's mother had relocated for reasons that were not linked to football and that it would rather appear that the player's football career **was presumably** the predominant reason for the move.[7]

There are several questions that arise from this conclusion: when did FIFA establish the criminal burden of proof to consider the fulfilment or not of Article 19 requisites? Why the burden of proof is different for the negative and the positive consideration of the facts? FIFA considered on one hand that it was not **undoubtedly and clearly established** that the family had relocated for reasons not linked to football but considers enough that it "*appear that the player's football career* ***was presumably***" the reason for the move. Why did it not need to consider **undoubtedly and clearly established** that the player's football career was the reason for the move? Simply because he was a very talented player? Would the Panel have taken the same decision if the Player was *RENEAU*?

We do agree that protection of minors must be preserved by all the deciding bodies, but the cases of *Barcelona*, *Atlético de Madrid* and *Real Madrid* are the perfect example that FIFA has decided not to protect the minors but to avoid having to overwork.

From those three cases, the unique one that has been completely finished is the *Futbol Club Barcelona* one, the *Real Madrid* case has not received the grounds (that lowered the sanction) of CAS decision were released (CAS issued the full award, with the grounds, on 3 May 2017, *i.e.* after this article was written, editor's note), and *Atlético* is still waiting for the CAS decision. Therefore, the first is the only one that may be analysed in full.[8]

> ***Protection of minors must be preserved by all the deciding bodies, but the cases of* Barcelona, Atlético de Madrid *and* Real Madrid *are the perfect example that FIFA has decided not to protect the minors but to avoid having to overwork***

FIFA sanctioned the Club for 3 minors based on:

- Breach of Article 5 regarding the 31 minors: for the non-registration of the minors in the National Association;
- Breach of Article 9.1: for not having requested the ICT when transferring a minor from a different national association;
- Breach of Article 19 paragraphs 1, 3 and 4 for not having informed of the minors playing in the Academy of the team;
- Breach of Annexes 2 and 3 of the FIFA RSTP for the non-fulfilment of the requisites established by the TMS when hiring those players.

5 CAS 2013/A/3140, par. 8.31, par. 4

6 CAS 2013/A/3140 A. v. Club Atlético de Madrid SAD & RFEF & FIFA, par. 8.31, par. 4

7 CAS 2015/A/4312 John Kenneth Hilton v. FIFA, par. 26

8 CAS 2014/A/3793 Fútbol Club Barcelona v. FIFA

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The first argument used by the Club to appeal was based on the principle of legitimate expectations: every time the Club requested the compulsory permission to register the Player it was through the Federation that, in accordance with the Spanish laws and federative regulations, was competent: the Regional Association (FCF):

- Article 2 RFEF Statutes: "*The RFEF is composed of the Regional Federations*";
- Article 1.3 FCF Statutes: "*the FCF is integrated into the RFEF*";
- The FCF depends on the competitive and disciplinary, at the national and international level, of the RFEF and the bodies of the FIFA;
- Article 4.b FCF Statutes: one of the scopes of the FCF is to "*represent the RFEF and exercise the functions delegated by it*";
- Article 9.2.a) RFEF Statutes: to be integrated in the RFEF every Regional Federation must present: Declaration to comply with and enforce the statutes, regulations and decisions of the RFEF, FIFA and UEFA;
- Article 9.3.d) RFEF Statutes: "*The Regional Federation, integrated into the RFEF, will represent the latter in the respective Regions*";
- Article 10.3.: "*They will also inform the RFEF of every registration and deregistration of its affiliated clubs, footballers, referees and coaches*";
- Article 6 FCF Statutes: "*the FCF has exclusive competence within the territory of Catalonia*".

Registering the players before the FCF, the Club was fulfilling its obligations. The Regional Federation was responsible for notifying the national Federation about every player registered.

Therefore, the breach of Article 5.1 according to which every player has to be registered in the national association could not be considered since the Spanish regulatory framework actually prevented the clubs to register players competing at regional level, before the National Federation until 1 July 2015 when the unique licence system was approved.

> ***The Spanish regulatory framework actually prevented the clubs to register players competing at regional level, before the National Federation***

Regarding the breach of Article 19bis, the Club also referred to the licenses that every kid playing with *FC Barcelona* had. Those licenses should be considered as the notification to the authorities of their presence.

Regarding Articles 9.1., 19.1, 19.3, 19.4 and Annexes 2 and 3, they referred only to 10 of the 31 minors investigated, 6 in the case of Article 9.1.

In 2009, the RSTP established the approval of the Minors Subcommittee of FIFA as a requisite to register a minor and such obligation had to be ensured by every national association. Such labour imposed on the Spanish Football Association (RFEF) was conducted by the FCF as its representative in Catalonia, therefore, by obtaining the corresponding license, the FCC was fulfilling the requisites established.

Apart from those arguments, the Club requested FIFA and CAS to take into consideration that no child was put in danger. Instead, they took part in one of the most renown, if not the most known, Club training programs.

FIFA disregarded all the arguments presented and considered that the "*Integrity of the development of the minors concerned in the present case has been put in serious danger by the behaviour of the Club.*"

Apart from that, FIFA also considered that the FCF is not a member of FIFA and the Club should have had to ensure that the players were registered into the national association, even if it was not legally possible.

Arguments before CAS were actually the same regarding the validity of the registration of the players before the FCF since it was the unique federation the Club was allowed to register the players.

Apart from that, the Club contested the calculation of the sanction in terms of proportionality and the conditions found by the players that arrive at *La Masia*.

Even the Spanish Federation, represented by its Legal Director, confirmed that:

- Even if the Club would have requested to register the players, the RFEF would have rejected to do so because it is not its competence;
- Territorial division of Spain and the competences of the Regional Federations make impossible to

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register any player playing at a regional level (at the minimum all the players under 16) at the National Association;

- The responsibility to control and enforce the regulations corresponds to the Regional Federations.

The CAS Panel rejected entirely the appeal, even the aggravating circumstances considered by FIFA to increase the initial sanction (i.e. breach of article 5.1 was considered an aggravating circumstance). The Panel decided that the Spanish regulatory framework was not an excuse to not fulfil the requirements of the RSTP and even if they accepted that the breach of article 5 was not proved since the Club was prevented to do anything else, the sanction was not modified.

> ***Instead of protecting minors, FIFA Regulations jeopardize the sporting careers of many of them***

The principles of the sanction and the violations sanctioned by FIFA are the same in the *Atlético de Madrid* and *Real Madrid* cases, and taking them into consideration and the decision taken by the CAS Sole Arbitrator in *Real Madrid* case, the unique question that remains unanswered is that of the applicable jurisprudence by CAS in the *Atlético de Madrid* case.

At this point, it is easy to conclude that instead of protecting minors, FIFA Regulations jeopardize the sporting careers of many of them, by denying a proper regulation instead of imposing a definitive ban, an unfortunately habitual occurrence with FIFA.

Analysis of the situation

There is no justification for such a prohibition. It even infringes the right of the minor to have his interest considered at first. On top of that, it prevents him to be heard and for his opinion to count, since there is no such provision in FIFA Regulations. There is not either any warranty to ensure the rights of children established by international public treaties.

The Convention on the Rights of the Child establishes that unless an abuse exists the decisions about the education and formation of children pertain to his parents. Therefore, letting aside the case of international transfers - where it might be understood as a bureaucratic requisite -, the general ban must be understood as a discriminatory treatment compared to its absence regarding nationals.

The Convention on the Rights of the Child was approved by the Swiss Parliament in March 1997 and establishes:
"*For the purposes of the present Convention, a child means every human being* ***below the age of eighteen years*** *unless under the law applicable to the child, majority is attained earlier.*"(emphasis added)

It also clearly establishes the non-discrimination principle based on the nationality and the respect to responsibilities and rights of parents.

"*Article 2*
1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction ***without discrimination of any kind****, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion,* ***national****, ethnic or* ***social origin, property, disability, birth or other status****.*" (emphasis added)

"*Article 5*
States Parties shall respect the ***responsibilities, rights and duties of parents*** *or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.*" (emphasis added)

"*Article 18*
Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. *The best interests of the child will be their basic concern.*" [emphasis added]

Therefore, under the Convention, parents cannot be deprived from their right and duty to determine what is the best for their children, a right that cannot be limited by any discrimination due to nationality.

It could be different if an abuse was detected, as the Law may then intervene and the parents' custody might be removed, as per Article 19:
"*1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*"

However, in the absence of such situation, parents cannot lose their capacity to decide, and in particular, any questions related to leisure and

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sport, recognized as a right under Article 31:

"*1. States Parties recognize the **right of the child** to rest and **leisure, to engage in play and recreational activities appropriate to the age of the child** and to participate freely in cultural life and the arts.*

*2. States Parties shall respect and promote the **right of the child to participate fully in cultural and artistic life** and shall encourage the provision of appropriate and **equal opportunities** for cultural, artistic, recreational and leisure activity.*" (emphasis added)

Such provision of the Convention may not be circumvented by a Swiss private organization.

In Spain, for example, Article 23.2.b of the Organic Law 4/2000, on rights and freedom of foreigners in Spain and their social integration establishes that it will be deemed as a discriminatory act:

"*b) All those who impose conditions more onerous than the Spaniards, or that imply resistance to provide to a foreigner goods or services offered to the public, only by its condition of such or by belonging to a certain race, religion, ethnicity or nationality.*"

The European Chart of Fundamental Rights establishes in Article 21:

"*1. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.*

2. Within the scope of application of the Treaties and without prejudice to any of their specific provisions, any discrimination on grounds of nationality shall be prohibited."

How did Articles 19 and 19bis saved the surveillance of European Authorities is quite a mystery, but imposing foreigners, under age, a condition such as the subjective approval of a Swiss private organization in order to allow or not a 15-year-old child that has been living during 3 years in a country practice sport, lacks, from the point of view of Law, coherence.

An argument that has been frequently used to justify the imposition, by FIFA, of certain limitations of rights, is that FIFA is not a State and therefore principles of law cannot be applied, *i.e.* the principles that shall conduct disciplinary proceedings.

To answer that argument, Article 35.3 of the Federal Constitution of the Swiss Confederation establishes that:

"*3. The authorities shall ensure that fundamental rights, where appropriate, apply to relationships among private persons.*"

CAS, in case 2008/A/1513 Mr *Emil HOCH* v. *FIS & IOC*, already dealt with the applicability of the European Convention on Human Rights (ECHR) to sports associations:

"*Whether and to what extent sports associations are bound by the ECHR in the context of their disciplinary jurisdiction is not clear. The Panel has serious doubts as to the applicability of the ECHR in said cases in view of Art. 1 ECHR. According to this provision only state authority, not private third parties, are bound to observe the rights under the Convention. Nevertheless, there are more and more authorities in legal literature advocating that the ECHR also applies directly to sports associations (cf. TAYLOR/LEWIS (eds), Sport: Law and Practice, 2nd ed. 2008, Haywards Heath, pp. 516 et seq.). However, in the present case, this question can be left unanswered because not every breach of a procedural fundamental right constitutes a breach of Art. 6 (1) ECHR. Thus, the decision by the European Court of Human Rights of 25 October 1995 in Bryan v. United Kingdom (Application no. 44/1994/491/573) reads as follows under marg. no. 40:*

"As was explained in the Court's Albert and Le Compte v. Belgium judgment (10 February 1983, Series A no. 58, p. 16 para 29), even where an adjudicatory body determining disputes over 'civil rights and obligations' does not comply with Article 6 para 1 in some respect, no violation of the Convention can be found if the proceedings before that body are 'subject to subsequent control by a judicial body that has full jurisdiction and does provide the guarantees of Article 6 para 1'.""

In *Valentín VADA*'s case, CAS established that the fundamental rights apply in relations between the States and particulars, but not between particulars such as disciplinary disputes decided by private associations.

However, in our opinion, FIFA and CAS Arbitrators are bound by "*Swiss public policy*" since it is established by Article 190(2)(e) PILA, and considering that the ECHR and the one on the Rights of the Child are assimilated to constitutional rights in Switzerland, they should have respected their provisions since FIFA is a private entity. However, its decisions affect directly to children and their rights. In this sense, the UN Committee on the Rights of the Children establishes in its General Comment no. 14 on the right of the child to have his or her best interests taken as a primary consideration that:

"*2. By public or private social welfare institutions, courts of law, administrative authorities or legislative bodies*"

(a) "public or private social welfare institutions"

"*26. These terms should not be narrowly construed or limited to social*

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institutions stricto sensu, but should be understood to ***mean all institutions whose work and decisions impact on children and the realization of their rights****. Such institutions include* ***not only those related to*** *economic,* ***social and cultural rights*** *(e.g. care, health, environment, education, business, leisure and play, etc.), but also institutions dealing with civil rights and freedoms (e.g. birth registration, protection against violence in all settings, etc.). Private social welfare institutions include private sector organizations – either for-profit or non-profit – which play a role in the provision of services that are critical to children's enjoyment of their rights, and which act on behalf of or alongside Government services as an alternative.*" (emphasis added)

We want to insist that it is undisputed that the protection of minors has to be one of the foundations of FIFA and its structures, also the training clubs deserve such protection, but banning a kid of 12 years old to play football because he arrived in a different country with his family when he was 10 and it cannot be ***undoubtedly and clearly established*** proved that his family transferred due to reasons not linked to football is an absolute nonsense.

On the other hand, what will happen when, for example, a South American arrive to Spain being 16 years old and a club offers him a professional contract? Will FIFA prohibit his access to work? Will Spanish administrative tribunals, competent to hear from appeal against the rejection of a football license (administrative act), accept a Swiss private organization to determine if an individual, meeting the legal requirements in Spain to sign an employment contract, cannot have access to work?

> ***"In our opinion, Spanish tribunals will consider the right to work over the rules and regulations of a private association irrespective of its nationality"***

This question will be answered sooner or later, but in our opinion Spanish tribunals will consider the right to work over the rules and regulations of a private association irrespective of its nationality.

Current situation in Spain: Article 19 is no longer binding for amateur clubs

A very recent decision issued by the Spanish Superior Council of Sports (CSD), has pushed a little bit more for a change in the FIFA Regulations about minors, at least within Spain.

This decision, dated 21 April 2017, has ordered RFEF to authorise the Valencian Football Federation (a Regional Federation, as FCF) to immediately issue the licence for a Brazilian minor, whose application for an authorisation by the FIFA Subcommittee has been rejected twice. In total, he spent two seasons deprived of the simple chance of participating in any football official competition.

In its grounds, the mentioned decision recalls that the Spanish federations, although being part of the respective international Federation, are obliged to comply with the rules of the Spanish legal system.

Among these rules, the decision invokes the 12th Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms, Article 13.1 of the Spanish Constitution and Article 2ter of the Organic Law 4/2000, on rights and freedom of foreigners in Spain.

Moreover, and related to the protection of minors and the promotion of their rights, it mentions the UN Convention on the Rights of the Child, the European Chart of the Rights of the Child and, in particular, the Organic Law 1/1996, of 15 January, on Juridical Protection of Minors.

The decision also states that, according to these texts, the superior interests of the child must be interpreted and applied taking into account, amongst other criteria, non-discrimination on the basis of nationality.

With all this legal background, the decision concludes that "*the aim pursued by FIFA limiting the authorisation for the issuance of licenses in case of foreigners is, precisely, the protections of minors. Nevertheless, in its application it has established oversized tools for control which hinder the integration of minors in the host society, establishing discriminatory differences in the practice of federated sport.*"

Therefore, demanding additional requirements to the evidence of legal residence in Spain is not allowed to the RFEF, which shall issue the licence for foreign minors without further requirements.

We guess that this decision is the beginning of the end of Article 19 FIFA RSTP in Spain, at least for amateur clubs, which should never be punished within the Spanish territory by RFEF because of obtaining licences for their foreign minors just submitting certification of the legal residence of their parents.

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On that note, professional clubs may dread a sanction by FIFA at international level if that sanction included transfer bans or exclusion from international competitions. But Rome was not built in a day.

> ***This decision is the beginning of the end of Article 19 FIFA RSTP in Spain, at least for amateur clubs***

In any case, that is great news for justice and all those boys and girls who cannot understand why they cannot play football with their friends.