

TO THE MEMBER ASSOCIATIONS OF FIFA

Circular no. 1683

Zurich, 29 July 2019

SG/csh

Amendments to the FIFA Code of Ethics, 2019 edition

Dear Sir or Madam,

We are pleased to inform you of the approval by the FIFA Council at its meeting in Paris, France, on 3 June 2019, of a number of amendments to the FIFA Code of Ethics (FCE).

FIFA bears a special responsibility to safeguard the integrity and reputation of football worldwide. FIFA is constantly striving to protect the image of football, and especially that of FIFA, from jeopardy or harm as a result of illegal, immoral or unethical methods and practices.

Over the last years, FIFA has introduced significant changes to the Code of Ethics, which has resulted in a substantial increase in the efficiency of the independent Ethics Committee. Nevertheless, and taking into account the experience of last year, FIFA is again moving forward with some necessary amendments to and innovative solutions regarding the FCE. The following main changes have been introduced into the FCE:

- (i) Inclusion of the reference to the term "corruption" (article 27 FCE) in the provision dealing with bribery, and the term "misuse" (article 28 FCE) in that dealing with misappropriation of funds: the goal of these amendments is to avoid any misunderstanding about FIFA's stance against unethical conducts in football, even though both breaches to which said terms refer were already subject to the relevant provisions.
- (ii) Partial suspension of the full sanctions (article 8 FCE): the previous system with a complicated calculation seemed very unpractical. The new edition of the FCE allows the adjudicatory chamber to fully suspend a sanction, if deemed appropriate. It gives this chamber more flexibility and opens the scope of its margin of discretion and independence.
- (iii) Concurrence of breaches (article 11 FCE): the previous system restricted the power of the adjudicatory chamber in the exercise of its sanctioning powers to a limitation of the maximum sanction in cases of concurrence of sanctions. The new FCE edition grants the adjudicatory chamber the possibility to impose sanctions without any maximum limitation (in the past: increased up to one third of the most serious breach, allowing for several infringements with a maximum sanction of five years to receive only seven and a half years as a maximum sanction).
- (iv) Limitation period for prosecution (article 12 FCE):

- Enforcing the protection of victims of sexual harassment by imposing the same prosecution period as for bribery and misappropriation of funds, ten years.
 - Clarifying the calculation of the period for prosecution by specifying that only the opening of formal investigations is taken into account to extend the right to prosecute.
 - The limitation period is interrupted and not just suspended in cases in which criminal proceedings are opened against the accused party.
- (v) Inclusion of sexual abuse and exploitation as specific infringements of the protection of the physical and mental integrity (article 23): this infringement is sanctioned with a minimum sanction of ten years.
- (vi) Fight against match manipulation (article 29 FCE): the Disciplinary Committee is now the only judicial body that deals with cases of match manipulation, with the aim of allowing the Ethics Committee to focus solely on ethical misconduct.
- (vii) Independence (article 34 FCE): the extension of the exclusion from membership of the independent Ethics Committee to those individuals who may hold a position within an association, confederation or FIFA, other than being a member of a judicial body. The provision with respect to incumbent members of the Ethics Committee shall enter into force at the end of their respective mandates.
- (viii) Recusal of members (article 35 FCE): the chairperson/deputy chairperson of the Appeal Committee will decide on objections against the chairperson of the investigatory or adjudicatory chamber. The Appeal Committee, dealing only with disciplinary cases, is a body completely independent from ethics and thus suited to deal with these claims.
- (ix) Legal aid (article 38bis FCE): simultaneously with the new Disciplinary Code (2019 edition) and in the interests of respecting the rights of individuals during proceedings, FIFA has decided to close the gap that exists between individuals in terms of their financial power by supporting those who have insufficient financial means in the scope of ethics proceedings. In this context and for the first time, FIFA legal aid will provide the following, upon request of the individual: the release of having to pay the costs of proceedings, a pro bono counsel, and the payment of own reasonable travel and accommodation costs and those of witnesses and experts, including the travel and accommodation costs of any pro bono counsel selected.
- (x) Transparency (article 74 FCE): in the interests of transparency and defending the parties' fundamental rights, FIFA now guarantees public hearings at the request of the parties concerned.
- (xi) Grounds for decision (article 78 FCE): extension of the 30-day period of time to notify the grounds for decision, once the terms have been notified. It will allow FIFA to notify decisions faster, enhancing transparency, while also relaxing the restrictions towards the drafting of the motivated decisions.

These amendments were also shared with a task force composed of representatives of the confederations, and their valuable comments and suggestions have been duly taken into account.

Additionally and in line with the announcement made through circular no. 1681, a dedicated FIFA website (legal.fifa.com) will be launched in the final quarter of 2019 containing the leading decisions passed by the FIFA judicial bodies as well other useful legal resources.

In summary, the amendments to the Code of Ethics provide FIFA and its national associations, confederations and stakeholders with an adequate update, with the new edition now more adapted to the reality and the requirements deriving from the different ethics proceedings.

The amendments to the Code of Ethics will come into force on **1 August 2019**.

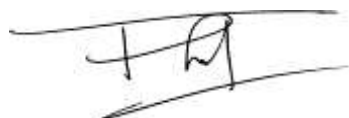
You will find the adapted version of the Code of Ethics enclosed with this circular letter (cf. enclosure 1) for your and your clubs' perusal. Furthermore, the new edition of the Code of Ethics is now available on FIFA.com.

Please do not hesitate to contact us should you have any questions in this regard.

We thank you for your kind attention to the above and for ensuring that your affiliated clubs are informed accordingly.

Yours faithfully,

FÉDÉRATION INTERNATIONALE
DE FOOTBALL ASSOCIATION



Fatma Samoura
Secretary General

Encl. as mentioned

cc: - FIFA Council
 - Confederations
 - Disciplinary Committee
 - Appeal Committee
 - Dispute Resolution Chamber
 - ECA
 - FIFPro
 - World Leagues Forum