

## TO THE MEMBER ASSOCIATIONS OF FIFA

Circular no. 1691

Zurich, 2 September 2019

SG/csh

### **Article 42 of the FIFA Disciplinary Code and article 38bis of the FIFA Code of Ethics – legal aid and pro bono counsel**

Dear Sir or Madam,

During its meeting in Paris on 3 June this year, the FIFA Council approved the 2019 edition of the FIFA Disciplinary Code (FDC) and some amendments to the FIFA Code of Ethics (FCE), which both included the implementation of legal aid and pro bono counsel for individuals facing financial difficulties.

The purpose of this circular letter is to explain the concepts of legal aid and pro bono counsel, as set out in article 42 FDC and article 38bis FCE, in order to enable you to deal with any queries you may receive.

#### Legal aid

FIFA is committed to guaranteeing the rights of individuals who lack the financial means to defend themselves properly in proceedings before the FIFA Disciplinary Committee, the FIFA Appeal Committee and the Ethics Committee. Article 42 FDC and article 38bis FCE provide for three types of legal aid:

- Releasing the applicant from his/her obligation to pay the costs of the relevant proceedings;
- Appointing a pro bono counsel to assist the individual; and
- Paying reasonable travel and accommodation costs of the applicant, if needed (as well as those of any witnesses, experts and pro bono counsel).

For the avoidance of doubt, legal aid is not available to member associations, clubs or other entities that are not natural persons.

#### Pro bono counsel

FIFA is currently in the process of compiling this list and aims to ensure that only independent lawyers with appropriate experience and expertise in football/sports law are selected.

Bearing this in mind, FIFA is now looking for pro bono counsel, who must fulfil the following criteria and submit their application (letter of motivation and CV) to [disciplinary@fifa.org](mailto:disciplinary@fifa.org) by **30.09.2019 at the latest**:

- Active sports lawyer in a company and/or law firm, certifying at least 7 years dealing with sports law matters,
- 3-5 years of experience with sports organisations,
- 3-5 years of experience in sports arbitration proceedings,

- Fluency in two of FIFA's official languages would be an asset, i.e. English, Spanish, French and/or German.

All pro bono counsel will be required to act in accordance with the highest standards of integrity and honesty at all times in the performance of their duties.

A pro bono counsel will receive no remuneration for his/her work. However, FIFA may decide to reimburse reasonable travel and accommodation costs.

#### Application process

An applicant may apply for legal aid and pro bono counsel by sending an email to FIFA at [disciplinary@fifa.org](mailto:disciplinary@fifa.org), explaining the need for his/her application. In addition, the applicant must provide all necessary information to establish his/her financial situation.

The FIFA secretariat of the Disciplinary Committee or Ethics Committee, respectively, will decide on applications at its sole discretion. The request will not be granted if it is clear that the applicant has sufficient financial means.

The decision of FIFA is final and without appeal. The applicant may, however, request that his/her application be reconsidered should his/her financial situation deteriorate significantly after the initial review.

Legal aid and pro bono counsel may be requested by a defendant as soon as a case is opened against him/her. Although legal aid and pro bono counsel may be requested at any time during the proceedings, applicants are encouraged to submit their applications for legal aid and pro bono counsel as soon as possible.

#### Additional information and queries

Information on FIFA's legal aid system and the list of pro bono counsel will be published on [legal.fifa.com](http://legal.fifa.com) in due course.

In the meantime, should you have any queries on this subject, please contact Carlos Schneider, Head of Disciplinary and Head of the Secretariat of the Investigatory Chamber of the FIFA Ethics Committees, at [carlos.schneider@fifa.org](mailto:carlos.schneider@fifa.org).

Yours faithfully,

FÉDÉRATION INTERNATIONALE  
DE FOOTBALL ASSOCIATION



Alasdair Bell  
Deputy Secretary General (Administration)

cc:

- FIFA Council
- Confederations
- Disciplinary Committee
- Appeal Committee
- ECA
- FIFPro
- World Leagues Forum