

**Sent to:**

Mr Bassam Adeel Jaleel  
c/o Mr Juan de Dios Crespo Perez  
*With copy to*  
Football Association of Maldives

## Notification of the grounds of the Decision

Ref. N°: FED-580

Dear Sirs,

Please find attached the grounds of the decision passed in the aforementioned case by the Chairperson of the Adjudicatory Chamber of the FIFA Ethics Committee on 20 June 2024.

The Football Association of Maldives (in copy) is kindly requested to ensure its implementation.

Yours faithfully,

**FIFA**



Carlos Schneider  
Director of the FIFA Judicial Bodies

# Decision of the adjudicatory chamber of the Ethics Committee

passed on 20 June 2024

## DECISION BY:

**Vassilios Skouris (Greece), Chairperson**

## ON THE CASE OF:

**Massam Adeel Jaleel**

(Decision FED-580)

## REGARDING:

Request for provisional sanctions by the chief of the investigation in case E24-03  
(FED-578)

## I. FACTS OF THE CASE

1. On 7 June 2024, Mr Bruno De Vita, deputy chairman of the Investigatory Chamber of the FIFA Ethics Committee and chief of the investigation (**the Chief of Investigation**) in the case FED-578 involving Mr Bassam Adeel Jaleel requested the Chairperson of the Adjudicatory Chamber to impose provisional sanctions on Mr Jaleel in accordance with art. 86 of the FIFA Code of Ethics (**FCE**), 2023 edition.
2. In his request, the chief of the investigation outlined the following elements:
  1. *On 22 October 2023, at the direction of the Prosecutor General's Office ("PGO"), the Maldives Police Services ("MPS") conducted a search of the FAM House, the headquarters of the Football Association of Maldives ("FAM"), to gather evidence relating to an investigation into FAM officials for allegations of money laundering, embezzlement, corruption, and any other criminal offenses involving the use of funds received from international organizations, including from FIFA. The police have seized physical documents as well as electronic data, which have not yet been returned to the federation to this date.*
  2. *On 10 December 2023, the media outlet "The Edition" published an article indicating that Mr. Jaleel owned two penthouses and a three-bedroom apartment on Amin Avenue in Male (Maldives). A travel ban was imposed on Mr. Jaleel on 5 December, at the request of the Maldives Police Service, while investigations were ongoing. Furthermore, the article refers to a press conference given by the Prosecutor General, Mr. Hussain Shameen ("Mr. Shameen"), whereby Mr. Shameen apparently stated that "[w]e suspect senior officials of FAM on the case, and based on current findings, President Bassam appears to be the prime suspect".*
  3. *Between 2 and 12 January 2024, the company Ankura Consulting (Europe) Limited ("Ankura") was onsite, under the instructions of the FIFA Finance Governance department, to conduct an initial review of the financial transactions performed by FAM involving FIFA funds.*
  4. *On 18 January 2024, the Chairperson of the Investigatory Chamber (the "IC Chairperson") of the FIFA Ethics Committee (the "Ethics Committee") initiated a preliminary investigation into the serious allegations raised by Ankura (outlined below) and published by the media.*
  5. *On 1 February 2024, the PGO filed charges against Mr. Jaleel for money laundering and fraud surrounding the misappropriation of USD 10,000. It is stated on the PGO's website that Mr. Jaleel transferred the referred amount from the FAM dedicated FIFA Forward bank account at the Bank of Ceylon to his personal bank account at the Bank of Maldives. The PGO affirms that the whole amount was then transferred to different individuals and used to pay expenses unrelated to football or to FAM, including the rental of a house for Mr. Jaleel's personal use.*
  6. *On the same date, "The Edition" published a new article in relation to the FAM investigation. The article indicates that, during a press conference held on 31 January 2024, the Chief Inspector, Mr. Yoosuf Looth ("Mr. Looth"), revealed that multiple investigations for corruption involving FAM were ongoing. Additionally, Mr. Looth highlighted that one of the*

key investigations concerned the amount of USD 1,9 million deposited into FAM's accounts related to the Covid-19 pandemic, noting that a significant part of the investigation into this transaction had already been completed.

7. On 21 May 2024, media reports indicate that the trial of Mr. Jaleel relating to the USD 10,000 transaction had begun and hearings had taken place. It was also reported that the Criminal Court of Maldives issued a gag order and granted an extension of the no-fly order, which took effect on 5 December 2023 and is binding until the end of the trial.
8. On 26 May 2024, news reports published that law enforcement conducted new searches in connection with the ongoing investigations, at the Galolhu Football Stadium. This is the site where the FAM conducts administrative and technical works.

**Allegation 1: USD 1 million payment to the company Amin Construction Pvt Ltd from FIFA Covid Relief funds**

9. Allegation 1 relates to an unjustified payment involving a cheque for USD 1 million issued from the designated FIFA bank account to the company Amin Construction.
10. On 9 April 2024, Ankura issued its forensic final report ("Ankura Report"), raising serious concerns that FIFA funds may have been misused and misappropriated by FAM officials, possibly in the amount of USD 4 million, with the main accused being the President of the Federation, Mr. Jaleel.
11. The main concerns raised in the Ankura Report pertain to the transfer of USD 1.9 million to FAM by FIFA as part of the Covid Relief loan on 14 April 2021. Between 14 and 19 April 2021, FAM transferred funds totalling USD 1.66 million across 14 transactions. One of these transactions involved a cheque for USD 1 million issued from the designated FIFA bank account to an unknown beneficiary. No supporting documents were provided by FAM to the auditors that could explain this payment.
12. Ankura was however informed on 10 January 2024 by the MPS that the beneficiary of the cheque was Amin Construction, the developer of the residential building where Mr. Jaleel allegedly owns two penthouses and a three-bedroom apartment according to the media.
13. On 17 May 2024, following a comprehensive review of the pertinent information and documentation gathered, the IC Chairperson requested FAM to provide certain information and documentation with respect to this first allegation. Specifically, the IC Chairperson instructed FAM to obtain a copy of the USD 1 million cheque from the Bank of Ceylon, and to provide details on the use of such funds.
14. On 28 May 2024, the FAM sent the IC Chairperson a copy of the cheque, number 7136869 for USD 1 million received from the Bank of Ceylon, together with the "Cheque Deposit Slip".
15. From the documents provided by the Bank of Ceylon, dated 26 May 2024, the following could be confirmed:

- i. the beneficiary on the USD 1million cheque is "Amin Construction Pvt Ltd" (i.e. Amin Construction).
- ii. the FAM executives assigned as signatories for the dedicated FIFA Forward bank account (account number 6320112351 in USD) since 1 February 2018, are:
  - a. Mr. Ali Umar, FAM Vice President
  - b. Mr. Bassam Adeel Jaleel, FAM President
  - c. Mr. Hussain Jawaz, FAM former Secretary General

16. In the communications exchanged with FAM, FAM could neither explain the reason for the USD 1 million payment to the company Amin Construction, nor provide any documentary evidence in support thereof (i.e. a signed agreement between FAM and Amin Construction).

**Allegation 2: Maafannu Stadium project – allocation of FIFA funds and unauthorized changes to the project**

17. Allegation 2 concerns the unjustified allocation of funds provided by FIFA to FAM for the construction of a sports arena and office space at Maafannu, Male (the "Project") as well as the unauthorized modifications by FAM of the original scope of work.
18. On 20 March 2018, FIFA and the FAM signed the Statement of Approval and Declaration of Undertakings no. 1/4556 ("SoA"). FIFA agreed to grant the FAM the amount of USD 1,480,000 for the Project.
19. On 16 September 2019, FAM informed Tibaro Construction Pvt Ltd ("Tibaro") that their bid for the Project in the amount of MVR 23,978,688 (USD 1,555,038) was accepted.
20. Subsequently, on 2 October 2019, FAM informed the FIFA Development Office that the difference of USD 75,038, between the cost of the Project and the funds to be provided by FIFA, would be financed by the FAM itself.
21. On 31 March 2020, Tibaro subcontracted the construction of the Project to Apollo Holdings Pvt Ltd ("Apollo"). According to clause 3(a) of the signed agreement between Tibaro and Apollo, the sub-contractor was "responsible to complete the Construction Works within the Completion Period and in accordance with the terms of this Agreement". Regarding payment, clause 7(a) stated that Apollo would be paid directly by the "Employer", defined in the agreement as the Football Association of Maldives. However, the exact amount to be paid to Apollo is unknown to this chamber, as Annex 5 – Payment Structure was not provided.
22. On 20 May 2023, FAM informed the FIFA Development Office that the Project was completed and requested FIFA to transfer the fifth and final instalment of USD 148,000, which FIFA complied with.
23. This chamber notes that a payment of MVR 6,846,480 (USD 444,000) to Tibaro was identified in a FAM bank statement, dated 28 January 2021, while no payments to Apollo have been located.

24. *On 17 May 2024, following a comprehensive review of the pertinent information and documentation gathered, the IC Chairperson requested the FAM to provide certain information and documentation with respect to this second allegation and the Project.*
25. *On 22 May 2024, the FAM sent correspondence informing this chamber that FAM defaulted on the payment to Apollo for the works carried out for the Project at the Maafannu facility. Consequently, Apollo filed a lawsuit against the FAM and was granted a lease of land "in exchange of and as consideration to set off the payments in the amount of MVR 13 million" (USD 845,000), according to a settlement agreement originally signed on 23 December 2021 and further amended on 6 December 2023.*
26. *In relation to the Project, this chamber notes the following:*
  - a. *FIFA transferred the total amount of USD 1,480,000 to FAM to fund the Project;*
  - b. *only USD 444,000 of the funds transferred for the Project by FIFA were effectively paid to Tibaro;*
  - c. *the FAM defaulted on payment owed to Apollo and signed a settlement agreement in the form of a lease of land; and*
  - d. *it is unclear and remains unjustified, how the remaining amount of USD 1,036,000 from the funds transferred by FIFA for the Project was used by FAM.*
27. *Furthermore, on 28 February 2024 FIFA Compliance Department sent the IC documents containing relevant information in relation to the Project. During a site visit to the Maafannu facility in September 2023, FIFA's Development team identified that the original specifications of the Project had been modified. Specifically, the new headquarters building included in the Project had been converted into warehouses without FIFA's approval. Additionally, Phase I of the Project, for which FIFA transferred USD 1,480,000, remained incomplete as the interior of the building was unfinished.*
28. *Due to the concerns identified in September 2023 by FIFA's Development team regarding the Project and the weak financial situation of the FAM, a meeting between FIFA Member Association's sub-division and FAM's President and Secretary General took place in Paris on 25 October 2023. During this meeting, Mr. Jaleel confirmed that part of the building was converted into warehouses. Furthermore, the minutes of the Paris meeting noted that FAM had been under restricted funding since September 2022 "due to high amount of insufficient supporting documentation and using of special project funds of Phase II of the Maafannu infrastructure project amounting to USD 575,000 for other purposes."*
29. *Additionally, during an interview between Ankura and the former General Secretary, Mr. Hussain Jawaz ("Mr. Jawaz"), on the occasion of the forensic audit, Mr. Jawaz alleged that Mr. Jaleel instructed him to alter the dates of unspecified leasing contracts for the Maafannu warehouses to obscure the actual time at which FAM executed these agreements.*

30. *This chamber notes that this allegation is in connection with the Paris meeting, held in October 2023, since FIFA had requested FAM for supporting documentation relating to the warehouses, which would contradict the information the President provided to FIFA during the meeting. Mr. Jaleel's request to falsify the leasing agreements allegedly prompted Mr. Jawaz's resignation, after 24 years of service to the federation.*
31. *On 23 May 2024, the FAM informed the IC that the modifications made to the Project were a decision of the President Mr. Jaleel, and that the Executive Committee ("ExCo") of the federation was neither consulted nor informed. Allegedly, Mr. Jaleel misled the ExCo members into believing that FIFA had approved the modifications for the use of the Project funds.*
32. *In light of the above, on 6 June 2024, pursuant to Article 62 and 64 (1) of the FCE, the IC Chairperson determined that there was a prima facie case and opened formal investigation proceedings against Mr. Jaleel, President of the Football Association of Maldives, for possible violations of Articles 14, 20, 21, 26 and 29 of the FCE.*
33. *In addition, the Chairperson of the Investigatory Chamber appointed me, Bruno De Vita, a deputy chairperson of the Investigatory Chamber, to lead the investigation proceedings as the chief of investigation in accordance with Article 65 of the FCE.*
34. *After a careful analysis of the information collected and documents received, the IC notes that:*
  - a. *Mr. Jaleel, the alleged owner of two penthouses and a three-bedroom apartment in a residential complex located in Male and developed by the company Amin Construction, authorized the issuance of a cheque from the FIFA Forward bank account for USD 1 million to this company. These funds may have been used to settle the FAM's President personal debt, in whole or in part, with said construction company;*
  - b. *Mr. Jaleel, in his capacity as legal representative of FAM, entered into a settlement agreement with the company Apollo, for failing to honour the amounts due to Apollo for the works it performed in connection with the Project. The settlement agreement did not involve a payment of money. From the total amount funded by FIFA, USD 1,036,000 was likely used for different purposes and remains unaccounted for.*
  - c. *Mr. Jaleel appears to have unilaterally decided to modify the FIFA funded Project without FIFA's approval. To disguise it, Mr. Jaleel requested that the former General Secretary falsify certain documents that had been requested by FIFA which would have uncovered the unauthorized changes made to the project; and*
  - d. *Mr. Jaleel allegedly misused USD 10,000 which were transferred by FIFA to the FAM. He has been charged by local authorities for money laundering and fraud in connection to this transaction. This case is currently in trial.*
3. *In view of the above, and "considering the existing access of Mr Jaleel as signatory to the dedicated FIFA Forward bank account", the chief of the investigation considered that*



provisional sanctions of a minimum of twelve months would be *“appropriate and prudent... to ensure the normal development of the investigation proceedings and safeguarding of funds”*. The chief of the investigation added that *“while the duration of the sanction may appear long, ... [the] documentation and electronic data of the FAM, required for this investigation, have been seized by the police and have not yet been returned”* and as *“it is not known at this time when these documents will be returned, and depending upon the length of the delay, this may have a significant impact on the progress of the present investigation”*.

4. Upon receipt of the aforementioned request, on the same day the secretariat to the Adjudicatory Chamber at the request of the chamber’s Chairperson provided a copy of the aforementioned request for provisional sanctions to Mr Jaleel, who was informed that he may file his position in relation thereto within five days of receipt of the said correspondence.
5. On 10 June 2024, Mr Jaleel requested a 15-day extension to file his position in relation to the request for provisional sanctions.
6. On 11 June 2024, the Chairperson of the Adjudicatory Chamber rejected the extension request in accordance with art. 86 (2) FCE and confirmed the 5-day deadline set in FIFA’s letter of 7 June 2024.
7. On 12 June 2024, Mr Jaleel submitted his position in relation to the request for provision sanctions in accordance with the set time limit. In his submission, Mr Jaleel requested an online hearing pursuant to art. 86 (3) FCE.
8. On 13 June 2024, the Chairperson of the Adjudicatory Chamber granted Mr Jaleel’s request for a hearing. The hearing was set to take place on 18 June 2024 at 15h CEST via videoconference.
9. On the same day, the Chairperson of the Adjudicatory Chamber issued hearing instructions and requested the Investigatory Chamber and Mr Jaleel to provide a list of expected attendees of the hearing, which each duly complied with.
10. On 18 June 2024, a hearing was held by videoconference. In attendance were the Chairperson of the Adjudicatory Chamber and the following individuals:

On behalf of the Respondent:

- Mr Jaleel (Respondent);
- Mr Juan de Dios Crespo Pérez (Counsel); and
- Mr Abdullah Shibau (Witness).

On behalf of the Investigatory Chamber:

- Mr Bruno De Vita (Chief of Investigation and deputy chairman of the Ethics Committee);
- Ms Marta Ruiz-Ayucar (Head of Judicial Bodies Investigatory); and



- Ms Andrea Cruz (Senior Legal Counsel).

On behalf of the Adjudicatory Chamber:

- Mr Américo Espallargas (Team Lead); and
- Mr Francisco A. Larios (Senior Legal Counsel).

11. At the hearing, the Chief of Investigation, , clarified that the sanction sought was a ban on taking part in football related activity. The Chief of Investigation added that as a matter of practice, the nature of a sanction under art. 86 FCE is left to the discretion of the Adjudicatory Chamber. After recapping the relevant facts, the Chief of Investigation submitted that he believed the two-pronged requirements of art. 86 (1) FCE to impose a provisional ban had been satisfied. In particular, the Chief of Investigation argued that:

- (i) Prong 1 is satisfied because the provisional sanction is necessary to ensure that investigation proceedings are not interfered with. Mr. Jaleel, as President of the FAM, is a signatory of the federation and a person in a position of power, with control over FAM accounts and staff. There is thus a real and measurable risk that Mr Jaleel, if not provisionally suspended, could obstruct the investigation by doctoring documents, destroying evidence or influencing key witnesses. The need to prevent this sort of interference is particularly important given the serious nature of the suspected infringements.
- (ii) Prong 2 is satisfied because a breach of the FCE appears to have been committed and a decision on the merits of the case may not be taken early enough because there are documents, required for conducting the investigation, that have been seized by the Maldives authorities and have not been released to FIFA Investigatory Chamber. To conduct a fair and complete investigation, these documents need to be obtained; indeed, the documents sought might even be exculpatory and beneficial to Mr Jaleel.

12. Regarding to the length of the provisional sanction, the Chief of Investigation explained at the hearing that but for the fact that certain documents necessary for the completion of the investigation are under seizure by the Maldives authorities, he would not have requested such a lengthy duration. Taking this into account, the Chief of Investigation made an alternative submission regarding the length of the provisional suspension, namely to impose a shorter provisional suspension, but with leave for him to make a further request, if necessary.

13. Finally, the Chief of Investigation noted that art. 86 FCE is intended to be invoked at an early stage in the investigatory proceedings. The Respondent will have all relevant documents and an appropriate amount of time to prepare a full defence if and when the Adjudicatory Chamber opens adjudicatory proceedings against him for breach of the FCE.

## II.POSITION OF THE RESPONDENT

14. The Respondent petitions the Chairperson of the Adjudicatory Chamber:

*"(i) to hold the hearing online in line with article 86 par. 3 of the FIFA Code of Ethics; and*

*primarily*

*(ii) to refrain from imposing a provisional sanction in line with article 86 par. 1 of the FIFA Code of Ethics;*

*alternatively*

*(iii) to ensure that the duration of any provisional sanction imposed would not exceed the term of 90 days".*

15. In his written submission of 12 June 2024, the Respondent argued the following:

- a. The refusal of the Chairperson of the Adjudicatory Chamber to grant the Respondent an extension of time to file his position is a violation of due process and the right to legal defence under Swiss law as it deprived him of a real opportunity to develop his arguments and produce supporting evidence. It is unrealistic to expect the Respondent to present an extensive position on the merits in such a short period of time. The Respondent was only given two working days to provide his position, considering that he was (i) informed about the opening of the investigation proceedings by means of a letter of the Investigatory Chamber dated 6 June 2024, (ii) notified of the request for provisional sanctions the next day on 7 June 2024, and (iii) only able to secure legal representation the next working day on 10 June 2024. Given the wide scope of the investigative proceedings and the severity of the potential provisional sanctions, two working days is insufficient for counsel to familiarize himself with the case and present a well-grounded position.
- b. The refusal to grant the extension also violated the principle of equal treatment, which requires that proceedings be organized and conducted in such a way that all parties are afforded the same possibilities to present their arguments and that each party be treated equally at every step of the proceedings. This principle was breached since the Respondent only had two working days to present his position before the same body, whereas the Investigatory Chamber of the FIFA Ethics Committee had almost five months (i.e. from 18 January until 6 June 2024) to present its position before the Adjudicatory Chamber of the FIFA Ethics Committee.
- c. The right to a fair trial is additionally jeopardized by the fact that the Chief of the Investigation of the Ethics Committee did not specify the provisional sanction sought to be imposed, but rather only specified the duration thereof (i.e. twelve months). The failure to identify what provisional sanction is at issue prevented the Respondent from presenting his defence as the object of the request was not clear.

- d. On the merits, art. 86 (1) FCE only allows a provisional sanction to be imposed to ensure that investigation proceedings are not interfered with or, alternatively, when a breach of the FCE appears to have been committed and a decision on the merits of the case may not be taken early enough. The Chief of the Investigation has indicated that the provisional sanction is necessary to *“ensure the normal development of the investigation proceedings and safeguarding of funds”*. However, the Chief of Investigation failed to establish what provisional sanction is necessary to achieve that objective and the reasons why said objective could not be pursued without imposing any provisional sanction on the Respondent. In particular, the necessity to safeguard funds cannot justify the imposition of any provisional sanction since the Respondent is not authorized to sign any operations exceeding MVR 10,000 (for any such transactions the signatures of Mr. Ali Umar and Mr. Hussain Jawaz are also necessary).
  - e. In any case, even if the Chairperson of the Adjudicatory Chamber found sufficient grounds for imposing a provisional sanction, the duration requested of twelve months is excessive, incompatible with supposed “provisional” nature of the sanction, and in contravention of personality rights under Articles 27 and 28 of the Swiss Civil Code.
16. At the hearing, the Respondent added the following arguments:
- a. FIFA violated the Respondent’s right to be heard by not providing him with the Ankura Report (a forensic report finding that FIFA funds may have been misused and misappropriated by FAM officials in the amount of approximately USD 4 million, with the main accused being Mr. Jaleel). This report serves as the basis for the request for provisional suspension, yet the Respondent was not given the opportunity to review it and, in turn, to defend himself against its findings.
  - b. Respondent should be granted 15 days from receipt of the Ankura Report and the transcript of the hearing to prepare his defence. To satisfy his right of defence under Swiss law and art. 86(2) FCE (which provides that the interested party *“may file their position against the request for provisional sanctions”*), FIFA needs to provide the Respondent with all documents that formed the basis of the request for provisional suspension and sufficient time to study those documents and prepare his defence. With 15 days, the Respondent would be able to address the merits of the case in detail and provide witness affidavits and other evidence to support his position that he did not violate the FCE.
  - c. Without the Ankura Report and with insufficient time to prepare his defence, the Respondent can only make a general dismissal of the accusations.

### III. CONSIDERATIONS OF THE ADJUDICATORY CHAMBER

#### A. ADMISSIBILITY AND COMPETENCE

17. Pursuant to art. 86 (1) FCE, the Chairperson of the Investigatory Chamber or the Chief of the Investigation may, at any time during the investigation, request the Chairperson of the Adjudicatory Chamber to impose provisional sanctions in order to ensure that the investigations are not interfered with or when a breach of the FCE appears to have been committed and a decision on the merits may not be taken early enough.
18. The Respondent argued that *"the Adjudicatory Chamber is not competent to apply any sanction"*. It is the Respondent's contention that only the Chief of the Investigation (or the Chairperson of the Investigatory Chamber) had the power to request a provisional sanction pursuant to art. 86 FCE, and that, since the chief did not identify what provisional sanction was sought, the Chairperson of the Adjudicatory Chamber cannot impose a sanction on the Respondent as doing so would be *ultra vires*.
19. The Chairperson of the Adjudicatory Chamber (**Chairperson**) considered this not to be a challenge to his competence to hear and adjudicate the request. As a matter of fact, the Respondent does not petition for a dismissal of the case on the ground of lack of competence to hear and adjudicate the request; nor did he request that during the hearing. On the contrary, the Respondent petitions for a dismissal of the case *on the merits*. Moreover, the Respondent has confirmed the competence of the Chairperson by explicitly requesting that (i) a hearing be held in the matter and that (ii) the Respondent be given additional time to prepare his defence on the merits.
20. In light of the foregoing, the Chairperson considered that, in line with art. 86 FCE, it is competent to decide on the request of the Chief of the Investigation.

#### B. AS TO THE MERITS

##### *The alleged violation of the right to be heard and equal treatment*

21. The Chairperson began by rejecting the Respondent's argument that his right to be heard has been violated in these proceedings.
22. The Chairperson found that the Respondent had the opportunity to exercise his right to be heard by (i) submitting a written submission, (ii) requesting a hearing pursuant to art. 86 (3) FCE, (iii) orally pleading his case before the Chairperson in the hearing of 18 June 2024, and (iv) having the opportunity to present witnesses at the hearing.
23. The Chairperson further found that the Respondent had sufficient time to state his case against the request for provisional sanctions. Indeed, the Respondent had five days to prepare his written submission and an additional six days to prepare his oral arguments for the hearing.

24. The Chairperson next rejected the Respondent's argument that his right to be heard was violated because the Chief of Investigation did not explicitly specify the sanction sought. The Chairperson found in this regard that, first, art. 86 FCE does not require the Chief of Investigation to specify the provisional sanction sought. Second, it is self-evident that the provisional sanction sought was a ban on taking part in any football-related activity since all the provisions the Respondent is accused of breaching requires the imposition of said sanction. By way of example, the Chairperson observed that art. 29 FCE stipulates that a violation thereof "*shall be sanctioned with an appropriate fine of at least CHF 100,000 as well as a ban on taking part in any football-related activity for a minimum of five years*" (emphasis added). Third, the Respondent was fully aware of the alleged facts behind the suspected infringements and could have addressed them even without the Chief of Investigation having explicitly mentioned which provisional sanction was requested. Fourth, the Chief of the Investigation clarified at the hearing that the sanction sought was a ban on taking part in any football-related activity.
25. The Chairperson then rejected the Respondent's argument that he could not properly defend himself because he was not provided with the Ankura Report. The transaction mentioned in the Ankura Report for which the Respondent is accused of breaching the FCE is the check payment of USD 1 million from the FAM's designated FIFA bank account to Amin Construction. The Chief of Investigation has submitted this check to the record. Therefore, the Respondent did have the evidence necessary to prepare his defence; yet he chose not to provide any explanation for this payment or make any comments thereon.
26. Finally, the Chairperson rejected the Respondent's argument that the principle of equal treatment has been breached. The Respondent claimed that he was not afforded the same amount of time that the Chief of the Investigation had to present his position. The Chairperson found that the very nature of the proceedings at hand requires, by force of art. 86 FCE, an expedited decision without losing sight of the Respondent's ability to present their position, which he comprehensively did: the Chairperson underlined again that Mr. Jaleel was awarded the chance to engage legal counsel, submit a written submission, request a hearing, orally plead his case before the Chairperson in the hearing, and present witnesses at the hearing. The Chairperson highlighted that no parallel can be drawn between the time available for the Chief of Investigation to conduct proceedings before the Investigatory Chamber, in that this requires him to obtain documentation not in his possession but on the FAM's and Maldivian authorities', and the time necessary for Mr. Jaleel to analyse (and rebut) the facts, evidence, and submissions provided by the Chief of Investigation in support of his plea before the Adjudicatory Chamber.
27. In fact, the Chairperson highlighted that the key element to be protected is the Respondent's right to be heard, which has been fully respected and exercised by Mr. Jaleel as outlined before. What is more, the Chairperson underlined that under art. 86 (4) FCE he may proceed without delay to decide on the basis of the file. Yet, he chose to award Mr. Jaleel the chance to present his pleading in the mentioned hearing, which further confirms that no breach of equal treatment has taken place.

28. Lastly, the Chairperson recalled once again the particular nature of these provisional measures request under art. 86 FCE and noted that Mr. Jaleel will still be able to produce evidence, file submission or otherwise fully participate in the proceedings currently pending before the Investigatory Chamber under reference FED-578, to which he has been already summoned.

**The request for provisional sanction**

29. As a preliminary remark, the Chairperson recalled that under the terms of art. 86 (1) FCE, provisional sanctions may be imposed:

i. *“to ensure that investigation proceedings are not interfered with”*

or, alternatively

ii. *“when a breach of this Code appears to have been committed and a decision on the merits of the case may not be taken early enough.”*

30. In view of the foregoing, the Chairperson noted that the Chief of the Investigation requested the imposition of provisional sanctions on the Respondent to *“ensure the normal development of the investigation proceedings and safeguarding of funds”* and to give time for the Investigatory Chamber to obtain documents and data, necessary for conducting and completing the investigation, which have been seized, without timeline for release, by the Maldives authority.

31. With this in mind, the Chairperson then turned to the case at hand and observed that the investigations currently conducted by the Chief of the Investigation are related to a potential breach of arts. 14, 20, 21, 26 and 29 FCE by the Respondent. In particular, the Chairperson noted from the case file at his disposal that the Respondent had been accused of serious infringements, including potentially having:

- (i) used USD 1 million issued from FIFA Covid Relief Funds to settle his personal debts;
- (ii) used USD 1,036,000 – provided by FIFA to FAM to fund the construction of a sports arena and office space – for unauthorized purposes;
- (iii) unilaterally decided to modify said FIFA funded project without FIFA’s approval and falsifying certain documents requested by FIFA which would have uncovered the unauthorizes changes; and
- (iv) misappropriated USD 10,000 transferred by FIFA to FAM.

32. The Chairperson further observed that the Respondent has been charged by the Maldives authorities for money laundering and fraud in connection with the USD 10,000 transfer from the FAM to his personal bank account and that he is currently on trial for this serious accusation.

33. The Chairperson also noted that the Maldives authorities have seized documents and electronic data necessary for the Investigatory Chamber to conduct and complete its investigation on the Respondent and that it remains unclear when said documents and data will be made available to the Investigatory Chamber. The Chairperson considers the seized documents likely relevant to the investigation because they were obtained during a search of the FAM headquarters to gather evidence relating to an investigation into FAM official, including the Respondent, for allegations of money laundering, embezzlement, corruption and other criminal offenses involving the use of funds received from international organizations including FIFA.
34. In view of these elements, the Chairperson considered that a provisional sanction is justified to ensure that the current investigation proceedings can be conducted without any interference. The Respondent as the President of the FAM is a signatory of the federation and a person in a position of power. As such, he is in control of FAM accounts and can potentially influence other members of the FAM to obstruct the investigation.
35. Additionally, the Chairperson considered that a provisional sanction is justified because:
- (i) there is a *prima facie* case that the Respondent committed a violation of the FCE. Indeed, the Chairperson found that it does appear, based on the evidence before it (for instance, the check of USD 1 million from FAM's designated FIFA bank to Amin Construction), that the Respondent has breached the FCE; and
  - (ii) a decision on the merits of the case "*may not be taken early enough*" because certain documents and electronic data necessary for the Investigatory Chamber to conduct and complete the investigation against the Respondent are currently seized by the Maldives authorities without a timeline for their release. Additionally, a decision on the merits may not be taken early enough because the complexity, sensitivity and seriousness of the allegations levelled against the Respondent in this case would require, as calculated by the Chief of Investigation at the hearing, approximately three to four months from the moment all relevant documents and data are obtained (depending on the extent of the information obtained from the Maldives authorities).
36. Having decided that a provisional sanction is justified, the Chairperson turned the duration of said sanction and found that a 9-month long ban is appropriate.
37. The Chairperson first observed that in the previous edition of the FCE (2020), the Chairperson only had the authority to impose a provisional sanction of six months total (i.e. two separate terms of three months): "*Provisional sanctions may be valid for a maximum of 90 days. In exceptional circumstances, the provisional sanctions may be extended by the chairperson of the adjudicatory chamber upon the request of the chairperson of the investigatory chamber for an additional period not exceeding 90 days*".
38. However, with the 2023 edition of the FCE, this rule was expanded to cure the limitations of the previous edition and allow the Chairperson to impose a provisional sanction of a longer duration.



39. In the present case, the Chairperson found himself well within his right under art. 86 FCE to impose a provisional sanction with a duration of 9 months.
40. The Chairperson considered this length of provisional sanction to be appropriate considering the seriousness of the suspected infringements and the fact that the Investigatory Chamber is waiting for the Maldives authorities to release seized documents and data necessary for conducting and completing the investigation against the Respondent.
41. The Chairperson then rejected the Respondent's argument that:
- (i) a sanction of this length would be incompatible with the provisional nature of the sanction. The Chairperson found that the sanction remains provisional in nature because it naturally expires in 9 months whereas the maximum permanent sanction is of five years and, in accordance with art. 67, it is to be lifted once the investigation is concluded if there are insufficient grounds to establish a breach of the FCE:
  - (ii) his personality rights under Articles 27 and 28 of the Swiss Civil Code (SCC) would be breached by a provisional sanction of this length. The Chairperson found that, the Respondent has failed to explain how his personality rights would be breached by said sanction. Moreover, the Chairperson observes that according to CAS jurisprudence, a sanction does not violate personality rights if it is proportionate. The Chairperson considered that a provisional sanction of 9 months is proportionate because it is necessary to reach the objective of ensuring that the current investigation proceedings can be conducted without any interference and for the Investigatory Chamber to obtain the necessary documents from the Maldives authorities to conduct and complete the investigation fairly and properly. The Chairperson highlighted that a complete, correctly conducted investigation can even provide additional exculpatory elements in favour of Mr. Jaleel, which serves the interests of justice and the objectives set forth under the FCE.
  - (iii) a provisional sanction is unnecessary since his term as President of the FAM is set to end on 2 July 2024. The Chairperson found that it is irrelevant, in determining whether a provisional sanction is applicable, whether the Respondent will be serving as President of the FAM in the future. This is because according to art. 2 (2) FCE, "*[t]he Ethics Committee is entitled to investigate and judge the conduct of persons who were bound by this or another applicable Code at the time the relevant conduct occurred, regardless of whether the person remains bound by the Code at the time proceedings commence or any time thereafter*" (emphasis added). Moreover, as confirmed by the Respondent at the hearing, the Respondent is eligible for, and may seek, reelection. In fact, when asked by the Chairperson at the hearing whether he would seek reelection, the Respondent remained noncommittal and did not provide a definitive answer.

42. Finally, the Chairperson considered that the interest of FIFA in protecting the integrity and reputation of football in the context of the ongoing ethics proceedings (concerning serious infringements in the FCE including abuse of position and misappropriation and misuse of funds) prevails over the potential adverse effects caused by the provisional sanction the Respondent.
43. In light of the foregoing, the Chairperson decided to impose provisional sanctions and, by way of consequence, to provisionally suspend the Respondent from taking part in any football-related activities for a duration 9 months as of the notification of the present decision, unless lifted earlier in application of arts. 67 or 86 (4) FCE.

## IV. DECISION OF THE ADJUDICATORY CHAMBER

1. **The request for provisional sanctions submitted by the chief of the investigation is granted.**
2. **Mr. Jaleel is provisionally suspended from taking part in any football-related activities for a duration of 9 months as of the notification of this decision, unless lifted earlier in application of arts. 67 or 86 FCE.**

FÉDÉRATION INTERNATIONALE  
DE FOOTBALL ASSOCIATION



**Vassilios Skouris**

Chairperson of the adjudicatory chamber  
FIFA Ethics Committee

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### **LEGAL NOTE:**

In accordance with art. 84 FCE and art. 56 (1) of the FIFA Statutes, this decision can be appealed against to the Court of Arbitration of Sport (CAS) in Lausanne, Switzerland ([www.tas-cas.org](http://www.tas-cas.org)). The statement of appeal must be sent directly to CAS within 21 days of notification of this decision. Within another ten (10) days following the expiry of the time limit for filing the statement of appeal, the appellant shall file with CAS a brief stating the facts and legal arguments giving rise to the appeal (see art. R51 of the Code of Sports-related Arbitration).