

Case	FIFA provision	Sanction
<b>Party:</b> Ramón Enrique Maradiaga  <b>Position:</b> Head coach  <b>Affiliation:</b> Honduran Football Association	Arts 18 & 21 FCE (2012)	Sanction by the independent Ethics Committee Ban of 2 years + CHF 20,000 fine: 16 January 2018  FIFA Appeal Committee decision: 21 June 2018  CAS award: 28 March 2019

**The case of Ramón Enrique Maradiaga, head coach, Honduran Football Association**

**Match: final stage of the Concacaf qualifying round for the 2018 FIFA World Cup Russia™: 6 September 2019, El Salvador v. Canada**

**FIFA proceedings**

On the day before the match, players of El Salvador held a press conference. At this occasion, they stated that they had been approached by a “businessman” who had offered them financial compensation in exchange for achieving specific results in the match. The players explained that they had been offered money in exchange for a win, draw or avoiding a heavy loss against Canada so that Honduras could progress to the next stage instead of Canada. The players refused the offer and played a recording of their conversation with the “businessman” during the press conference.

FIFA Integrity carried out a thorough preliminary investigation, concluding that Mr Maradiaga, the head coach of the El Salvador national team at that time, had met the “businessman” and had known of his intentions to offer an undue advantage to the team. Mr Maradiaga told him that he was free to meet the players. Furthermore, he admitted during in-person interviews that he had held prior knowledge of the “businessman’s” intentions and had been in a position to prevent the meeting.

The preliminary investigation resulted in the opening of ethics proceedings against Mr Maradiaga. On 16 January 2018, the independent Ethics Committee imposed a two-year ban on Maradiaga from all football-related activity as well as a fine of CHF 20,000 for having breached art. 21 (Bribery and corruption) as well as art. 18 (Duty of disclosure, cooperation and reporting) of the 2012 edition of the FIFA Code of Ethics. This decision was confirmed by the FIFA Appeal Committee on 21 June 2018, and the matter was then appealed before CAS which, on 28 March 2019, confirmed in full the decision passed by the FIFA Appeal Committee.

**CAS considerations**

- **Breach of art. 21 FCE**

When ruling on the case, CAS took into particular consideration the fact that Mr Maradiaga had deliberately exposed the team to a match manipulation scheme and that he had been well aware of the illegal intentions of the “businessman”. Instead of avoiding further contact with this individual, Mr

Maradiaga allowed him to meet the players. Furthermore, Mr Maradiaga admitted that he had been in a position to prevent the meeting from happening.

CAS considered it apparent that Mr Maradiaga had knowingly and indirectly accepted the “businessman’s” offer to bribe the players by facilitating the contact between him and the team. Mr Maradiaga therefore knew that he was in a position to unduly influence the results of the match against Canada. CAS considered that Mr Maradiaga had participated in the match manipulation scheme. He had an obligation to prevent any developments in the matter and to report the incident to the authorities.

- **Breach of art. 18 FCE**

CAS confirmed that Mr Maradiaga had failed to report the incident to the independent Ethics Committee and stated that he had not provided any valid and acceptable evidence showing that he had fulfilled his duty to report, and there was no provision foreseeing exemptions of the duty to report of officials who are aware of potential ethics breaches.

**Conclusion**

Mr Maradiaga was sanctioned because he facilitated the bribery attempt of the “businessman”. As the head coach, he had a duty to avoid and to stop by all means the businessman’s intentions to proceed and report the incident accordingly, which he did not do. Furthermore, he engaged in activity and behaviour, which gave rise to the improper conduct of the “businessman”. All of this conduct was a direct and clear violation of arts 21 and 18 of the FCE.