

# Decision of the FIFA Disciplinary Committee

passed on 17 July 2023

## DECISION BY:

**Anin YEBOAH (Ghana), Deputy Chairperson**

**Mark Anthony WADE (Bermuda and Great Britain) Member**

**Thomas HOLLERER (Austria), Member**

## ON THE CASE OF:

**Congo DR Football Association**

(Decision FDD-14911)

## REGARDING:

**Article 21 of the FIFA Disciplinary Code - *Failure to respect decisions***

## I. FACTS OF THE CASE

1. The following summary of the facts does not purport to include every single contention put forth by the actors at these proceedings. However, the FIFA Disciplinary Committee (**the Committee**) has thoroughly considered any and all evidence and arguments submitted, even if no specific or detailed reference has been made to those arguments in the following outline of its position and in the ensuing discussion on the merits.

### A. Overview

2. The present case relates to the (potential) breach of various registration bans by the Congo DR Football Association (**FECOFA** or **the Respondent**).
3. More specifically, the Respondent is alleged to have proceeded to register (at least) six (6) players for its affiliated club, DC Motema Pembe (**the Club**), while the latter was subject to registration bans imposed by FIFA.

### B. Factual background

4. Between 2020 and 2022, the Club was sanctioned by FIFA on several occasions with bans from registering new players, specifically;
  - (i) Decision passed by the FIFA Dispute Resolution Chamber on 22 November 2019 (Ref. 19-00600 – **Decision 1**);
  - (ii) Decision passed by the FIFA Dispute Resolution Chamber on 15 April 2020 (Ref. 19-02171 – **Decision 2**);
  - (iii) Decision passed by the FIFA Disciplinary Committee on 3 December 2020 (Ref. FDD-6316 – **Decision 3**)<sup>1</sup>;
  - (iv) Decision passed by the FIFA Disciplinary Committee on 3 December 2020 (Ref. FDD-6317 – **Decision 4**)<sup>2</sup>;
  - (v) Decision passed by the FIFA Disciplinary Committee on 3 December 2020 (Ref. FDD-6318 – **Decision 5**)<sup>3</sup>;
  - (vi) Decision passed by the FIFA Players Status Committee on 18 May 2021 (Ref. FPSD-510 – **Decision 6**);

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<sup>1</sup> Para. 3 of Decision 3 *inter alia* provided that “(...) Upon expiry of the aforementioned final deadline and in the event of persistent default or failure to comply in full with the decision within the period stipulated, a transfer ban will be pronounced until the complete amount due is paid or the non-financial decision is complied with. **The transfer ban will be implemented automatically** at national and international level by the Congo DR Football Association and FIFA respectively, **without a further formal decision having to be taken nor any order to be issued by the FIFA Disciplinary Committee or its secretariat**” (emphasis added).

<sup>2</sup> Para. 3 of Decision 4 *inter alia* provided that “(...) Upon expiry of the aforementioned final deadline and in the event of persistent default or failure to comply in full with the decision within the period stipulated, a transfer ban will be pronounced until the complete amount due is paid or the non-financial decision is complied with. **The transfer ban will be implemented automatically** at national and international level by the Congo DR Football Association and FIFA respectively, **without a further formal decision having to be taken nor any order to be issued by the FIFA Disciplinary Committee or its secretariat**” (emphasis added).

<sup>3</sup> Para. 3 of Decision 5 *inter alia* provided that “(...) Upon expiry of the aforementioned final deadline and in the event of persistent default or failure to comply in full with the decision within the period stipulated, a transfer ban will be pronounced until the complete amount due is paid or the non-financial decision is complied with. **The transfer ban will be implemented automatically** at national and international level by the Congo DR Football Association and FIFA respectively, **without a further formal decision having to be taken nor any order to be issued by the FIFA Disciplinary Committee or its secretariat**” (emphasis added).

- (vii) Confirmation letter<sup>4</sup> issued on behalf of the Dispute Resolution Chamber on 7 September 2021 (Ref. FPSD-3365 – **Decision 7**);
  - (viii) Decision passed by the FIFA Dispute Resolution Chamber on 10 December 2021 (Ref. FPSD-3996 – **Decision 8**).
5. All aforementioned decisions (referred collectively as **the FIFA Decisions**) were notified to the parties concerned, as well as to the FECOFA.
6. Various communications were subsequently issued by FIFA to confirm the imposition of the aforementioned bans upon the Club, including:
- (i) in relation to Decision 1: letter sent on 11 February 2020<sup>5</sup>;
  - (ii) in relation to Decision 2: letter sent on 11 August 2020<sup>6</sup>;
  - (iii) in relation to Decision 6: communication sent on 30 August 2021<sup>7</sup>;
  - (iv) in relation to Decision 7: communication sent on 15 February 2022<sup>8</sup>;
  - (v) in relation to Decision 8: communication sent on 15 February 2022<sup>9</sup>.
7. All aforementioned communications were also addressed to FECOFA.
8. In addition to the above, on 19 October 2021, the Secretariat to the FIFA Disciplinary Committee informed the creditors in cases FDD-6316 ; FDD-6317 and FDD-6318 that *“despite the transfer ban currently implemented on [the Club], the Daring Club Motema Pembe, the said club has still not complied with its financial obligations deriving from the decision of the Single Judge of the Players’ Status Committee dated 25 August 2020”* (emphasis added). Such communication was also sent to FECOFA.
9. According to the information contained in the FIFA Transfer Matching System (**TMS**):
- (i) The registration bans related to the Decisions 1 and 2 were in force from 24 August 2020 until 3 January 2022;
  - (ii) The registration bans related to the Decision 3 and 4 were in force from 4 March 2021 until 17 August 2022;
  - (iii) The registration ban related to the Decision 5 was in force from 11 March 2021 until 23 August 2022;

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<sup>4</sup> Such letter constituting a final and binding decision pursuant to the FIFA Regulations on the Status and Transfer of Players (**the RSTP or the Regulations**).

<sup>5</sup> Said letter *inter alia* indicated that *“(...) the ban from registering any new players, either nationally or internationally, for the maximum duration of three entire and consecutive registration periods, as established in point 6. of the above-mentioned decision will become effective as from the start of the next registration period”*. In addition, the FECOFA was *“(...) kindly ask[ed] (...) to ensure the implementation of the aforementioned ban, both on a national and international level”*.

<sup>6</sup> Said letter *inter alia* indicated that *“(...) the ban from registering any new players, either nationally or internationally, for the maximum duration of three entire and consecutive registration periods, as established in point 6. of the above-mentioned decision will become effective as from the start of the next registration period”*. In addition, the FECOFA was *“(...) kindly ask[ed] (...) to ensure the implementation of the aforementioned ban, both on a national and international level”*.

<sup>7</sup> Said communication *inter alia* (i) informed the parties *“that a ban from registering new players internationally has been implemented by FIFA [on the Club] at the beginning of the next registration period”*, and (ii) requested the FECOFA *“to implement on the respondent, the club DC Motema Pembe, at the beginning of the next registration period, a ban from registering new players at national level”*.

<sup>8</sup> Said communication *inter alia* (i) informed the parties *“that a ban from registering new players internationally has been implemented by FIFA [on the Club] as of today”*, and (ii) requested the FECOFA *“to immediately implement on the respondent the Daring Club Motema Pembe de Kinshasa a ban from registering new players at national level”*.

<sup>9</sup> Said communication *inter alia* (i) informed the parties *“that a ban from registering new players internationally has been implemented by FIFA [on the Club] as of today”*, and (ii) requested the FECOFA *“to immediately implement on the respondent the Daring Club Motema Pembe de Kinshasa a ban from registering new players at national level”*.

- (iv) The registration ban related to the Decision 6 was in force from 30 August 2021 until 16 September 2022;
- (v) The registration ban related to the Decision 7 was in force from 15 February 2022 until 10 September 2022;
- (vi) The registration ban related to the Decision 8 was in force from 15 February 2022 until 3 October 2022.

### C. Investigation proceedings

10. Based on the information received regarding a potential breach of the registration ban(s) imposed upon the Club, the Secretariat to the FIFA Disciplinary Committee (**the Secretariat**) conducted investigations with respect to the present matter.
11. The case file constituted by the Secretariat as well as the related findings contained in its report (**the Investigatory Report**) can be summarised as follows:

- (i) As to the facts:

*"(...) it appears that the following six (6) players were registered by the Congo DR Football Association (FECOFA) for the Club despite the fact that the latter was serving several registration ban:*

- *Player 1: Nouhan Condé registered for the Club on 27 October 2021;*
- *Player 2: Omba Nelson Munganga registered for the Club on 27 October 2021;*
- *Player 3: Riyaad Norodien registered for the Club on 27 October 2021;*
- *Player 4: Nzau Mbuangi registered for the Club on 15 October 2021;*
- *Player 5: Platini Mpiana Monzini registered for the Club on 31 January 2022;*
- *Player 6: Happy Takalani Mashau registered for the Club on 31 January 2022.*

- (ii) Recommendation:

*"The Secretariat to the FIFA Disciplinary Committee deems that disciplinary proceedings should be opened against FECOFA on the basis of Article 21 of the FDC – Failure to respect decisions."*

### D. Disciplinary proceedings

12. On 25 May 2023, based on the above, disciplinary proceedings were opened – *via the FIFA Legal Portal* – against the Respondent with respect to a potential breach of art. 21 of the FIFA Disciplinary Code (**FDC**). In particular, the latter was provided with the Investigatory Report.
13. On 8 June 2023, the Secretariat sent a "*courtesy*" communication by email to FECOFA. The latter was *inter alia* advised that "*any further communication(s) on the part of the Secretariat and/or the FIFA Disciplinary Committee will be shared exclusively via the Portal*" and that "*all the information and documentation constituting the case file is accessible within the Portal under the case-reference as mentioned above*".
14. On 11 July 2023, the Secretariat informed the Respondent of the date upon which the matter would be referred to the Committee, as well as of the composition of the deciding panel.

15. On 16 July 2023, the Respondent provided a copy of *“the report of the investigation carried out by the FECOFA Normalisation Committee, which took office after the events”* (**the FECOFA Report** - free English translation), as well as various documents in relation to those investigations. Based on the FECOFA Report, it appears that a specific Committee was appointed by the FECOFA Normalisation Committee to investigate the facts subject to the present proceedings. Those investigations *inter alia* concluded that various individuals within the FECOFA have been responsible for the registration of the players concerned, and as such, were deemed responsible for the related violations of the applicable regulations. In particular, the FECOFA Report suggested the FECOFA to impose sanctions upon the individuals concerned.

## II. CONSIDERATIONS OF THE COMMITTEE

16. In view of the circumstances of the present case, the Committee decided to first address the procedural aspects of the case, namely, its jurisdiction and the applicable law, before entering into the substance of the matter and determining the possible infringement(s) committed by the Respondent as well as the potential sanction(s) resulting therefrom.

### A. Jurisdiction of the FIFA Disciplinary Committee

17. First of all, the Committee noted that at no point during the present proceedings had the Respondent challenged its jurisdiction or the applicability of the FDC.
18. Notwithstanding the above and for the sake of good order, the Committee found it worthwhile to emphasise that, on the basis of arts. 56 and 57 FDC, it was competent to evaluate the present case and to impose sanction(s) in case of corresponding violation(s).
19. Furthermore, the committee likewise underlined that on the basis of art. 51.2 of the FIFA Statutes, the Committee may pronounce the sanctions described in the FIFA Statutes and the FDC on member associations, clubs, officials, players, football agents and match agents.

### B. Applicable legal framework

20. With respect to the matter at hand, the Committee pointed out that the potential disciplinary offense, i.e. the potential failure to comply with the FIFA Decisions, would have been committed prior to the entry into force of the 2023 edition of the FIFA Disciplinary Code. In this respect, whilst keeping in mind the principles as enshrined under art. 4 of the FIFA Disciplinary Code (2023 edition), the Committee deemed that the merits as well as the procedural aspects of the present proceedings should fall under the 2023 edition of the Code.
21. The above being understood, in order for it to duly assess the case at hand, the Committee next recalled the content and scope of the provision(s) at stake, namely that of art. 21 FDC, which reads as follows:

*“1. (...) anyone who fails to comply with another final decision (non-financial decision) passed by a body, a committee, a subsidiary or an instance of FIFA, or by CAS:*

*a) will be fined for failing to comply with a decision and receive any pertinent additional disciplinary measure; and, if necessary:*

*b) will be granted a final deadline of 30 days in which to pay the amount due or to comply with the non-financial decision;*

*(...)*

*e) in the case of associations, upon expiry of the aforementioned final deadline and in the event of persistent default or failure to comply in full with the decision within the period stipulated, additional disciplinary measures may be imposed;*

*(...)"*

22. The wording of this provision is clear and unequivocal in so far that its main purpose is to ensure that (financial or non-financial) decisions passed by a body, a committee or an instance of FIFA or the Court of Arbitration for Sport (**CAS**) are duly complied with. Any such breach shall result in the imposition of the measures listed under said provision.

### **C. Standard of proof**

23. The above having been established, the Committee recalled that the burden of proof regarding disciplinary infringements rests on the FIFA judicial bodies (cf. art. 41 FDC). In other words, the Committee is required to prove the relevant infringement(s).
24. In addition, the Committee pointed out that, in accordance with art. 39.3 FDC, the standard of proof to be applied in disciplinary proceedings is that of "comfortable satisfaction". According to this standard, the onus is on the competent judicial body to establish the disciplinary violation to its comfortable satisfaction, taking into account the seriousness of the allegation(s).
25. Having clarified the foregoing, the Committee proceeded to consider the merits of the case.

### **D. Merits of the case**

#### **1. Issue of review**

26. The relevant provisions having been recalled, and the above having been established, the Committee proceeded to analyse the evidence at its disposal, in particular the documentation and information provided in the scope of the present disciplinary proceedings in order to determine the potential violations of the FDC.
27. In this context, as a preliminary remark, the Committee wished to emphasise that the FIFA Decisions – which were all communicated *inter alia* to the Respondent – specifically provided that if the amount(s) due as denoted therein by the Club to the relevant creditors were not paid within the specified period of time, the Club would be banned from registering any new players, either nationally or internationally for a specific period of time and/or up until the respective amount(s) due were paid.
28. Notwithstanding the clear wording of the FIFA Decisions, the Committee subsequently noted that FIFA provided the Respondent with various communications regarding the implementation of the different registration bans (cf. paras. 1.6 and 1.8 *supra*). In particular, the Committee was eager to underline that

the aforementioned communications were clear and left no room for interpretation, in so far that the Respondent was:

- (i) on the one hand, informed that the registration ban(s) had been implemented against the Club in accordance with the various FIFA Decisions (incl. the date as of when the relevant ban(s) entered into force);
- (ii) on the other hand, requested to implement the relevant ban(s) on the Club.

29. As such, the Committee was satisfied that the instructions provided to the Respondent first through the FIFA Decisions, and subsequently, *via* various communications were unequivocal: the Club was banned (and as such prevented) from registering new players either nationally or internationally as from the date(s) as denoted in the Decisions up for the maximum duration of three entire and consecutive registration periods and/or until the payment of the amount(s) due in each case.
30. Put differently, and upon analysis of the various FIFA Decisions and communications related thereto, starting from 24 August 2020, no new players were permitted to be registered for the Club. The foregoing being up until, and unless, the amount(s) due to the various creditors in accordance with the FIFA Decisions would be paid and/or up until the relevant registration ban(s) had been served by the Club for the maximum duration of three entire and consecutive registration periods.
31. Against such background, the Committee subsequently observed from the information and documentation at its disposal (including those available in TMS – cf. para. I.9 *supra*) that the Club was subject to one or more registration bans from 24 August 2020 until (at least) 3 October 2022.
32. Therefore, in summary, the Committee concluded that the Club was prevented from registering new players (both nationally and internationally) as from 24 August 2020 up until (at least) 3 October 2022. In other words, and from the Respondent's perspective, the Respondent could not proceed to register any new player for the Club during the aforementioned period of time.
33. With these elements in mind, the Committee however remarked from the case file before it that the Respondent had proceeded to register (at least) 6 (six) players for the Club on 15 October 2021, 27 October 2021 and 31 January 2022 respectively (cf. para. I.11 *supra*), *i.e.* during the period in which the Club was still serving its ban from registering new players.
34. In this context, the Committee acknowledged that the Respondent did not contest having registered those players for the Club, but rather emphasised that, after having conducted internal investigations, it appeared that those registrations were to be attributed to various individuals within the FECOFA (for which sanctions have been recommended at national level).
35. Given the arguments put forward by the Respondent, the Committee recalled that, as already confirmed by CAS<sup>10</sup> and in line with art. 8.1 FDC, "*associations (...) may be responsible for the behaviour of their members, players, officials or supporters or any other person carrying out a function on their behalf even if the association (...) concerned can prove the absence of any fault or negligence*".

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<sup>10</sup> TAS 2022/A/9133 FENAFUTH c. FIFA

36. By way of consequence, the Committee found that the aforementioned submission of the Respondent could in no way lead to the justification of the registration of 6 (six) players for the Club whilst the latter was subject to one or more registration ban(s). In other words, the Committee had no other alternative but to conclude that by proceeding to register those players for the Club despite the ban(s) being in force, the Respondent had failed to respect the FIFA Decisions (and the subsequent orders from FIFA), and, as such, had to be held liable for a breach of art. 21 FDC.
37. For the sake of good order, the Committee recalled that CAS already confirmed that an association, although not being the party directly sanctioned by the relevant FIFA decision, may be considered to be in violation of art. 21 FDC if it fails to comply with said decision *“and FIFA’s subsequent clarifications”*<sup>11</sup>. This, whether such violation is *“intentionally, or at least utterly negligently”*.
38. Having determined the foregoing, in particular that the Respondent should be held liable for having breached art. 21 FDC, the Committee held that the latter had to be sanctioned accordingly.

## 2. Determination of the sanction

39. As preliminary consideration, the Committee found it worthwhile to provide some context on the functioning of FIFA, the FIFA Disciplinary Committee and the mechanism for the implementation of the disciplinary measures. Such context is indeed important to understand the position of clubs within the organization of association football and, specially, the role that member associations play in the implementation of sanctions imposed by FIFA on their affiliated members.
40. In brief, association football follows a so-called “pyramidal” model: individual athletes (the football players) are registered with clubs, the clubs, in turn, are affiliated to (regional and/or national) football associations, and the national football associations are members of FIFA (an association under Swiss law). As a consequence, football clubs are not direct members of FIFA.
41. However, within the framework of Swiss association law, as well as in sports law in general, it is duly established that football clubs are, under the aforementioned circumstances, considered as “indirect members” of FIFA.
42. Due to such indirect membership, the individual clubs that are affiliated to a member association, are subject to and bound by the FIFA Statutes and all other FIFA rules and regulations as well as all relevant decisions of the FIFA bodies. In the current context, this specific indirect membership enables the FIFA Disciplinary Committee to pass decisions against clubs in line with the provisions of the FDC.
43. The aforementioned principle is embedded in both art. 14.1 (d) of the FIFA Statutes (according to which, the member associations have the obligation *“to cause their own members to comply with the Statutes, regulations, directives and decisions of FIFA bodies”*) and art. 59 of the FIFA Statutes (which provides that member associations shall (i) *“agree to comply fully with any decisions passed by the relevant FIFA bodies which, according to these Statutes, are final and not subject to appeal”*, but also (ii) *“take every precaution necessary to ensure that their own members, players and officials comply with these decisions”*).

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<sup>11</sup> CAS 2020/A/7251 Hellenic Football Federation v. FIFA – See also. TAS 2022/A/9133 *op. cit.*



44. On account of the above, and as stipulated in art. 14.1 (a) of the FIFA Statutes, the member associations also have to comply fully with the Statutes, regulations, directives and decisions of the FIFA bodies and the CAS. In fact, this provision is of utmost importance as the whole football pyramidal model is underpinned by this principle, which has become even more relevant in the past decades due to the professionalization, commercialization and globalization of sport.
45. In this regard, the Committee was of the firm opinion that the only way to enhance and protect competitive balance between clubs competing in the same national leagues, and to ensure that the rights of all football stakeholders (clubs, players, coaches, player agents, etc.) are guaranteed and respected, is if FIFA and its member associations maintain a transparent relationship based on mutual trust.
46. In order for this relationship to work, it is crucial that member associations respect and comply with the FIFA regulations, as well as with the directives and decisions adopted by the FIFA bodies.
47. As a result, any failure to respect a FIFA rule, directive or decision is considered to be a very serious infringement as it jeopardizes the football game and the trust of all stakeholders in the system.
48. Such stance had been confirmed by CAS which deemed that a violation of art. 15 of the 2019 FDC (now art. 21 FDC) by a member association is a *"serious violation that warrants a serious sanction"*<sup>12</sup>. In particular, the Panel *"concur[red] with FIFA that by flagrantly and intentionally, or at least utterly negligently, disrespecting the decisions and directive given by FIFA (...), the [Appellant] has put at risk the viability and effectiveness of the overall system put in place by FIFA to ensure that FIFA's and CAS' decisions are duly and timely respected by all football stakeholders"*, further emphasizing that *"[m]ember associations play an essential role in ensuring FIFA's mechanism is strictly applied and that sanctions are respected"*. The Committee further noted that said position had been confirmed by CAS recently<sup>13</sup>.
49. The above being clarified, the Committee subsequently recalled that the Respondent is a legal person, and as such subject to the sanctions described under arts. 6.1 and 6.3 FDC.
50. For the sake of good order, the Committee underlined that it is responsible to determine the type and extent of the disciplinary measures to be imposed in accordance with the objective and subjective elements of the offence, taking into account both aggravating and mitigating circumstances (art. 25.1 FDC).
51. As established above, the Respondent was found liable for the failure to respect/comply with various decisions passed by FIFA (art. 21 FDC).
52. In this respect, the Committee took into account that, according to the Respondent, such breach is of the responsibility of various individuals within the FECOFA for which sanctions have been recommended at national level. Against such background, while recalling that the FECOFA remained responsible for the behaviour (and potential reprehensible acts) of its employees (cf. art. 8.1 FDC), the Committee however stressed that the FECOFA did not provide any evidence demonstrating that the investigations it conducted internally lead to any concrete sanctions against those individuals and/or change(s) in its (registration) system and database which would prevent such infringement to reoccur.

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<sup>12</sup> CAS 2020/A/7251 *op. cit.*

<sup>13</sup> TAS 2022/A/9133 *op. cit.*

53. More importantly, and although the Respondent had not been previously sanctioned for similar breaches, the Committee deemed that it could not be disregarded that six (6) players were registered with the Club in contravention of the various registration bans, and that such a violation – even if committed by negligence – is considered to be very serious in light of FIFA's principles and mechanisms, and that it needed to be sanctioned accordingly.
54. Given the above, the Committee recalled that anyone found in breach of art. 21 FDC – as is the case of the Respondent – *“will be fined for failing to comply with a decision and receive any pertinent additional disciplinary measure”*.
55. In view of the foregoing, and after a thorough analysis of all circumstances pertaining to the matter at hand, the Committee considered that a fine was an appropriate sanction in response to the infringements committed by the Respondent.
56. In this regard, the Committee recalled that, in accordance with art. 6.4 FDC, such fine may not be lower than CHF 100 nor greater than CHF 1,000,000.
57. Taking into account all the circumstances of the case, while keeping in mind the deterrent effect that the sanction must have on the reprehensible behaviour, the Committee considered a fine of CHF 50,000 to be adequate and proportionate to the offence – such fine being also in line with its own jurisprudence, as already confirmed by CAS<sup>14</sup> –.
58. Notwithstanding the above, the Committee held that it could not be ignored that the details of the present matter have revealed serious deficiencies in the Respondent's internal organisation, particularly with respect to its registration system and the related procedure. In particular, the Committee deemed that this issue had to be addressed within the potential measures to be imposed on the Respondent.
59. As such, on keeping with its discretionary power, the Committee decided that the imposition of a training obligation on the Respondent was necessary, and undoubtedly considered a *“pertinent additional disciplinary measure”* within the meaning of art. 21.1.a) FDC, in conjunction with art. 7.2 FDC. In particular, the Committee determined that the Respondent shall, within six (6) months of the notification of the present decision, undergo a(n) (educational) training programme delivered by FIFA on registration-related matters. In this respect, the Committee decided to impose a further fine to the amount of CHF 50,000, such fine being suspended for the aforementioned six-month period<sup>15</sup>.

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<sup>14</sup> TAS 2022/A/9133 *op. cit.*

<sup>15</sup> The suspension having to be revoked should the Respondent fail to comply with the order to undergo a(n) (educational) training programme within said period.

### **III. DECISION OF THE DISCIPLINARY COMMITTEE**

- 1. The Congo DR Football Association is found responsible for failing to comply with final FIFA decisions by registering (new) players for its affiliated club, DC Motema Pembe, despite the registration ban(s) imposed on the latter by FIFA.**
- 2. The following disciplinary measures are imposed on the Congo DR Football Association, subject to point 3. below:**
  - a. The Congo DR Football Association is ordered to pay a fine to the amount of CHF 50,000.**
  - b. The Congo DR Football Association is ordered to pay a further fine to the amount of CHF 50,000 being suspended for a period of six (6) months.**
- 3. In accordance with art. 7 (2) of the FIFA Disciplinary Code, the following directives shall apply to the above sanctions:**
  - a. The non-suspended fine (point 2.a.) shall be paid within 30 days of notification of the present decision.**
  - b. The Congo DR Football Association shall, within six (6) months of the notification of the present decision, undergo a(n) (educational) training programme delivered by FIFA on registration-related matters. In particular, it is the responsibility of the Congo DR Football Association to contact FIFA and/or the Secretariat to the FIFA Disciplinary Committee, within the stipulated deadline, in order to determine the organisational aspects of the aforementioned training.**
  - c. In case of failure by the Congo DR Football Association to comply with point 3.b. within the stipulated deadline granted, the suspension foreseen under point 2.b. shall be revoked and the suspended fine shall be fully paid within 30 days.**

FÉDÉRATION INTERNATIONALE  
DE FOOTBALL ASSOCIATION



**Anin YEBOAH**

Deputy Chairperson of the FIFA Disciplinary Committee

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**NOTE RELATING TO THE LEGAL ACTION:**

According to art. 58.1 of the FIFA Statutes as read together with art. 52 FDC, this decision may be appealed against before the Court of Arbitration for Sport (CAS). The statement of appeal must be sent to CAS directly within 21 days of receipt of notification of this decision. Within another 10 days following the expiry of the time limit for filing the statement of appeal, the appellant shall file a brief stating the facts and legal arguments giving rise to the appeal with CAS.

**NOTE RELATING TO THE PAYMENT OF THE FINE:**

Payment can be made either in Swiss francs (CHF) to account no. 0230-325519.70J, UBS AG, Bahnhofstrasse 45, 8098 Zurich, SWIFT: UBSWCHZH80A, IBAN: CH85 0023 0230 3255 1970 J or in US dollars (USD) to account no. 0230-325519.71U, UBS AG, Bahnhofstrasse 45, 8098 Zurich, SWIFT: UBSWCHZH80A, IBAN: CH95 0023 0230 3255 1971 U, with reference to the abovementioned case number.