

# Decision of the FIFA Disciplinary Committee

passed on 27 September 2022

**DECISION BY:**

**Jorge Ivan Palacio (Colombia), Chairperson**

**ON THE CASE OF:**

**Taieb Ben Zitoun**  
(Decision FDD-7707)

**Regarding the decision passed by the Tunisian National Anti-Doping Agency**

**Art. 66 of the FIFA Disciplinary Code**

## 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 Chairperson of the FIFA Disciplinary Committee (**the Committee**) has thoroughly considered any and all evidence submitted, even if no specific or detailed reference is made to particular elements of the former.
2. On 27 November 2020, the Disciplinary Committee of the Tunisian Football Association (**FTF**) rendered a decision by means of which it *inter alia* imposed a one (1) year suspension (as from 4 November 2020) on the player Taieb Ben Zitoun (**the Player**) on grounds of doping (**the FTF Decision**).
3. On 30 March 2022, the Disciplinary Committee of the Tunisian National Anti-Doping Agency rendered a decision by means of which it imposed a two (2) year suspension on the Player as from 1 July 2022 (**the Decision**), said decision specifically providing that the suspension served by the Player as per the FTF Decision shall be deducted from the suspension pronounced.
4. On 23 September 2022, upon request of FIFA, the FTF *inter alia* indicated the following:
  - i. the Player was "*cited properly*";
  - ii. the latter had "*the opportunity to state [his case]*" in so far as he was "*invited to state [his case] for hearing purposes more than once with the hearing sessions detailed as following*":
    - *In front of the National Committee Sport Spirit and Discipline for the Tunisian Football Federation, the [Player was] heard on November 17th, 2020 (...).*
    - *In front of ANAD hearing panel for ANAD Disciplinary Committee, [the Player was] absent at the hearing session planned on March 31st, 2021 at A D HQ after [his] invitation through [his] football club (CAB)*
    - *In front of ANAD hearing panel for ANAD Disciplinary Committee, [the Player was] invited again at a hearing session on June 9th, 2021 at ANAD HQ after [his] invitation through both [his] football club (CAB) and [his] national federation (FTF) - the [Player] support personnels were present in person as persons cited in the case (...).*
    - *In front of ANAD hearing panel for ANAD Disciplinary Committee, both [Player] support personnels were invited again at a hearing session as charged of potential ADRV on March 30th, 2022 at ANAD HQ after their invitation through both their football club (CAB) and their national federation (FTF) - the [Player] support personnels were present in person with a lawyer standing for the team doctor.*
  - iii. the Decision "*suspending the [Player] 2 years (...)* was communicated to *[him] through [his] football club (CAB) informing as well [his] national federation (FTF)*";

- iv. The FTF Decision has been appealed by the Player who was present in-person (with his legal representative) at a hearing held on 21 September 2022. The relevant decision on appeal “*will be notified to [FIFA] (...) in proper time*”.
5. Various supporting documents were submitted by the FTF, including:
- i. a copy of the Decision;
  - ii. a copy of the letter sent to the Player by the Tunisian National Anti-Doping Agency to inform him about the Decision;
  - iii. the relevant proof of notification signed by the Player’s club;
  - iv. a copy of the Player’s intention to appeal the Decision.

## II. CONSIDERATIONS OF THE DISCIPLINARY COMMITTEE

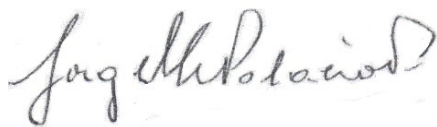
6. First of all, the Committee recalled that, in accordance with art. 53 par. 2 of the FIFA Statutes, it may pronounce the sanctions described in these Statutes and the FIFA Disciplinary Code (**FDC**) on members associations, clubs, officials, players, intermediaries and licensed match agents.
7. In regard to serious infringements, in particular but not limited to discrimination, the manipulation of football matches and competitions, misconduct against match officials or forgery and falsification, the member associations, confederations and other organising sports bodies shall request FIFA to extend the sanction they have imposed so as to have worldwide effect (art. 66 (1) FDC).
8. In continuation and consistently with art. 66 (2) FDC, any doping-related legally binding sanction imposed by another national or international sports association, national anti-doping organisation or any other state body that complies with fundamental legal principles shall automatically be adopted by FIFA and, provided that the requirements described under art. 66 FDC and in (now) article 73 of the FIFA Anti-Doping Regulations (**FIFA ADR**) are met, shall be automatically recognised by all confederations and associations.
9. In conformity with art. 54 (1) (e) FDC, the Chairperson of the FIFA Disciplinary Committee is authorised, in his capacity as a single judge, to rule on the extension of a sanction pronounced by an association to have worldwide effect.
10. According to art. 66 (6) of the FDC, the Chairperson of the FIFA Disciplinary Committee takes his decision regarding the extension of a sanction to have worldwide effect, in principle, without deliberations or hearing any of the parties, and using only the file.
11. In this context, the Committee emphasised that, pursuant to art. 66 (5) FDC, the worldwide extension of a sanction will be approved if:
  - i. the person sanctioned has been cited properly (lit. a);

- ii. the person has had the opportunity to state his case – with the exception of provisional measures – (lit. b);
  - iii. the decision has been communicated properly (lit. c);
  - iv. the decision complies with the regulations of FIFA (lit. d);
  - v. extending the sanction does not conflict with public order or with accepted standards of behaviour (lit. e).
12. With the above in mind, upon analysing the Decision, the Committee highlighted that it relates to an Anti-Doping rule violation and that it could therefore be extended to have worldwide effect.
13. After examining the entirety of the evidence at its disposal in relation to the present matter, the Committee noted that the conditions for worldwide extension as stipulated under art. 66 (5) FDC, have been met. In particular, the Committee emphasised that it appears to be clear from the documentation presented before it that:
  - i. the Player has been cited properly and had the opportunity to state his case, in so far that he had the opportunity to attend the Hearing held by the Tunisian National Anti-Doping Agency on 30 March 2022 (cf. para. I.4.ii *supra*);
  - ii. the Decision was communicated properly to the Player, as demonstrated by the evidence submitted by the FTF, but also by the subsequent appeal lodged by the Player (cf. pars. I.4.iv and I.5.ii-iv *supra*);
  - iii. the Decision complies with the relevant FIFA regulations and does not conflict with public order or with accepted standards of behaviour.
14. Consequently, the Committee decided to extend the sanction imposed on the Player by the Tunisian National Anti-Doping Agency on 30 March 2022. More specifically, the Player is sanctioned with a two (2) years suspension from all football-related activities, starting from 1 July 2022, in accordance with the Decision. In this respect, the Committee pointed out that, in accordance with the Decision, the (one year) suspension served by the Player as per the FTF Decision shall be deducted from said suspension.
15. Finally, and pursuant to art. 66 (11) FDC, the present decision shall follow the (final) outcome related to the appeal of the Decision.

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

- 1. The request to extend the decision passed by the Tunisian National Anti-Doping Agency to have worldwide effect is granted.**
- 2. The player Taieb Ben Zizoun is sanctioned worldwide with a two (02) years suspension from all football-related activities as from 1 July 2022.**

FÉDÉRATION INTERNATIONALE  
DE FOOTBALL ASSOCIATION



**Jorge Ivan Palacio**

Chairperson of the FIFA Disciplinary Committee

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### **NOTE RELATING TO THE LEGAL ACTION:**

This decision can be contested before the FIFA Appeal Committee (art. 57 FDC). Any party intending to appeal must announce its intention to do so in writing within three (3) days of notification of the grounds of the decision.

Reasons for the appeal must then be given in writing within a further time limit of five (5) days, commencing upon expiry of the first time limit of three (3) days (art. 56 (4) FDC).

The appeal fee of CHF 1,000 is payable on the submission of the appeal brief at the latest (art. 56 (6) FDC) 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 case number above mentioned.

### **NOTE RELATING TO THE EXTENSION WORLDWIDE OF THE DECISION:**

A sanction imposed by an association or a confederation has the same effect in each association of FIFA, in each confederation and in FIFA itself as if the sanction had been imposed by any one of them (art. 66 (10) FDC). If a decision that is not yet final in a legal sense is extended to have worldwide effect, any decision regarding extension shall follow the outcome of the association's or confederation's current decision (art. 66 (11) FDC).

### **NOTE RELATING TO ANY OUTCOME OF THE EXTENDED DECISION:**

A worldwide-extended decision shall follow the outcome of any possible appeal lodged against the decision passed by the association or confederation (Art. 66 (11) FDC).