



## MEDIA RELEASE

### FOOTBALL

#### THE COURT OF ARBITRATION FOR SPORT (CAS) PARTIALLY UPHOLDS THE APPEALS OF MARIYAM MOHAMED RELATED TO THE 2019 ASIAN FOOTBALL CONFEDERATION (AFC) ELECTIONS

*Lausanne, 25 January 2021* - The Court of Arbitration for Sport (CAS) has announced its decisions in the appeal arbitration procedures between Mariyam Mohamed from the Republic of Maldives, a candidate who sought election to the Asian Football Confederation (AFC) Executive Committee during the 29<sup>th</sup> AFC Congress held on 6 April 2019 in Kuala Lumpur, and the AFC.

Mariyam Mohamed filed two appeals, *inter alia*, to have the results of the elections conducted during the 29<sup>th</sup> AFC Congress (the 2019 Elections) set aside on two separate bases: gender discrimination and third-party interference, and to have those elections re-run.

The first proceedings concerned the decision taken by the AFC Electoral Committee to reject and/or refuse to investigate a discrimination complaint lodged by Mariyam Mohamed in relation to the 2019 Elections. The CAS Panel ruled such decision invalid and declared that the 2019 Elections were conducted on the basis of procedures and practices that amounted to a breach of the prohibition against gender discrimination enshrined in the FIFA and AFC Statutes, and further declared that the AFC failed to fulfil its obligation to promote the full participation of women in the 2019 AFC elections.

The CAS Panel did not uphold Mariyam Mohamed's requests for an order annulling the results of the 2019 Elections, for an order that the 2019 Elections be re-held, or for an order requiring the AFC to amend the AFC statutes so as to comply with its obligations to not discriminate against women and promote their involvement in the governance of sport, considering that the decision complained of by Mariyam Mohamed, being that of the Electoral Commission does not form the basis of an order to annul and re-hold the elections, or of an order to amend the Statutes, as that body does not have that competence.

In the second proceedings, the CAS Panel ruled that the AFC Disciplinary and Ethics Committee's failure to complete the preliminary investigation initiated following Mariyam Mohamed's third-party interference complaint within a reasonable time frame resulted in a denial of justice and declared that the 2019 Elections were subject to improper influence by a third party in a manner contrary to the applicable AFC and FIFA regulations. The CAS Panel, with the same reasoning as for the first proceedings, did not uphold Mariyam Mohamed's requests for an order annulling the results of the 2019 AFC elections or for an order that the 2019 Elections be re-held.



The Panel noted that the attempts to influence the 2019 Elections through inducements were not effective, in that Mariyam Mohamed did not withdraw her candidature. In that respect, while the Panel found the third-party interference established, it underlined that it did not, in the end, have an effect on the elections.

The CAS arbitration procedures were conducted by the same Panel of arbitrators: Mr John F. Boulton AM (Australia), President, the Hon. Michael J. Beloff MA QC (United Kingdom) and Prof. Luigi Fumagalli (Italy) Co-Arbitrators.