

IAAF ETHICS BOARD

Notice of Disciplinary Decision – HC – Decision Number 13/2019

9 September 2019

A Panel of the IAAF Ethics Board has found that Maître Habib Cissé, (former legal adviser to the former IAAF President Lamine Diack and to the IAAF), has committed the following violations of the IAAF Code of Ethics as in force from time to time in relation to the management of positive analytic results for prohibited substances in samples provided for the purposes of anti-doping controls by Lilya Shobukhova and other Russian athletes:

1. Breaches of Articles C7 (duty not to act in a manner likely to tarnish the reputation of the IAAF or Athletics generally or in a manner likely to bring the sport into disrepute) and H17 (duty to see to it that IAAF Rules and the Ethics Code are applied) read together with C4 (duty to abide by the principle of fair play) of the Code of Ethics in force during the period from 2003 to 30 April 2012 and committed during that period.
2. Breaches of Articles C8 (duty not to act in a manner likely to tarnish the reputation of the IAAF or Athletics generally or in a manner likely to bring the sport into disrepute) and H18 (duty to see to it that IAAF Rules and the Ethics Code are applied) read together with C4 (duty to abide by the principle of fair play) of the Code of Ethics in force during the period 1 May 2012 until 8 August 2013 and committed during that period.
3. Breaches of Articles C1(11) (duty not to act in a manner likely to affect adversely the reputation of the IAAF or Athletics generally or in a manner likely to bring the sport into disrepute), C1(12) (duty to act with the utmost integrity, honesty and responsibility in fulfilling roles in the sport of Athletics), C1(14) (duty not to engage in corrupt conduct contrary to the Rules against Betting, Manipulation of Results and Corruption) and D1(24) (duty to use care and diligence in fulfilling a role for and on behalf of the IAAF) of the Code of Ethics which was in force from 1 January 2014 to 1 January 2015 and committed during that period.
4. Breach of Articles C1 (Integrity) (11) (duty not to act in a manner likely to tarnish the reputation of the IAAF or Athletics generally or in a manner likely to bring the sport into disrepute) and C1(12) (duty to act with the utmost integrity, honesty and responsibility in fulfilling a role in the sport of Athletics) of the Code which came into force on 26 November 2015 together with Rule 7 of the Procedural Rules of the Ethics

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Commission (now the Ethics Board) in respect of failure to cooperate with the Investigator appointed by the Ethics Board to investigate the matters outlined above.

Pursuant to Article D(17)(ii) and (iv) of the Statutes of the IAAF Ethics Board, in the light of the foregoing the Panel has imposed upon Maître Habib Cissé a lifetime ban from any further involvement of any kind in the sport of track and field and a fine of US \$25,000.

The Panel was comprised of the following members: the Hon Michael J Beloff QC (Chairman) (UK); Annabel Pennefather (Singapore); Thomas Murray (USA).

Pursuant to Rule 10 of the Procedural Rules of the Ethics Board, the decision enters into force on 9 September 2019, being the date on which the decision was communicated to the parties. Pursuant to Rule 13(25) of the Procedural Rules of the Ethics Board, the Panel has decided not to publish the full reasons for its decision until such time as continuing police investigations and any consequential legal proceedings against Maître Habib Cissé and others in France or any other jurisdictions - in which Maître Cissé continues to enjoy the presumption of innocence (as do all other persons the subject of those investigations) - have concluded.

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