

# Decision of the FIFA Disciplinary Committee

passed on 28 September 2022

## DECISION BY:

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

## ON THE CASE OF:

**Henry Adalberto Figueroa Alonzo**  
(Decision FDD-5874)

Regarding the decision passed by the National Doping Appeal Tribunal on 23  
September 2022

**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 25 May 2020, the Costa Rican National Anti-Doping Committee (**CONAD-CR**) imposed a provisional suspension on the player Henry Adalberto Figueroa Alonzo (**the Player**) on grounds of doping.
3. On 5 October 2021, the Costa Rican National Doping Tribunal rendered a decision by means of which it *inter alia* lifted any and all suspension imposed on the Player.
4. On 23 September 2022, following an appeal lodged by the CONAD-CR against the decision passed by the Costa Rican National Anti-Doping Tribunal, the Costa Rican National Doping Appeal Tribunal rendered a decision by means of which it imposed a four (4) year suspension on the Player from 22 June 2020 until 22 June 2024 (**the Decision**).
5. Said decision was subsequently provided to FIFA, along with other documents, including a copy of the email sent by the Costa Rican National Doping Appeal Tribunal to the Player on 24 September 2022, notifying him about 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.

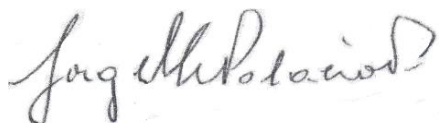
10. According to art. 66 (6) of the FDC, the Chairperson of the FIFA Disciplinary Committee takes his decision regarding the extension of a sanction to have worldwide effect, in principle, without deliberations or hearing any of the parties, and using only the file.
11. In this context, the Committee 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, upon reading the Decision and after analysis of the relevant email sent to the Player (cf. para. 1.5 *supra*), the Committee emphasised that it appears to be clear from the documentation presented before it that:
  - i. the Player has been cited properly as proven by the fact that he attended hearings held before the Costa Rican National Anti-Doping Tribunal as well as before the Costa Rican National Doping Appeal Tribunal;
  - ii. the Player could submit its position, but also attend hearings before both instance, so that it can be considered that he had the opportunity to state his case;
  - iii. the Decision was communicated properly to the Player, as demonstrated by the aforementioned email;
  - iv. the Decision complies with the relevant FIFA regulations (specifically the FIFA ADR) 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 Costa Rican National Doping Appeal Tribunal on 23 September 2022. More specifically, the Player is sanctioned with a four (4) years suspension from all football-related activities, from 22 June 2020 until 22 June 2024, in accordance with the Decision.

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 National Doping Appeal Tribunal on 23 September 2022 to have worldwide effect is granted.**
- 2. The player Henry Adalberto Figueroa Alonzo is sanctioned worldwide with a four (04) years suspension from all football-related activities as from 22 June 2020 until 22 June 2024.**

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).