



**GEF 2023 SYR NF - Gymnastics Ethics Foundation v. Mr. Mohamad Hboubati, Ms. Nisreen Trad and the Syrian Gymnastics Federation**

## **DECISION**

rendered on 03 April 2025 by the

### **GYMNASTICS ETHICS FOUNDATION DISCIPLINARY COMMISSION**

sitting in the following composition:

<b>President</b>	Mr. Matthias Scherer (Switzerland)
<b>Members</b>	Ms. Laurence Burger (Switzerland) Mr. Maximilien Lehnen (Luxembourg)
<b>Ad hoc secretary</b>	Ms. Alexandra Bally (Switzerland) / Yoana Yankova (United Kingdom)

In the disciplinary proceedings between:

**The Gymnastics Ethics Foundation**

- **Claimant** -

**and**

**Mr. Mohamad Hboubati  
Ms. Nisreen Trad  
The Syrian Gymnastics Federation**

- **Respondent(s)** -



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## **I. Parties to the proceedings**

### **A. The Claimant**

1. The Gymnastics Ethics Foundation (“*GEF*”), the Claimant, is the independent body established by the Fédération Internationale de Gymnastique (“*FIG*”) to safeguard the integrity of Gymnastics worldwide, with headquarters in Lausanne, Switzerland.
2. Claimant is represented in these disciplinary proceedings by Alexander McLin, GEF Director and Marina Khamitsevich, GEF Investigator.

### **B. The Respondents**

3. On 9 April 2024 the GEF charged the following three subjects, the Respondents, pursuant to Art. 32 of the FIG Statutes, with several alleged infringements of the FIG Statutes, Code of Discipline, Code of Ethics as well as FIG Policy and Procedure for Safeguarding and Protecting Participants in Gymnastics:
  - a. Mr. Mohamad Hboubati;
  - b. Ms. Nisreen Trad;
  - c. The Syrian Gymnastics Federation (“*SGF*”)
4. Mr. Mohamad Hboubati is the past President of the SGF.
5. Ms. Nisreen Trad is the past Secretary General of the SGF.
6. Mr. Mohamad Hboubati and Ms. Nisreen Trad have been temporarily represented in these disciplinary proceedings by Libra Law SA and are hereinafter referred to by their name or as the “*Individual Respondents*”.
7. The SGF is Syrian Gymnastics National Federation and has also been partly represented in these disciplinary proceedings by Libra Law SA.
8. Claimant and Respondents are hereinafter jointly referred to as the “*Parties*”, each of them as a “*Party*”.



## II. Factual Background and Procedural History

9. Below is a summary of facts and allegations drawn from the Parties' written exchanges. Additional facts and allegations may be set out, where relevant, in connection with the legal discussion that follows. In reaching its conclusion, the Panel has duly taken into consideration all arguments advanced by the Parties therein, even if not specifically addressed in the below section of the present decision (the "*Decision*").

### A. Summary of relevant facts and infringements alleged in the Notice of Charges

10. Between 17 June 2023 and 6 February 2024, the GEF received seven complaints from athletes, coaches and officials within the SGF alleging physical, psychological, emotional and financial abuse, bullying, labour exploitation and retaliation in response of speaking up against the SGF and the leadership of President Mr. Mohamad Hboubati and Secretary General Ms. Nisreen Trad. Allegations of document forgery, election manipulation and corruption were also made.

11. GEF conducted an investigation, speaking to five witnesses which confirmed the allegations made by the complainants. The witnesses are the father of one of the complainants as well as four anonymous witnesses, former Syrian ("*SYR*") gymnastics coaches and/or officials, who's statements were provided solely to the Tribunal for the protection of their anonymity in accordance with Art. 18 of the FIG Code of Discipline in conjunction with Art. 17 and 18 of the GEF Guidelines on Special Measures for Protecting Vulnerable Witnesses due to the circumstances of the case.

12. By submission on 9 April 2024, and following the conclusion of its internal review, the GEF Director issued a Notice of Charges, concerning the alleged infringement of multiple provisions of the FIG Statutes, Code of Ethics, Code of Discipline and Policy and Procedures for Safeguarding and Protecting Participants in Gymnastics.

13. On the same date, the Disciplinary Commission Panel (the "*Panel*") was constituted as follows:

Mr. Matthias Scherer, President  
Ms. Laurence Burger  
Mr. Maximilien Lehnen

14. Pursuant to art. 16 of the FIG Code of Discipline, Ms. Alexandra Bally was appointed as Panel ad hoc secretary. Ms. Bally was later replaced by Ms. Yoana Yankova.



**B. Summary of the proceedings after the constitution of the Panel**

15. On 11 April 2024, following the notification of the Notice of Charges, the Panel invited the Respondents to submit their response to the Notice of Charges by 9 May 2024. The Panel further proposed to hold a hearing on 6 June 2024.
16. On 15 April 2024, the Respondents informed the Panel that they would be unable to attend a hearing on 6 June 2024 for personal reasons and that they were unable to afford legal representation for financial reasons.
17. On 16 April 2024, the GEF confirmed their availability for a hearing on 6 June 2024.
18. On 17 April 2024, in response to the Respondents' letter of 15 April 2024, the Panel ordered that the date for the video hearing is maintained and noted that the inability to afford legal representation did not prevent the Respondents from providing a written response. The Respondents were also requested to advise on the arrangements for interpretation services.
19. On 24 April 2024 the Panel wrote to the Parties noting that the Respondents had not responded to the Panel's communication of 17 April 2024. On 8 May 2024, Mr. Claude Ramoni of Libra Law SA informed the Panel that the Respondents had instructed Libra Law SA as their legal representatives. Mr. Ramoni provided accompanying Powers of Attorney. In the same letter, the Respondents requested an extension of their deadline for submitting their response to the Notice of Charges for personal circumstances (death of Ms. Trad's father).
20. On the same date, the Panel lifted the Respondents' deadline of 9 May 2024 for filing their response. The hearing date was maintained.
21. On 10 May 2024, the Panel set a new deadline of 30 May 2024 for the Respondents for submission of their response. In the same communication the Panel also acknowledged Libra Law SA as the Respondents' legal representative, however asked for the signatory of SGFs Power of Attorney to be identified. The Panel inquired again about the required interpretation arrangements.
22. On 17 May 2024, Mr. Ramoni informed the Panel that the Respondents would arrange for an interpreter at the hearing. On the same day, the Panel asked for the interpreter's credentials.
23. On 28 May 2024, Mr. Ramoni informed the Panel of recent events in Syria, namely that:
  - i) The Syrian Olympic Committee considers all affiliated member federations as resigned, and an interim "committee" has been appointed to manage affairs until the new elections are held. Consequently, Mr. Hboubati and Ms. Trad no longer hold functions in the SGF;
  - ii) An investigation is being conducted in Syria on complaints against a number of stakeholders within the SGF;



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*Disciplinary Commission*

- iii) Mr. Hboubati, Ms. Trad and the President of the NOC, Mr. Feras Moulla, have become victims of a Facebook defamation campaign from a named individual, which is being investigated at national level;
- iv) This case is an internal national matter. GEF has jurisdiction only in the absence of proceedings at national level. As national proceedings were indeed under way, GEF has no jurisdiction.
- v) Mr. Hboubati and Ms. Trad have already been sanctioned at national level, as they have been forced to leave their position.

In the same letter, the Respondents also informed the Panel that Libra Law no longer represents the SGF and requested the following:

- i) The proceedings against Mr. Hboubati and Ms. Trad to be closed, as the matter is being dealt with at national level and GEF lacks jurisdiction, or to refer the whole matter to the Syrian sporting authorities;
- ii) (in the alternative) to stay the present proceedings until the outcome of the national investigation;
- iii) (in any case) set aside all pending deadlines and cancel the hearing.

The letter enclosed three attachments: Decision 377 of the Executive Office of the General Sports Federation of 13 February 2024 and an English translation. According to the translation, the Decision set up a committee to investigate the violations attributed to gymnastics coach X. Decision 1209 of the Executive Office of the General Sports Federation of 22 May 2024. According to the translation the Decision accepts the resignation of the President and members of the Board of the SGF and puts in place a temporary committee to manage the affairs of the SGF. Extracts from Facebook of the author of the alleged defamation campaign.

- 24. On 29 May 2024, the Panel requested clarification on whether Libra Law SA remain legal representatives of Mr. Hboubati and Ms. Trad. The Panel further noted that the deadline of 30 May 2024 for the Respondents to file their response remained in place.
- 25. On the same date, Mr. Ramoni informed the Panel that Mr. Hboubati and Ms. Trad confirmed that they are fully innocent and did not breach any regulations. However, they have lost their functions at the SGF and cannot afford legal representation. Thus, according to Mr. Ramoni, the mandate of Libra Law SA will expire upon the issuance of the GEF DC Panel’s decision.
- 26. Further to the Panel’s inquiry of 30 May 2024, Mr. Ramoni informed the Panel that Libra Law no longer represented Ms. Trad and Mr. Hboubati either and that further communications should be sent to them directly.
- 27. On 31 May 2024, the GEF informed the Panel that the hearing scheduled for 6 June 2024 should be cancelled given the resignation of the Board of Directions of the SGF and the formation of an interim committee. The GEF noted that there was no evidence of any investigation at the national level to look into the allegations which formed the basis of the Notice of Charges. The investigation referenced in Mr. Ramoni’s letter (Decision 377) concerned a sanction of an individual in retaliation of his criticisms against the SGF leadership. The GEF stated that the



interim committee continues to represent the national federation and holds responsibility for compliance with internal and FIG rules and regulations. The GEF requested the Panel to order the following:

- i) The SGF Interim Committee to clarify the grounds and scope of the sanction against the former President and Secretary General;
  - ii) The GEF can reopen disciplinary proceedings against Mr. Hboubati and Ms. Trad within the limitation period set out in Art. 5 of the FIG Code of Discipline if it becomes known that they have been appointed to any gymnastics-related role at national and/or international level;
  - iii) The SGF Interim Committee to provide information to the GEF regarding the investigation and details of the disciplinary process against individual X;
  - iv) The SGF Interim Committee to report to the FIG and GEF on measures taken to ensure fair and transparent elections in compliance with applicable rules;
  - v) The SGF Interim Committee to report to the FIG and GEF on measures being taken to impose an adequate safeguarding and disciplinary procedure at national level.
28. On 2 June 2024, an email was received from a third party under the name of Mr. Ahmad Jasser, offering to provide a statement to the Panel if required and providing the telephone numbers for Mr. Hboubati and Ms. Trad.
29. On 3 June 2024, the Panel requested clarification of the position/status of the third party and its proxy. On the same date, the Panel wrote to the GEF seeking its reaction to Mr. Jasser's letter and its confirmation that the Interim Committee was to be treated as a successor of the SGF. The hearing scheduled for 6 June 2024 was cancelled.
30. The GEF responded on the same day that Mr. Jasser was known to the GEF but had no standing in the proceedings. In relation to the third respondent in the case (the SGF) and its status, the GEF informed the Panel that on 2 June 2024, one of the complainants shared with the GEF a letter, reportedly signed by Mr. Muhammad Fawaz Sharaf, Chairman of the temporary committee of the SGF, and Mr. Amer Attar, Secretary General of the SGF, and sent to the FIG on 29 May 2024. In the letter, the committee requested the FIG, among other things, to recognise its mandate to manage the operations of the SGF and to represent the Syrian National Federation ("SNF") until new elections are held at the end of 2024.
31. The GEF added that it had requested the FIG to communicate its view on the recognition of the temporary committee of the SGF. The GEF noted that until it receives clarification from the FIG, and in accordance with the GEF's communication sent to the Panel on 31 May 2024, the GEF considers the interim committee to be the successor entity, representing the SNF and responsible for safeguarding athletes and other participants in gymnastics, as well as for organizing elections in compliance with internal and FIG rules and regulations.



32. On 5 June 2024, the GEF forwarded a mail from Mr. Hboubati addressed to the FIG and to GEF in which Mr. Hboubati denied any wrongdoings. He also stated the interim committee did not fully represent the SGF. The GEF maintained its position expressed above.
33. On 6 June 2024, the Panel reacted to the GEF's requests of 3 June noting that Mr. Hboubati and Ms. Trad no longer had standing to be Respondents, and that it was for the FIG to clarify the status of the SGF Interim Committee.

The Panel issued the following directions:

- i) The SGF Interim Committee to clarify the grounds and scope of the sanctions pronounced against the former SGF President SGF Secretary General;
- ii) Confirms that the GEF can reopen the disciplinary proceedings against Mr. Hboubati and/or Ms. Trad within the limitation period provided by art. 5 of the FIG Code of Discipline, should it become known to the GEF that the mentioned individuals have been appointed to any role in Gymnastics at the national or international level;
- iii) Orders the SGF Interim Committee to provide information regarding the investigation and details of the disciplinary process initiated against individual X (one of the complainants), further to the Decision No. 377 of the Executive Office of the General Sports Federation dated 15 February 2024;
- iv) Orders the SGF Interim Committee to report to the FIG and the GEF on measures being taken to implement adequate safeguarding and disciplinary procedures at the national level.

With regard to the GEF's request n°4 ("Request the SYR NF Interim Commission to report to the FIG and the GEF on measures being taken to ensure fair and transparent elections in compliance with all applicable rules;"), the Panel considers that it is too general and mainly aims at compliance at a federative/associative level. These assurances can and should be requested primarily by the FIG.

34. On 12 June 2024, the Panel issued a communication stating that it has not received a response from the Interim Committee, represented by Mr. Mohammed Fawaz Sharaf and Mr. Amer Attar, regarding its Orders of 6 June 2024. They were invited to provide the requested information from Orders n° 1 and 3 and confirm submission of the information in Order n° 4 to the GEF and FIG by 20 June 2024.
35. On 14 June 2024, the SGF Interim Committee informed the Panel of the following:
  - i) All sanctions imposed by the former federation president, Mr. Hboubati, and secretary, Ms. Trad, were deemed invalid due to personal biases and violations of proper procedure;
  - ii) A one-year suspension starting 13 June 2024, was imposed on Mr. Hboubati and Ms. Trad;
  - iii) A proposal was submitted to the Syrian Olympic Committee for harsher penalties, including potential dismissal from the sports movement of the abovementioned individuals;



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- iv) Judge Ahmed Jasser, residing in Cyprus, was also suspended for one year for his role in collusion and defamation;
  - v) The former leadership failed to transfer official federation emails, website access, and archives, complicating the interim committee's work;
  - vi) Scheduled for November-December 2024, the committee will ensure fair and inclusive elections while adhering to NOC and FIG rules.
36. On 17 June 2024, the Panel confirmed receipt of the SGF Interim Committee letter date 14 June 2024 and invited the GEF to comment on whether the response satisfies points 1, 3 and 4 of the Panel's communication dated 12 June 2024.
37. On 20 June 2024, Mr. Hboubati submitted a letter stating that himself and the Secretary-General, and all members of the dissolved SGF submitted their resignations on their own free will, and no personal or organizational sanctions have been issued against them.
38. On 26 November 2024, the GEF filed a letter confirming that, following further consultation with FIG, the SGF Interim Committee is to be considered as the successor entity of the dissolved SGF. The GEF requested the Panel to issues a decision:
- i) Declaring that the SGF Interim Committee and/or, as the case may be, the newly elected SGF, breached the FIG Safeguarding Policy;
  - ii) Ordering the SGF Interim Committee and/or, as the case may be, the newly elected SGF, to develop safeguarding procedures and mechanisms in compliance with the FIG Safeguarding Policy within 3 months from the notification of the Panel's Decision;
  - iii) Confirming the GEF can reopen the disciplinary proceedings against Mr. Hboubati and/or Ms. Trad should it become known to the GEF that i) the mentioned individuals have been appointed to any role in Gymnastics at the national or international level or ii) are candidates in elections for any role in Gymnastics at the national or international level.
39. On 9 December 2024, the GEF confirmed that the letter had been sent to the NF Acting President, Mr Mohamad Fawaz Sharaf, and Acting Secretary General, Mr Fadi Bahlawan, at the current official SGF email address indicated on the FIG website: [gymnastic.syr@gmail.com](mailto:gymnastic.syr@gmail.com). Meanwhile, Mr Atter had stepped down from the role of the Interim Committee's Secretary General and was therefore not copied into the correspondence.



### III. Jurisdiction

40. Pursuant to art. 32 of the FIG Statutes, art. 2.1 and 3.1 of the FIG Code of Discipline, as well as art. 4.2 of the GEF’s Operational Rules, the Gymnastics Ethics Foundation Disciplinary Commission has jurisdiction to hear the present case.

41. Furthermore, the FIG Safeguarding Policy in Part 2 has a section discussing when it will take jurisdiction over a complaint and when it will refer the matter to a national federation:

*“If an alleged incident of harassment and abuse is reported involving participants that belong to the same NF, or if the incident involves participant(s) but took place at an activity under NF jurisdiction, the incident shall be dealt with by such NF, provided that it has a policy and procedures for safeguarding participants in accordance with FIG Policy. Where the alleged perpetrator is a member of a NF which has a policy and procedures in place, the Gymnastics Ethics Foundation may refer the case to be dealt with by the NF under their procedures. In all other cases, including where: (i) an NF which has a policy and procedures for safeguarding participants, does not, in the opinion of the Gymnastics Ethics Foundation, safeguard such participant (e.g. by taking any disciplinary action); or (ii) an NF does not have a policy and procedures for safeguarding participants; the ‘FIG Policy and procedures’ and the Gymnastics Ethics Foundation’s Constitution and Operational Rules will apply.”*

42. The FIG Safeguarding Policy applies to all member national federations and their officials (art. 5). It enables anyone who has witnessed or experienced harassment or abuse within gymnastics to report the incident without fear of victimisation or retaliation. It aims to ensure an appropriate and coordinated response to any incidents of harassment or abuse within gymnastics, irrespective of whether they arise at national or international level (art. 4).

43. The SNF is an affiliated FIG member federation, bound by the FIG Statutes and subject to its rules and regulations. In particular, by art. 5.2 of FIG Statutes 2023, it must accept and fully comply with the FIG Rules and to safeguard gymnasts/athletes and other participants in Gymnastics from any kind of harassment and abuse, among other obligations.

44. Upon the Panel’s request the GEF confirmed (Letter of 26 November 2024), after further consultation with the FIG, that the SGF Interim Committee is to be considered as the successor entity, representing the SNF and responsible for safeguarding athletes and other participants in gymnastics, as well as for organising elections in compliance with internal and FIG rules and regulations.

45. For all these reasons, the Panel concludes that it has jurisdiction to hear the present case.



#### IV. Applicable Law

46. Pursuant to art. 32 of the FIG Statutes, the GEF shall manage disciplinary proceedings in accordance with the FIG Rules.
47. Pursuant to art. 1 of the FIG Code of Discipline, *“in the absence of a specific provision in this Code, in the WADA Code or in other disciplinary provisions of the FIG Rules, the Disciplinary Authority shall rule according to the general principles set out in this Code and according to the general principles of justice, fairness and equality. It shall apply the general principles of Swiss law, and principles acknowledged internationally”*.

#### V. Merits

48. Originally the charges were directed against the SNF, Ms. Trad (Secretary General) and Mr. Hboubadi (President). In its submission of November 2024, the GEF does no longer request that the Panel investigate the circumstances set out in the Notice of Charges and to sanction the SNF, Ms. Trad and Mr. Hboubati for wrongdoings set out in the Notice. The GEF has modified its prayers due to the removal of the two officials from the SNF, and the organisational changes in the SNF itself. The **GEF requests** the Disciplinary Commission to issue a decision on two points: an order to develop safeguarding measures further to the failure to adopt and implement safeguarding rules, and confirmation that disciplinary proceedings against Mr. Hboubati and Ms. Trad are reserved.
49. Specifically, the GEF requests a decision:
- Declaring that the SGF Interim Committee and/or, as the case may be, the newly elected SGF, breached the FIG Safeguarding Policy;
  - Ordering the SGF Interim Committee and/or, as the case may be, the newly elected SGF, to develop safeguarding procedures and mechanisms in compliance with the FIG Safeguarding Policy within 3 months from the notification of the Panel's Decision.
50. Additionally, the GEF requests the Panel to confirm that the GEF can reopen the disciplinary proceedings against Mr. Hboubati and/or Ms. Trad should it become known to the GEF that i) the mentioned individuals have been appointed to any role in Gymnastics at the national or international level or ii) are candidates in elections for any role in Gymnastics at the national or international level.
51. In light of the above, this Decision will be limited to the GEF's prayers. It is not necessary at this stage to delve into merits of the wrongdoings allegedly committed by Ms. Trad and Mr. Hboubadi.



**A. Breach of FIG Safeguarding Rules**

52. In its decision of 6 June 2024, the Panel had among other directions and orders ordered the Interim Committee to provide information regarding the investigation and details of the disciplinary process initiated against individual X (one of the complainants), further to the Decision No. 377 of the Executive Office of the General Sports Federation dated 15 February 2024 (**Order 3**); and to report to the FIG and the GEF on measures being taken to implement adequate safeguarding and disciplinary procedures at the national level. (**Order 4**);
53. The Interim Committee submitted its comments on 14 June 2024.
54. The GEF conducted further investigations and addressed the Interim Committee's comments in its submission of 26 November 2024.
55. **Regarding Order 3** the GEF notes that the Interim Committee confirms that the sanctions against individual X, and others were taken illegally. The GEF refers to Exhibit GEF\_4, p.1, which is a scan of the Interim Committee's email to the Panel of 14 June 2024:

*The committee took a decision to cancel all the sanctions that were taken against some Syrian gymnastics cadres, internally and externally, issued by the former president of the federation, Mr. Haboubati, and its secretary, Ms. Trad! All of these penalties are considered null and void because they were taken illegally, personally and maliciously, and without referring to the Board of Directors of the Gymnastics Federation.*

56. The Interim Committee thus confirms that investigatory and disciplinary procedures at SYR national level were and are not conducted in accordance with the FIG Rules.
57. **Regarding Order 4**, whereby the Interim Committee was to report to the FIG and the GEF on measures being taken to implement adequate safeguarding and disciplinary procedures at the national level, the GEF notes that in its Answer, the SGF Interim Committee merely alleged the following:

*5- The Interim Committee of the Syrian Arab Gymnastics Federation pledges to adhere to the measures and protection measures and the ten golden rules for all the Syrian gymnastics family, including male and female gymnasts, coaches, male and female coaches, judges, administrators and administrators, in accordance with the rules approved in the FIG and the bylaws in the NOC.*



58. The GEF maintains that despite efforts to obtain information from the SGF Interim Committee on measures being taken to implement adequate safeguarding and disciplinary procedures at the national level, such information has not been provided to the GEF.
59. It is the position of the GEF that a vague commitment to adhere to requirements imposed by the FIG cannot be considered a sufficient and satisfactory answer to the Panel's Order 4. Such allegations shall be corroborated by concrete evidence and at least by the existence of an internal Safeguarding Policy.
60. The Panel agrees with this assessment.
61. The Interim Committee observed in its communication of 14 June 2024 that it had no records since Mr. Hboubati and Ms. Trad had not handed over control over the SGF website or the federation's records and emails. The Panel has no way of knowing whether this is the case. In any event, possible impediments in accessing past records are the Interim Committee's own issue and they do not discharge the Interim Committee from complying with applicable FIG rules.
62. The FIG has adopted the [FIG Policy and Procedures for Safeguarding and Protecting Participants in Gymnastics \(FIG Safeguarding Policy\)](#), which must be adopted and implemented by all sport organisations:

*All sport organizations must implement measures to **prevent and respond to incidents of non accidental violence, harassment and abuse**. The effectiveness of such measures depends on the FIG and its national federations, to **increase awareness** of the indicators and impact of all forms of non-accidental violence. **Everyone in gymnastics needs to know how to raise concerns and be confident that these will be responded to in line with their National Federation and/or the FIG's Policy and Procedures**. Everyone should be aware of the **avenues and means open to them for assistance and support**.*

*~ Part 1, Sec. 1, FIG Policy and Procedures for Safeguarding and Protecting Participants in Gymnastics (emphasis added)*

63. More specifically, art. 6.3 of the FIG Safeguarding Policy provides that each National Federation shall be responsible for:
- *Developing and implementing a Policy and Procedures for safeguarding and protecting participants from harassment and abuse,*
  - *Ensuring such policy and procedures are in line with the standards of FIG Policy and Procedures;*
  - *Ensuring all participants in gymnastics are aware and adhere to the FIG Code of Conduct at FIG activities;*



- *Advising the FIG of any disciplinary sanction imposed by the NF relating to an incident that occurred at an FIG event that was dealt with by the NF.*
- *Informing the FIG on a 'need to know' basis of any temporary suspension or permanent exclusion of one of their members if it is reasonably believed that he/she could present a risk to participants in gymnastics outside the NF concerned.*

64. There is no satisfactory evidence that safeguarding rules have been adopted, let alone implemented at the national level. To the contrary, the Interim Committee admits (in its letter of 14 June 2024) that when Mr. Hboubati and Ms. Trad were at the helm of the SNF, safeguarding rules were ignored. There is no proof that this has improved.
65. This constitutes a breach of the FIG Rules, in particular of the FIG Safeguarding Rules. The Interim Committee is to be ordered to adopt safeguarding procedures and mechanisms in compliance with the FIG Safeguarding Policy within 3 months from the notification of the Panel's Decision.

#### **B. Reserved proceedings against Mr. Hboubati and/or Ms. Trad**

66. In its decision of 6 June 2024, the Panel had among other directions and orders ordered the interim committee to clarify the grounds and scope of the sanctions pronounced against the former SGF President, Mr. Hboubati and SGF Secretary General, Ms. Trad (**Order 1**);
67. The Interim Committee submitted its comments on 14 June 2024. In its letter of 26 November 2024, the GEF confirms that based on the information received from the SGF Interim Committee Mr. Hboubati and Ms. Trad are suspended from all gymnastics-related activities, including from running for election, during their suspension. The removal of the two former officials is not in dispute and was confirmed by the Respondents' then-counsel Libra Law (28 May 2024).
68. The GEF states that it has tried to obtain further clarification on the scope and ground of the sanctions imposed on Mr. Hboubati and Ms. Trad according to the Interim Committee's letter of 14 June. The GEF received only a copy of the relevant decisions.
69. The Panel has already ordered on 6 June 2024 that the GEF can reopen the disciplinary proceedings against Mr. Hboubati and/or Ms. Trad should it become known to the GEF that the mentioned individuals have been appointed to any role in Gymnastics at the national or international level. This must also apply if they are candidate for election in any role in Gymnastics at national or international level.



## VI. Costs

70. According to art. 27 of the FIG Code of Discipline the Panel must decide who bears the cost of the proceedings.

*The Disciplinary Authority shall decide whether the costs incurred by the disciplinary proceedings shall be borne entirely or partly by the sanctioned Party, or shared by the Parties at the percentage to be decided by the Disciplinary Authority or born by the Gymnastics Ethics Foundation. In principle, the Parties shall bear their own expenses and costs, but the Disciplinary Authority may request the unsuccessful Party to pay to the successful Party a fair contribution to or all the expenses (costs of the Party and the lawyer) incurred.*

71. The Panel considers that CHF 5,000 is a fair contribution to the costs of the proceedings.

72. As to the parties' own costs, GEF has not claimed costs and has not been represented by an external law firm. The SGF, Mr. Hboubati, and Ms. Trad have briefly retained external counsel but given the outcome of the proceedings such costs would have to be borne by them anyway.

73. The Panel decides that the SGF Interim Committee and/or, as the case may be, the newly elected SGF shall bear the contribution of costs of the proceedings in an amount of CHF 5,000, which shall be paid to the GEF.

## VII. Publication

74. Pursuant to art. 23 of the FIG Code of Discipline, disciplinary decisions shall be published in full, partly or in short on the FIG website or in the FIG official publication, or even in other media. The Panel considers that it is appropriate to publish a redacted version of the decision.



## ON THESE GROUNDS

The GEF Disciplinary Commission issues the following decision:

1. Declares that it has jurisdiction;
2. Declares that the SGF Interim Committee and/or, as the case may be, the newly elected SGF, breached the FIG Safeguarding Policy;
3. Orders the SGF Interim Committee and/or, as the case may be, the newly elected SGF, to develop safeguarding procedures and mechanisms in compliance with the FIG Safeguarding Policy within 3 months from the notification of the Panel's Decision;
4. Declares that the GEF can reopen the disciplinary proceedings against Mr. Hboubati and/or Ms. Trad should it become known to the GEF that i) the mentioned individuals have been appointed to any role in Gymnastics at the national or international level or ii) are candidates in elections for any role in Gymnastics at the national or international level.
5. Orders that a redacted version of the decision is to be published on the FIG website.
6. Orders the SGF Interim Committee and/or, as the case may be, the newly elected SGF to pay the costs contribution of the present proceedings in the amount of CHF 5,000 to the GEF.

Lausanne, 03 April 2025

Matthias Scherer, Panel President

Laurence Burger, Panel Member

Maximilien Lehnen, Panel Member



## **Notice of Appeal**

### Article 30 of the FIG Code of Discipline - Appeal

With the exception of decisions and sanctions rendered in connection with the FIG Anti-Doping Rules and the WADA Code including its international standards, which may be appealed directly to the CAS, and unless provided otherwise in specific provisions, only the decisions rendered by the Disciplinary Commission may be appealed to the Appeal Tribunal.

Only the Parties directly involved in the proceedings shall be eligible to lodge an appeal to the Appeal Tribunal.

Upon request of a majority of the Executive Committee or of the FIG President, the FIG shall in all cases be eligible to lodge an appeal. The appeal shall be lodged by the FIG Secretary General. Likewise the majority of the Council of the Gymnastics Ethics Foundation or its President shall be eligible to lodge an appeal in all cases. Appeals of the Gymnastics Ethics Foundation shall be lodged by its Director.

In order to be admissible, the appeal shall be lodged in writing and contain:

- the factual argument
- the reasons for the appeal
- the submission of any and all means of proof relied upon by the Appellant or an offer to submit any and all means of proof (such as the request for the hearing of witnesses or the request for an independent expert)
- the request of a hearing if wished so by the Appellant
- the conclusions of the Appellant

If the Appellant wishes to call witnesses or experts, a hearing shall be held.

Once his/her statement of the case is submitted, the Appellant shall not be authorised to produce new means of proof unless he/she justifies that he/she has not been able to do so for reasons beyond his/her control or his/her behest. The Appeal Tribunal may automatically conduct the necessary investigations.

The appeal shall be signed by the Appellant and sent in writing to the Director of the Gymnastics Ethics Foundation to the attention of the Appeal Tribunal within 21 days from the notification of the decision rendered by the Disciplinary Commission.

Should the appeal be submitted by email it shall be admissible provided that it contains an electronic signature officially certified and dated via a secure server.

Should the appeal be sent by mail, it shall be delivered to a Swiss post office at the latest by midnight of the last day of the time limit or be delivered at the Office of the Gymnastics Ethics Foundation, at the attention of the Appeal Tribunal during its usual opening hours not later than the last day of the time limit. The Appellant is responsible for showing proof, within a time limit to be determined by the President of the Appeal Tribunal, that his appeal has been lodged in due time, otherwise, the appeal shall be considered inadmissible.

In order for the appeal to be admissible, the Appellant shall transfer in advance the expenses of CHF 5,000.- onto the account of the Gymnastics Ethics Foundation at the same time the appeal is lodged or at the latest by the end of the appeal deadline. This amount shall be refunded to the Appellant if his appeal is granted. It shall be kept by the Gymnastics Ethics Foundation if the appeal is considered inadmissible or is fully or partly rejected. The Gymnastics Ethics Foundation is exempt from the obligation to pay the expenses in advance for its appeal.