

REVIEW OF ALLEGATIONS OF MISCONDUCT IN  
RELATION TO THE FA'S 2018 WORLD CUP BID

SUMMARY OF THE REPORT TO THE FA

INTRODUCTION

1. On 10 May 2011 Lord David Triesman, former Chairman of the Football Association (“FA”) and former Chairman of England 2018/2022 Bidding Nation Limited (“England 2018”), gave evidence to the to the Culture, Media and Sport Committee of the House of Commons (“the Select Committee”). He made allegations of misconduct against four named members of the Executive Committee of FIFA.
2. The FA decided to have an independent review of the allegations. The FA wrote to FIFA on 11 May 2011 proposing an independent review, which would report to FIFA. After an exchange of correspondence between the FA and FIFA, FIFA requested that the review take the form of a report on the facts, and not an interpretation of the facts, and set out various other procedural requirements.

APPOINTMENT AND TERMS OF REFERENCE

3. On 12 May 2011 the FA appointed me to conduct the independent review of the allegations. The terms of the review were: “(1) to review the evidence of the allegations against the four Executive Committee members; and (2) to ascertain if

there is any other evidence that implicates FIFA Executive Committee members or other FIFA offices taking `bribes' in return for votes".

4. It should be noted that it was no part of my terms of review to determine whether the allegations made by Lord Triesman were well founded or not. Indeed it would have been wrong and unfair to do so because it is fundamental to any system of justice that a person against whom an allegation has been made is given an opportunity to answer that allegation before adverse findings are made. The FA does not have jurisdiction to require answers from the four Executive Committee members who were the subject of Lord Triesman's evidence to the Select Committee. As between FIFA and the FA, FIFA is the relevant body for those purposes.

5. In addition to producing the report to the FA, of which this is a summary, I have produced four separate reports (one in respect of each of the four Executive Committee members who are the subject of Lord Triesman's allegations) setting out relevant evidence to FIFA with annexed statements and documents, which attempts to comply with the requirements set out in FIFA's letter dated 12 May 2011.

#### PROCEDURE

6. In an attempt to comply with the terms of the review; to elicit relevant evidence; and to ensure that the process was fair; bundles of documents were compiled for

review. Following a review of those documents, further documents were identified, and in many cases, located. Letters were sent to Lord Triesman and other persons who might be able to give evidence relevant to the allegations. This included members of the board of directors of England 2018, the members of the senior management team of England 2018, and members of the board of directors of the FA.

7. There were responses from the overwhelming majority of those to whom letters had been written. Many of those responses were, as might be expected, to the effect that the writer had not been present at the relevant meetings and did not know of material which either supported or undermined the allegations made by Lord Triesman. Some of the responses, and some unsolicited correspondence which was sent in, did lead to other lines of inquiry.
8. A decision was made to interview some persons in the light of the responses and documents which had been seen. Potential witnesses were given appropriate notice and time to prepare.
9. The interviews which were conducted took place in London on dates between 19 May 2011 and 25 May 2011. The witnesses were free to attend with legal or other assistance. After the interviews had been conducted, a witness statement which contained only evidence which either supported or undermined the

allegations made by Lord Triesman was produced, agreed and signed by the witness to comply with the FIFA requirements.

#### ALLEGATIONS AGAINST JACK WARNER

The football academy and offices

10. The first allegation against Jack Warner made to the Select Committee on 10 May 2011 by Lord Triesman was summarised in the email sent by the FA to FIFA on 11 May 2011 as follows: “Lord Triesman alleges that, during a meeting with Sir Dave Richards and Mr Warner at the Wyndham Grand hotel in London on 7 October 2009, Mr Warner asked for money to build a school and offices in Trinidad. This was to be Mr Warner’s ‘legacy to the Trinidad & Tobago Football Authority’. Lord Triesman says that Sir Dave Richards suggested that this would amount to some £2.5m, to which Mr Warner “nodded” and said that the funds could be channelled through him.”

11. Lord Triesman was interviewed for the purposes of the report. He confirmed that before he had given evidence to the Select Committee he had re-read his diary, which he kept in shorthand and which he wrote up each night based on recollections and notes he had made, but he did not produce a copy of his diary or any notes for me. He said he would rely on the evidence given to the Select Committee as his evidence because he did not want to stray into territory not covered by Parliamentary privilege.

12. Sir David Richards was interviewed and provided a statement. He agreed that a meeting with Jack Warner had taken place on 7 October 2009 at the Wyndham Grand Hotel. Sir David Richards said that Jack Warner had stated that: England had led the world in education; he felt that the FA should commence a worldwide education programme, building education blocks around the world; and the project should start in Trinidad and Tobago. Sir David Richards had used 'colourful' language in response. The meeting had ended, although Lord Triesman and Jack Warner had had a short conversation at the end of the meeting which he had not overheard. Sir David Richards had not heard Jack Warner either ask for money in his presence or ask for funds to be channelled through him. Sir David Richards explained that he had given the value of £2.5 million as the cost in a journey with Lord Triesman after the meeting with Jack Warner into central London. He said that he based the figure on his previous experience of and involvement in building an education centre in South Africa.

13. Jane Bateman, Director of Campaigns Operations for England 2018, was interviewed and said that Jack Warner had requested the meeting on 7 October 2009 and it had been incorporated into the itinerary produced for Jack Warner's visit. Jane Bateman said that Sir David Richards had mentioned that Jack Warner had asked for an academy when they met that night for dinner at the House of Commons. Andy Anson, Chief Executive Officer for England 2018, recalled that Sir David Richards had mentioned to them Jack Warner's request for an academy in a telephone conversation after the meeting.

14. Inquiries at the Wyndham hotel show that any CCTV recording from 7 October 2009 had not been retained. Although there were other inquiries made as a result of references in internal England 2018 documents the result of the inquiries did not yield any further evidence which would either support or undermine the allegations made by Lord Triesman.

#### The TV rights in Haiti

15. The second allegation against Jack Warner made to the Select Committee on 10 May 2011 by Lord Triesman was summarised in the email sent by the FA to FIFA on 11 May 2011 as follows: “At a later date, after the Haiti earthquake, Lord Triesman alleges that Mr Warner got in touch with him suggesting that someone should make a donation to buy the television rights to the World Cup in order to show the tournament on large screens throughout Haiti so that the people of Haiti could watch the matches. Lord Triesman alleges that Mr Warner suggested that a sum of around £500,000 be sent to him in order that he could secure those rights. Lord Triesman was later informed that Mr Warner in fact owned those television rights”.

16. Lord Triesman again said he would rely on the evidence given to the Select Committee as his evidence because he did not want to stray into territory not covered by Parliamentary privilege. Inquiries revealed that there was an email sent from Jack Warner to Lord Triesman dated 6 February 2010 which followed

on from an offer of assistance made by the FA to Jack Warner, as President of CONCACAF (which includes the Haiti Football Association) following the earthquake in Haiti. Members of the Haiti Football Federation had, along with many others, been killed and the headquarters of the Football Federation destroyed. Jack Warner's email thanked Lord Triesman for the support, and noted that, following a visit which Jack Warner had made to Haiti after the earthquake, a report of needs for the Haiti Football Federation for short, medium and long term had been produced. The email continued: *"The FIFA, besides financial assistance, is providing them with large TV screens placed at two football stadia ... so that all Haitians can see the 2010 World Cup. However before the earthquake owner of the rights had charged them \$1.6 million USD for the rights, a fee which they had agreed to pay. I have since spoken to the owners and can get this figure substantially reduced. If you believe that you can assist them in any way by contributing in part or in whole to the purchase of these rights I am sure all of Haiti will be eternally grateful"*.

17. Although it was thought that there were other relevant emails, inquiries made in the limited time available have not yielded any more relevant emails.
  
18. Inquiries suggest that a company called SportsMax acquired the pay-TV rights for FIFA events in the Caribbean from 2007-2014. This period includes the 2010 World Cup. These rights were acquired through a deal between International Media Content, the holding company for SportsMax, and JD International. JD

International acts on behalf of the Caribbean Football Union in selling the television rights for the region. The President of the Caribbean Football Union is Jack Warner. It is not known whether, under the deal with SportsMax, CFU retained any commercial interest in the payments made for the rights. It appears that FIFA is in the best position to make those inquiries.

#### THE ALLEGATIONS AGAINST DR NICHOLAS LEOZ

19. The allegation against Dr Nicholas Leoz made to the Select Committee on 10 May 2011 by Lord Triesman was summarised in the email sent by the FA to FIFA on 11 May 2011 as follows: “Lord Triesman alleges that, at a meeting on 3 November 2009, Mr Leoz asked for a knighthood. This was said to be as a result of his desire for recognition for his services to world football. It was put to Lord Triesman that, as a former Foreign Office Minister, he must know how such things were organised. Upon being told that it was impossible, Mr Leoz “shrugged his shoulders and walked away”.

20. Lord Triesman again said that he would rely on his evidence given to the Select Committee because he did not want to stray into territory not covered by Parliamentary privilege. Andy Anson recalled that after the presentation of the England World Cup bid Alberto Almirall, who was employed by CONMEBOL, and another person in the CONMEBOL entourage had come up and hinted that it would be nice if England were to recognise Dr Leoz in some way and it would be nice if he would get to meet the Queen. Simon Johnson recollected that after the



visit there was a difference between Lord Triesman who suggested that Dr Leoz had asked for a knighthood, and others who suggested that members of Dr Leoz's entourage had asked that an honour be given to Dr Leoz.

21. Inquiries revealed that before the meeting had taken place Alberto Almirall had emailed Les Dickens on 29 October 2009 about the forthcoming visit. Les Dickens was based in South America and acted as a part-time consultant to the England 2018 bid, and the email was recovered from the email records. In the email Alberto Almirall noted that Dr Leoz was *"... a man who has many distinctions and decorations presented to him by foreign governments and institutions, among them some of the highest decorations given by France (Legion of Honor), Spain (Orden de Isabel la Catolica), Colombia, Venezuela, Peru, Japan, Argentina, Brazil, Mexico, Bolivia, Ecuador, Republic of China, Paraguay and many others. Confidentially, I know that he would love to have a decoration from the British Crown or government, Jane Bateman is aware of this, but nothing has happened in this respect so far"*.

22. Jane Bateman and Andy Anson both confirmed that although Dr Leoz did not make any requests for honours for Dr Leoz, members of his entourage did. David Dein, who got to know Dr Leoz very well in the course of the bid, confirmed that Dr Leoz never raised the issue of an honour with him.

23. The extent to which the request made by Alberto Almirall or other members of CONMEBOL for an honour for Dr Leoz was made with the knowledge and approval of Dr Leoz is a matter on which it has not been possible to get evidence. There are inferences which it will be for FIFA to draw.
24. In an email dated 14 April 2010, also recovered from the email records, Lucia Sanchez emailed Les Dickens about a forthcoming visit. She said "*Hi, Alberto Almiral (Leoz's assistant)... asked me again about Leoz's honorary title announcement as this can `weight heavily' on Leoz's decision*". Lucia Sanchez did not agree to give evidence to me. Les Dickens responded to Lucia Sanchez's email saying "*Please keep in mind that Dr Leoz has written a book, or somebody wrote it for him, on all of his distinctions and honours. He wants something big, important and distinguished*".
25. In the email Les Dickens noted that he had spoken to Alberto Almirall. Les Dickens said "*He brought up the subject again, about some kind of honour/recognition for Dr Leoz. Regarding the offer to name a cup after him Alberto's comments were `Dr Leoz is an old man and to go to England just to meet the Prince and go to the FA cup final is not reason enough. If this is combined with, say, the naming of the CUP after Dr Leoz then that could be reason enough' his words literally*".

26. The reference to a cup appears to be a reference to internal discussions which were taking place within England 2018 about what honour might properly be given to Dr Leoz. Lord Triesman noted that he had been told that Dr Leoz's perhaps greatest claim to fame was that he had been one of the people who had pushed hardest for the development of disability football, and that someone had said something could be done to mark that. It seems that Dr Leoz had been honoured in the past for his contribution to the Special Olympics. It is apparent that there was some discussion about creating a FA Disability Cup, and some consideration about whether that might be named after Dr Leoz. Any such proposal would have had to have been approved by the FA Board; there were different views in England 2018 about whether the proposal was a good idea; and the matter was not pursued.

27. There is some evidence from third parties which is relevant to this allegation. Bob Blizzard, chairman of the British-Latin American All-Party Parliamentary Group led a delegation to South America in 2007. He recounted his visit to Paraguay, his meeting with Dr Leoz, and the invitation to Dr Leoz to visit the House of Commons when visiting Europe. He records a visit by Cristina Acosta Alvares, the Paraguayan Charge d'Affaires in London, who had been present at the meeting in Paraguay with Dr Leoz at which Cristina Acosta Alvares "... *asked me if I could get 'some kind of honour' for Nicolas. I explained that this was not the way things worked in our country ...*".

## THE ALLEGATIONS AGAINST RICARDO TEXEIRA

28. The allegation against Ricardo Teixeira made to the Select Committee on 10 May 2011 by Lord Triesman was summarised in the email sent by the FA to FIFA on 11 May 2011 as follows: “Lord Triesman alleges that, on 14 November 2009 at a meeting in Qatar, he expressed to Mr Teixeira that he was grateful for the support by President Lula for England’s 2018 bid. Lord Triesman alleges that Mr Teixeira then said ‘Lula is nothing, you come and tell me what you have for me’. Lord Triesman acknowledged that Mr Teixeira’s grasp of English was not complete, but nonetheless he found this ‘a surprising way of putting it and, in its way, a shocking way of putting it’, because of how it was likely to be interpreted.”

29. When interviewed Lord Triesman again relied on his evidence to the Select Committee because he did not want to stray into territory not covered by Parliamentary privilege. An email was located which was sent by Andy Anson on 20 November 2009 in which he stated that “*The Chairman and Sir David had a useful trip to Qatar last weekend where they met with ... Ricardo Teixeira. Following our trip to Paraguay, Teixeira is looking forward to our visit when we will formally present our bid to him*”. This email supports the fact that a meeting took place in Qatar, but there is no mention in the email about coming and telling Mr Teixeira what they had for him.

30. Andy Anson confirmed that he was not in Qatar at the material time, that he had been given some feedback by Lord Triesman about the meeting and recalled that Lord Triesman had been slightly surprised that Ricardo Teixeira had dismissed President Lula's support for the England bid. Lord Triesman had not mentioned to Andy Anson anything else about the conversation. There has been some speculation that if Ricardo Teixeira did say what Lord Triesman recalled, it would have been simply to emphasise that it was Mr Teixeira's reaction to the England presentation which counted, and not anything that President Lula might think.

31. There were some suggestions that the encounter between Lord Triesman and Mr Teixeira might have been televised, and if so, that there might be sounds which could be enhanced. It has not, in the time available, proved possible to make any progress with this line of inquiry.

#### THE ALLEGATIONS AGAINST WORAWI MAKUDI

32. The allegation against Worawi Makudi made to the Select Committee on 10 May 2011 by Lord Triesman was summarised in the email sent by the FA to FIFA on 11 May 2011 as follows: "Lord Triesman stated that, during the course of a number of conversations (mainly over the telephone) with Mr Makudi, Mr Makudi expressed a desire to see a match between England and Thailand, in order to commemorate an anniversary (50<sup>th</sup> or 60<sup>th</sup>) of the King of Thailand's accession to the throne. Lord Triesman alleged that, in the event that such a match could be arranged, Mr Makudi insisted that 'one way or another' the TV rights for such a

fixture would go to Mr Makudi personally. Lord Triesman believed that Mr Makudi views this as ‘critical thing to make the arrangement a success’”.

33. When interviewed Lord Triesman again relied on his evidence to the Select Committee because he did not want to stray into territory not covered by Parliamentary privilege. It does appear that on 18 March 2009 Worawi Makudi had written a letter on Football Association of Thailand headed paper to Lord Triesman sending greetings and seeking a friendly match stating that “... *it is our great wish and dream for our country and our people especially the football fans of your English National Team to see their most favourite team play in their own country*”. There was no reference to television rights in the letter. Sir David Richards said that Mr Makudi had been asking for a friendly over a considerable period of time. Simon Johnson recalled that Mr Makudi had been very keen to arrange a friendly between Thailand and England but he said that in his conversations with Mr Makudi there had been no mention of television rights.

34. Andy Anson recalled that he had a number of meetings with Mr Makudi, at which Mr Makudi had continued to press for an England friendly to happen in Thailand in celebration of the King’s 7<sup>th</sup> cycle of ascendancy to the throne. Nothing had been said about television rights in all of his discussions.

35. Inquiries have shown that, when playing friendly matches overseas the FA often retain all TV rights for UK and the rest of the world, permitting the host country

only to have domestic “in country” TV rights. This can be the subject of negotiation, depending on who is paying for the costs of planes, transport and accommodation. By letter dated 24 November 2010 Adrian Bevington, Club England Managing Director, was writing to Mr Makudi as President of the Football Association of Thailand about team arrangements and requirements, and, among other matters, TV rights. It is apparent that there were proposals being discussed whereby the Football Association of Thailand retained not only domestic TV rights, but also rest of the world TV rights except for the UK, depending on what could be agreed about payment for the cost of the trip. It does not appear that it was ever proposed that the UK TV rights would be vested in the Football Association of Thailand.

#### OTHER ALLEGATIONS

36. In the short time that I have had available (between 12 May and 27 May 2011), which I have necessarily devoted to attempting to locate evidence relating to the allegations made by Lord Triesman to the Select Committee and producing this report and the reports to FIFA, I have not been able to locate evidence relevant to other allegations and rumours. I have identified some lines of inquiry that might be pursued and I have identified these lines of inquiry to those who have been providing assistance to me. As I have not been able to locate evidence relevant to these matters I have not set out the allegations in this report.

37. The very large number of rumours which have circulated does give rise to a fundamental point. This is that there is a need for greater transparency in the bidding process so that decisions, if fairly made and adjudicated, can enjoy the respect they deserve. In this respect it is apparent from the materials that I have read that there are members of the FIFA Executive Committee who enjoy world wide respect, and against whom no allegations have ever been made. These realities are obscured because of the persistence of the rumours and the lack of transparency. The need for transparency was made by a number of persons who were interviewed.

38. The immediate need for transparency relates to contacts between members of bidding teams and members of the FIFA Executive Committee and their respective national and regional bodies. Transparency, and confidence, will also be heightened if there are set parameters against which a bid can be judged. There is a need for an updated and detailed Code of Ethics which deals with both lawful and unlawful approaches to and from members of the FIFA Executive Committee. There is a need for a system whereby the relevant rules can be seen to be enforced in a transparently independent manner.

#### FIFA CODE OF ETHICS AND BID RULES

39. It might be noted that although the FIFA Ethics Code states that FIFA has a special responsibility to safeguard the integrity and reputation of football, the relevant provisions of clauses 10 and 11 refer only to officials not accepting



bribes. The Code does not refer to the situation where “gifts or other advantages” are sought for family members, Member Associations or corporations. The Code does not expressly prevent persons, subject to the jurisdiction of FIFA, either offering or providing bribes, it is just receipt which is the subject of express provision.

40. The bid registration documents contained rules relating to the bidding process. It seems to me that there are a number of weaknesses with the Bid Registration Rules. First the Rules were directed only to the bidding Member Association and the Bid Team, and not to FIFA Executive Committee Members and officials. This might not have mattered if the Ethics Code was more detailed. Secondly, the rules were drafted to restrain the Member Associations and Committees from “providing” the bribes, and did not expressly prohibit behaviour leading up to the provision of the bribe. Thirdly the Rules did not expressly deal with benefits provided to other Member Associations, or countries, by bidding teams or by corporations intending to support the Bid Committee.

#### THANKS

41. I should record my particular thanks to Alistair Maclean, the FA Group Legal Director, James Bonington and Richard Bush, solicitors employed by the FA and Ben Rees, a trainee seconded to the FA, for dealing with all my requests for assistance in a professional and independent manner. I am very grateful for all the assistance provided by those persons who responded to the letters and requests

for information which were sent, as well as for the assistance provided by those persons who sent in, unsolicited, relevant information. Finally I am very grateful to all those persons who attended to be interviewed. I had no powers to compel the attendance of any person, and the extent of the co-operation from those witnesses who attended to be interviewed was particularly appreciated.



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