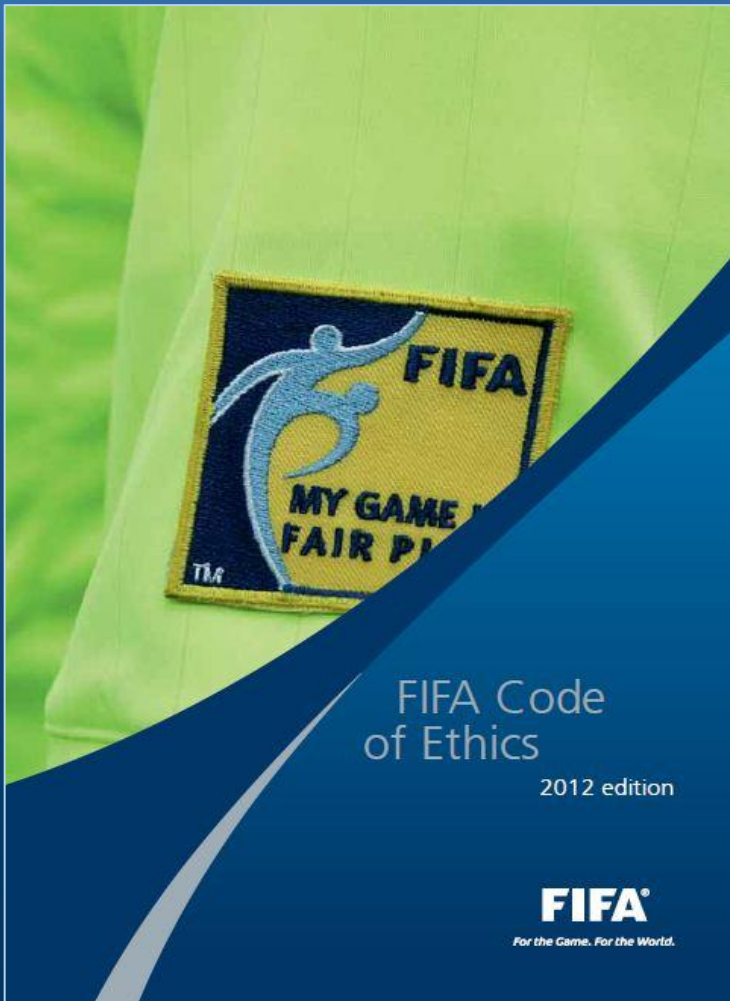


# FIFA CODE OF ETHICS, 2012 EDITION



“FIFA bears a special responsibility to safeguard the integrity and reputation of football worldwide. FIFA is constantly striving to protect the image of football, and especially that of FIFA, from jeopardy or harm as a result of illegal, immoral or unethical methods and practices.”  
— Preamble, FIFA Code of Ethics

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## FIFA Code of Ethics 2012

- ◆ Overview
- ◆ Applicability
- ◆ Penalties

## FCE 2012 effective date: July 25, 2012

- ◆ Persons bound by the FCE “are expected to be aware of the importance of their duties and concomitant obligations and responsibilities” — FCE art.13 (1)
- ◆ The following training modules will help you fulfill this obligation

## FCE covers conduct

- ◆ “that damages the integrity and reputation of football” — art.1
- ◆ “within association football that has little or no connection with action on the field of play” art. 1

Therefore,

- ◆ *off*-field conduct and/or conduct with little connection to a football match = covered
- ◆ *on*-field conduct = not covered

## Who is covered by FCE?

- ◆ “all officials and players as well as match and players’ agents...”
  - ◆ “Officials” include “every board member, committee member, referee and assistant referee, coach, trainer and any other person responsible for technical, medical and administrative matters in FIFA, a Confederation, Association, League or club” — FIFA Statutes, Definitions, No. 10
  - ◆ “...who are bound by this Code on the day the infringement is committed” — art. 2
  - ◆ Even if a person bound by the Code ceases to serve in his function, the Ethics Committee remains competent to render a decision — art. 56 (1)
  - ◆ Cannot avoid sanctions by leaving football after committing a violation

## Duty to abide by the Code

- ◆ Under FCE arts. 5 and 27 and FIFA Statutes art. 63 the Ethics Committee may sanction anyone who
  - ◆ is bound by the FCE, and
  - ◆ breaches the FCE

## Duty to report misconduct

- ◆ Must “immediately report any potential breach of this Code” — FCE art. 18(1)
- ◆ May also submit a formal complaint, with appropriate support, regarding a potential breach — FCE art. 61(1)

## How to report misconduct

### ◆ Contact the Investigatory Chamber of the Ethics Committee

◆ Via fax: 41 43 222 77 06

◆ Via letter: Attention:  
FIFA Ethics Committee  
Michael J. Garcia  
FIFA-Strasse 20  
P.O. Box 8044  
Zurich

◆ Via email: [ethics@fifa.org](mailto:ethics@fifa.org)

◆ Via reporting mechanism: <https://www.bkms-system.net/FIFA>



## Duty to Cooperate: Parties

- ◆ Those accused of misconduct (“parties”) MUST cooperate with the Ethics Committee in establishing the facts of the case — FCE art. 38, 41
  - ◆ Must comply with requests for information
  - ◆ Must comply with requests for written or oral testimony
- ◆ Failure to cooperate fully, truthfully, or promptly is sanctionable and may be taken into account in the Ethics Committee’s ultimate decision — FCE art. 41(4), 41(5)

## Duty to Cooperate: General Obligation

- ◆ Anyone bound by the Code MUST cooperate with requests by the Ethics Committee to help establish the facts of the case — FCE art. 42
  - ◆ Must comply with requests for information
  - ◆ Must comply with requests for written or oral testimony
- ◆ Failure to cooperate fully, truthfully, or promptly is sanctionable — FCE art. 42

## Sanctions: Conduct — FCE art. 5(2)

- ◆ Sanctionable conduct includes acts that are
  - ◆ Committed *or* omitted
  - ◆ Intentional *or* negligent
  - ◆ Completed *or* attempted
- ◆ Misconduct may lead to sanctions against any
  - ◆ Participant
  - ◆ Accomplice
  - ◆ Instigator

## Sanctions: Penalties — FCE art. 6

Breaches of the Code are punishable by sanctions including

- ◆ Warning
- ◆ Reprimand
- ◆ Fine
- ◆ Ban on football-related activity
- ◆ More

## FCE Rules of Conduct

- ◆ Duties
- ◆ Undue advantage
- ◆ Protection of personal rights
- ◆ Integrity of competitions

## General Rules of Conduct — FCE art. 13

As someone bound by the Code, you must

- ◆ be aware of the importance of your duties, obligations, and responsibilities
- ◆ respect all applicable laws and regulations, as well as the regulatory framework of FIFA
- ◆ demonstrate a commitment to ethics and integrity
- ◆ not abuse your position in any way, especially for private gain

## Duties Under the Code

- ◆ Duty of neutrality (FCE art. 14)
- ◆ Loyalty (FCE art. 15)
- ◆ Confidentiality (FCE art. 16)
- ◆ Forgery and falsification (FCE art.17)
- ◆ Duty of disclosure, cooperation and reporting (FCE art. 18)

## Loyalty (FCE art. 15)

You owe a fiduciary duty to

- ◆ FIFA
- ◆ confederations
- ◆ associations
- ◆ leagues
- ◆ clubs



## Confidentiality (FCE art. 16)

- ◆ As part of organized football, you will have access to information that is not available to the general public
- ◆ You must preserve the confidentiality of this information
- ◆ This duty against unauthorized disclosure remains even after you leave organized football

## Forgery & Falsification (FCE art.17)

- ◆ Prohibition on forgery or falsification is absolute
  - ◆ It's a violation even if the forged or falsified document relates to a minor matter
  - ◆ It's a violation even if the forgery or falsification does not cause any harm

## Undue Advantage: Conflicts of Interest

- ◆ Definitions (FCE art. 19 (2))
  - ◆ “Conflicts of interest arise if persons bound by this Code have, **or appear to have**, private or personal interests that detract from their ability to perform their duties with integrity in an independent and purposeful manner”
  - ◆ “Private or personal interests include gaining any possible advantage for the persons bound by this Code themselves, their family, relatives, friends and acquaintances”

## Undue Advantage: Conflicts of Interest

- ◆ You must avoid any situation that could lead to a conflict of interest
- ◆ When a potential or existing conflict of interest arises, you MUST
  - ◆ disclose that potential or existing conflict of interest
  - ◆ not perform any football-related duties in a context in which that potential or existing conflict of interest is present

## Gifts and other benefits (FCE art. 20 (1))

You may offer or accept a gift only if ALL of the following conditions are met:

- ◆ the gift has merely symbolic or trivial value
- ◆ the gift is not intended to influence the execution or omission of any official act performed by or affecting anyone bound by the Code
- ◆ the offer or acceptance is consistent with all of your other duties
- ◆ the gift does not create any undue pecuniary or other advantage
- ◆ the offer or acceptance does not create a conflict of interest

## Gifts and other benefits (FCE art. 20 (2))

- ◆ Cash may NEVER be offered or accepted
- ◆ This is true regardless of whether
  - ◆ the cash is offered to or accepted from someone within FIFA or outside FIFA
  - ◆ the amount of cash offered or accepted is large or small

## Gifts and other benefits (FCE art. 20 (4))

- ◆ You MUST refrain from any action that might give rise to an ***appearance or suspicion*** of improperly offering or accepting gifts or other benefits

## Bribery and corruption (FCE art. 21)

- ◆ You MUST NOT
  - ◆ offer, promise, give or accept...
  - ◆ ...anything that provides personal value, pecuniary value, or any other advantage...
  - ◆ ...in order to obtain business, retain business, or gain any other benefit...
  - ◆ ...related to the official duties of you or the person with whom you are exchanging the offer, promise, or gift in question.
- ◆ Such actions are prohibited even if carried out indirectly, such as through intermediaries or related parties
- ◆ You MUST report any offer, promise, or gift described above
  - ◆ Failure to report will lead to sanctions



## Bribery and corruption (FCE art. 21)

- ◆ FIFA is committed to enforcing the anti-bribery and anti-corruption provisions of the FCE to the fullest extent possible
- ◆ You MUST refrain from any action or behaviour that might give rise to an ***appearance or suspicion*** of misconduct — FCE art. 21(3)

## Commission (FCE art. 22)

In performing your duties, you MUST NOT

- ◆ accept commission or promises of such commission for negotiating deals of any kind
- ◆ UNLESS you are expressly permitted to do so by the applicable football body

## Non-Discrimination (FCE art. 23)

- ◆ You MUST NOT offend the dignity or integrity of a country, private person or group of people through any contemptuous, discriminatory or denigratory words or actions on account of race, skin colour, ethnic, national or social origin, gender, language, religion, political or other opinion, wealth, birth or any other status, sexual orientation or any other reason.
- ◆ [Link to FCE art. 23 and FIFA Statutes art. 3]

## Protection of physical and mental integrity (FCE art. 24)

- ◆ You MUST respect, protect and safeguard the integrity and personal rights of every individual who is affected by your actions.
- ◆ Harassment is forbidden. This ban applies to systematic, hostile and repeated acts for a considerable duration, intended to isolate or ostracise and affect the dignity of a person.
- ◆ Sexual harassment is forbidden. This ban applies to unwelcome sexual advances that are not solicited or invited and which are regarded as undesirable or offensive. Threats, the promise of advantages and coercion are specifically prohibited.

## Integrity of matches and competitions (FCE art. 25)

- ◆ You are prohibited from taking part in any way, or being associated with, betting, gambling, lotteries and similar events or transactions connected with football matches.
- ◆ You are forbidden from having any stake, either actively or passively, in companies, concerns, organizations, etc. that promote, broker, arrange or conduct such events or transactions.