The FFE Project: Perception of Fairness and its Effect on the Integrity of FIFA

1. Introduction

The world of sports is unique due to its intense emotional charge, grounded in the unpredictability of results. Sudden, unscripted moments of high tension result in either sadness or euphoria. The **integrity** of the game is an essential condition to ensure this innocent and clean nature of emotional stream. Subsequently, the integrity of the game is closely connected with **fairness**. The magnitude of this interplay between fairness, integrity, and their **perception** is amplified in football due to its worldwide popularity. People identify with their favourite clubs and national teams.

Fairness manifests itself on and off the pitch. It is essential to ensure that all teams compete on an **equal playing field**, at least to the highest degree possible. Integrity, on the other hand, requires respect for the values and principles that sport embodies and promotes. Although these terms are not synonymous, they are closely interconnected. In this article, we examine perceptions of both in light of the reputational damage FIFA has recently suffered as a result of its governance.

A recent attempt to create the FIFA Forward Enterprise ("FFE") has indeed provided some guidance on how (not) to pursue what is perhaps inevitable commercialisation in the future. Because of the lack of transparency in the process of the potential acquisition of shares in FIFA's commercial rights, the project created suspicions that commercial considerations could come at the expense of sporting integrity. This does not suggest that sporting integrity was in fact compromised. Rather, the structure created a potential conflict between commercial incentives and sporting considerations, which, in the absence of sufficient transparency, was capable of affecting public perceptions of FIFA's decision-making. The loss of public trust appears to be one of the key consequences that helped to bury this project in the heavily audience-driven industry. Due to the tension and huge emotional overload, public perception of opaque steps might have similar substantial effects to an actual violation

of fairness itself, which questions the game's integrity.

Football does not need a rule violation or a broken law to lose its integrity - the mere opportunity to manipulate the premises due to the lack of insight and the perception of unfairness is enough.

2. Legal Status of FIFA

FIFA, being a **non-profit association** under Swiss law, codified in and regulated by **Articles 60-79** of the Swiss Civil Code ("**SCC**"), as stated in **FIFA Statutes**[1]. FIFA has goals other than generating profit. FIFA prides itself in developing and growing the game of football, creating values outside of the field, and many more[2].

Despite FIFA's non-profit status, the **2026 FIFA World Cup** highlighted growing concerns about the commercialisation of international football and the extent to which **commercial or external interests** may **influence** the organisation of the game. One example was FIFA's use of predetermined hydration breaks, including in circumstances where climatic conditions did not necessarily require them for player safety. While officially justified on welfare grounds[3], their regularity also created predictable opportunities for television advertising, contributing to criticism that the traditional **uninterrupted structure** of football was being adapted to a more commercially driven, particularly American, broadcasting model.

Similar concerns arose in relation to World Cup ticketing. FIFA's use of high and potentially dynamic prices attracted scrutiny in the EU, where questions were raised as to whether its position as the exclusive primary ticket seller could engage **Article 102 TFEU** on abuse of dominance, alongside EU consumer-protection rules[4]. This reflects the broader principle that FIFA's **regulatory autonomy** does not exempt its commercial activities from ordinary **competition law**.

The Balogun controversy further reinforced concerns that considerations external to sport could affect FIFA's decision-making. Although his red card itself was not overturned, FIFA suspended the resulting one-match sanction under the discretion contained in its **Disciplinary Code**[5], following political representations concerning the

[1] Swiss Civil Code of 10 December 1907 (SR 210), Articles 60–79.

[2] FIFA Statutes (April 2024 edition), Articles 1-2.

[3] FIFA, *Players to benefit from hydration breaks at FIFA World Cup 2026*, 7 December 2025.

[4] See *Formal Complaint to the European Commission against FIFA* by Euroconsumers and Football Supporters Europe, (24 March 2026).

[5] FIFA Disciplinary Code, Article 27.

player. The issue was therefore less whether FIFA possessed formal discretion than whether that discretion was being applied consistently and independently. This is particularly significant given **Article 52 of the FIFA Statutes**, which establishes FIFA's disciplinary bodies as judicial bodies subject to **independence** requirements[6]. Taken together, these examples create the impression that commercial and political considerations are increasingly capable of influencing areas traditionally governed by sporting necessity, regulatory consistency and institutional independence.

Despite FIFA's non-profit status, the doubts regarding its impartiality were raised among fans, with extensive forums and discussions on social media platforms like Instagram, Reddit, or Quora. Although these people are mostly not qualified to make such an accusation and hold no executive power, as consumers, they form a community that world football is built upon. Therefore, their opinions and perceptions are not to be diminished. If it is impossible to completely eliminate public scepticism, what is necessary then is to mitigate the ambiguities fuelling these opinions as much as possible via honest, transparent, and systematic work. Introducing private equity into the governance equation, especially in the current climate and under circumstances perceived as opaque, pushes the perception of fairness into an even deeper hole.

3. FFE and its consequences

FFE is a commercial vehicle created by FIFA, through which it intended to sell a percentage of its commercial rights to a private investor. It caused a backlash from a substantial number stakeholders: fans, Federations and Continental Associations. What stirred the waters even more were the political ties implied by the publicised information[7].

Is **private equity** inherently bad? Such an arrangement can be seen between FIVB and Volleyball World ("VW")[8]. In our case, instead, Private equity would introduce a profit-driven actor into FIFA's commercial structure, risking financial and political influence over decisions that should remain independent. These aspects inevitably

[6] Juan de Dios Crespo Pérez, *Suspending the Sanction, Emptying the Rule? The Balogun Case and the Limits of Article 27 of the FIFA Disciplinary Code' (2026)*, The Impact Lawyers, 2 September 2026.

[7] *Fifa accused of "selling the soul of football" over $20bn World Cup commercial rights sale plan*, Matt Hughes, Paul MacInnes, The Guardian, London, 28 July 2026.

[8] Euan Cunningham, F*IVB and Volleyball World in Long-Term Commercial Tie-Up with AVC,* Sportcal, 28 June 2022.

brought discussions regarding the game's integrity, especially after the controversial WorldCup.

In the world of globalisation and exponential commercial growth, FIFA appears to be realising its commercial power and diverting from its grassroots non-profit origins towards a more profit-oriented scheme. UEFA publicly emphasised that football is the people's game, and no investor shall own it.

Any private equity seeking pure profit without submitting itself to the needs of fans has very little chance to succeed. The challenge, therefore, is not to prevent commercialisation, but to ensure that its pursuit does not create a perception that the interests of investors are placed above those of the sport itself. And to gain this **trust**, **democratic processes** capable of incorporating the interests and opinions of all stakeholders must be activated, in accordance with the basic principles of good governance.

4. Good Governance

Good governance is built upon multiple principles. In the literature, some of the principles differ, but **democracy**, **accountability**, **transparency**, and fairness are central. These principles provide a baseline for assessing whether an organisation exercises its powers **effectively**, **legitimately**, and in a manner capable of maintaining public trust[9].

To maintain the positive perception and reputation of governing bodies and football stakeholders, it is important that these principles are upheld. Transparency ensures public insight and opens the system to **scrutiny**, accountability shows that actions have consequences, democracy provides an opportunity to replace individuals who are no longer fit to hold their position, and fairness provides legitimacy to the decisions made, which defuses emotionally charged situations to at least a certain degree. These principles must be functional and adhered to, otherwise the public perception might worsen, since there is no effective control over processes within these institutions with enormous regulatory and commercial power.

Football's nature as a "people's sport" amplifies the need for these principles to be effectively applied. The **opaqueness** and **controversy** are not taken lightly by the football community, which is very sensitive to even hints of **wrongdoing** and **unfairness** in this sport. The FFE

[9] Milena Parent, *The Structures of Sport and "Good Governance"*, in *Ethics, Education and Governance in the Olympic Movement: 57th International Session for Young Participants (International Olympic Academy 2018)*, K Georgiadis (ed.), 98–107.

and the huge public upheaval caused, are strong evidence.

Any future attempts of private equity must not only be fully transparent, but the rationale should also be effectively communicated to ensure not distorting public perception, which sometimes can be the **judge**, as well as the executioner.

5. Conclusion

We chose to examine FIFA's latest governance controversy through the eyes of those whose trust and engagement ultimately sustain the institution – its stakeholders and, above all, its fans. Their **loyalty** is one of the basic building blocks of the football industry.

There is something almost ecclesiastical about FIFA's **resilience**. The Church, after all, does not derive its power solely on the authority of its hierarchy; its **endurance** rests, more fundamentally, on the **unshaken faith** of its believers, even when those entrusted with guarding the institution have proved unworthy of that trust. FIFA appears to enjoy a comparable resilience. FIFAGate (among many scandals) was supposed to be an earthquake. Executives fell, reputations collapsed and the mythology of football's governing class was exposed to an unforgiving light. Yet the institution itself remained standing. And perhaps the FFE contained all the ingredients for a comparable institutional reckoning.

But ultimately, just as even an institution as enduring as the Church has been forced to confront **crises of legitimacy** through schisms and reform, FIFA too must reckon with the consequences of **eroded public trust**. **Restoring** it demands a **proactive** programme of internal **reform**, placing greater transparency, accountability, and meaningful stakeholder **participation** at the heart of FIFA's governance and decision-making.