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The Governance Paradox: FIFA's Autonomy Doctrine, Domestic Accountability, and the Collateral Damage of Suspension.

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1. Introduction

As global sports governance intersects with national sovereignty, the frequent clashes between international federations and local authorities have exposed deep institutional vulnerabilities, notably highlighted by the current suspension of the All Nepal Football Association (ANFA).[1]

To understand this complex friction, this piece examines the blurred boundaries of guardianship between FIFA and the state, the core tensions surrounding the current administrative impasse, and the limits of autonomy when internal governance crumbles.

Furthermore, it looks beyond administrative deadlocks to recognize the true victims of these suspensions before exploring how a collaborative framework of shared responsibility can finally restore integrity to the game.

2. The Question of Guardianship: FIFA, the State, or National Sports Bodies?

When international governing bodies suspend a national association on grounds of third-party interference, they usually invoke a protective principle intended to shield sports federations from political encroachment.[2]

However, when this doctrine is applied rigidly, it raises fundamental questions about authority and institutional duty. Who is truly responsible when national football governance collapses from within? Where does the ultimate duty of care rest with global authorities, national regulatory bodies, or the state?

Under Nepal's primary legal architecture for sports, the National Sports Council (NSC) is the statutory

[1] FIFA suspends ANFA over third-party interference: The Kathmandu Post.

[2] When international governing bodies suspend a national association on grounds of third-party interference, they usually invoke a protective principle intended to shield sports federations from political encroachment.

apex body tasked with regulating national sports associations.[3]

The All Nepal Football Association (ANFA) is registered under this legal system, uses public infrastructure, and represents the nation. When executive leadership allows democratic mandates to expire across local districts and football activity is paralyzed, the relationship between national regulators and federations becomes crucial. National oversight is not inherently political meddling;[4] it is an obligation to safeguard public trust and ensure that domestic sports entities comply with democratic standards and national legislation.

3. The Current Impasse: Dialogue, Autonomy, and Governance Principles

The current standoff centers on conflicting priorities. FIFA insists on strict non-interference, requiring the unconditional resumption of the interrupted electoral process and the lifting of administrative measures as a prerequisite to lifting the suspension. From FIFA's perspective, member federations must operate completely free from state or judicial intervention.

In response, the Government of Nepal, operating under a mandate led by the world's youngest Prime Minister, argues that simply reverting to the old system is inappropriate, as good governance, transparency, and sports development are central national priorities. Over half of the district representatives forming the electoral college have had their terms expire, making any central election based on that base vulnerable to immediate legal challenges under domestic law.[5] The Government has expressed complete willingness to lift financial and administrative measures, but maintains that true sports development requires an agreed, transparent roadmap, specifically a fresh, bottom-up election overseen independently to prevent recurring legal deadlocks.

This raises an essential question: should the government be involved? Under a mandate explicitly focused on institutional reform and good governance, staying silent while a national sport collapses under administrative decay would be a failure of public duty. Governmental engagement here is not about choosing who leads football, but about creating an environment where democratic governance and the rule of law can

[3] FIFA, 2024, Arts. 14, 19

[4] Nafziger, J. A. R. (2008**).** The autonomy of international sports organizations. *Lex Sportiva: What is Sports Law?*.

[5] Mr. Amit Khatri Vs. National Sports Council, Dasharath Stadium, et al., Case: Injunction, Case No.: 082-WO-1105, Decision No.: 345

function without ongoing court interventions.

4. Administrative Breakdown and the Limits of Autonomy

A central issue in this crisis is whether national sports federations can operate in total isolation from the laws of the country in which they exist.[6] Autonomy in sports governance was never intended to grant institutional impunity. While the FIFA Statutes insulate member federations from political interference, they simultaneously mandate adherence to principles of democratic governance, integrity, and statutory compliance.[7]

When a member association fails to execute sequential, democratic elections from the grassroots level, it breaches both its internal statutory framework and domestic sports regulations.[8] When aggrieved local stakeholders seek relief through the domestic court system, the resulting judicial rulings are legitimate legal remedies, not political interference. Expecting a sovereign government or national regulator to ignore binding orders from higher courts creates an impossible legal conflict. International governing bodies should treat crumbling governance within a federation with the same urgency as external intervention, rather than allowing procedural rules to shield administrative failures.

5. The Real Victims of Suspension

The framing of international suspension as a sudden catastrophe ignores a far more troubling reality: the key stakeholders of Nepalese football have been the victims of failed domestic administration for years[9], long before global sanctions were ever imposed.

The top-tier domestic league has been paralyzed for years, leaving top athletes without a regular league platform for nearly three years. To survive, players and referees are forced to travel across the country to participate in informal, precarious local tournaments just to earn basic match fees on substandard pitches.

If we evaluate professionalism by its fundamental economic definition, where an athlete earns a sustainable living wage from their sport that exceeds their basic cost of living[10], Nepal can hardly count professional footballers in double digits. Domestic clubs face severe financial erosion and struggle to maintain operations while anchored to a dysfunctional sporting system. The suspension only deepens this ongoing structural tragedy, further isolating players already financially

[6] Foster, K. (2003). Is there a global sports law?
[7] FIFA Statute, Art 15
[8] National Sports Development Act, 2077 (2020) (Nepal).
[9] Nepal's Top Football League Stalled for Three Years Amidst ANFA's Management Crisis and Financial Woes, Ratopati, https://english.ratopati.com/story/46330/anfa-limited-to-assurances-nepali-football-without-a-league
[10] FIFA Regulations on the Status and Transfer of Players (RSTP).

stranded while leaving the root causes of administrative failure unaddressed.

6. Rebalancing Authority and Shared Responsibility

National associations carry a dual responsibility: staying compliant with global statutes while respecting domestic laws and judicial authority. When an executive body fails to balance these obligations, global authorities and national sports councils must work as collaborative guardians rather than opposing parties.

Moving forward, the authoritative entity requires to distinguish between malicious political takeover and legitimate legal oversight aimed at enforcing democratic processes. Instead of relying solely on punitive suspensions, global bodies and national sports authorities must establish joint, independent transitional mechanisms to manage electoral roadmaps when a member association hits a deadlock. Real solutions depend on putting the true custodians of the game, players, coaches, clubs, and supporters, at the center of all governance decisions.