

COMPARATIVE LEGAL PERSPECTIVES ON HUMAN RIGHTS

Article



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FIFA's Experience in the Implementation of the United Nations Guiding Principles on Business and Human Rights

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Abstract: Sporting activities generate impacts on a wide range of human rights. However, international sports organizations who are not subjects of public international law for a long time did not view themselves bound by international human rights standards. The situation began to change when the United Nations Guiding Principles on Business and Human Rights (UNGPs) were adopted in 2011, obliging businesses, including entities engaged in sports activities, to implement human rights due diligence (HRDD) requirements, namely to identify, mitigate, assess and remedy adverse human rights impacts of their activities. The International Olympic Committee (IOC) that started to embrace consistently the HRDD model is setting a good example to follow.

International Federation of Association Football (FIFA) demonstrates a responsible approach to human rights issues. By means of adopting its own normative documents, namely FIFA's Human Rights Policy of 2017 and FIFA World Cup 2026 Sustainability and Human Rights

Strategy of 2024, FIFA signals its readiness to be guided by HRDD in its global operations. A specific unit named the Human Rights Advisory Board (HRAB) operated within FIFA from 2017 to 2021, after which it was disbanded. It analyzed the human rights situation in global football and formulated recommendations on the steps FIFA was expected to undertake to fulfill its human rights obligations more effectively. The authors of the article consider it necessary to revive the FIFA Human Rights Advisory Board.

Furthermore, based on the analysis of the most recent human rights violations that occurred at sporting events organized by CONMEBOL (South American Football Confederation), the authors believe that this entity should align itself with FIFA's normative provisions on human rights and integrate HRDD requirements into its practical activities. The most effective way for regional football confederations to achieve this goal would be to adopt their own human rights policies and establish the necessary bodies to ensure commitment to the UNGPs and FIFA's Human Rights Policy.

Keywords: FIFA; IOC; business; human rights due diligence (HRDD); United Nations Guiding Principles on Business and Human Rights (UNGPs); FIFA Human Rights Advisory Board (HRAB); confederations; CONMEBOL

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Contents

I. Introduction	501
II. Guiding Principles on Business and Human Rights (UNGPs) of 2011 and a Reference Model for Their Implementation in the Olympic Movement ..	505
II.1. Origins, Adoption and Purpose of the UNGPs	505
II.2. Addressees, Main Provisions and Significance of the UNGPs	506
II.3. The UN Working Group on Business and Human Rights	507
II.4. IOC's Good Example to Follow	508
III. FIFA's Regulatory and Institutional Framework in the Sphere of Human Rights	511
III.1. FIFA's Human Rights Policy of 2017	511

III.2. FIFA's Experience in the Field of Human Rights:	
Identifying Problems and Finding Solutions	517
III.3. FIFA World Cup 2026 Sustainability and Human Rights	
Strategy of 2024	520
IV. From Regulatory Compliance to Human Rights Due Diligence:	
Strengthening FIFA's Governance through Its Confederations	
(the Case of CONMEBOL)	524
V. Discussion	527
VI. Conclusion	528
References	530

I. Introduction

It is quite obvious that sports can be linked to situations involving discrimination, harassment, and violence,¹ sexual abuse,² labor abuse, child exploitation, abuse of representatives,³ violence at sport-

¹ Horror en Avellaneda: cronología del escándalo en Independiente-Universidad de Chile [Horror in Avellaneda: a Chronology of the Scandal at Independiente-Universidad de Chile]. *Entertainment and Sports Programming Network (ESPN)*, 21.08.2025. Available at: https://www.espn.com.ar/futbol/copa-sudamericana/nota/_/id/15571914/horror-avellaneda-cronologia-escandalo-independiente-universidad-de-chile [Accessed 06.08.2026].

² El escándalo por las denuncias de abuso sexual de menores que sacude al mundo del fútbol en Argentina [The scandal over allegations of child sexual abuse rocking the world of soccer in Argentina]. *BBC News*, 02.04.2018. Available at: <https://www.bbc.com/mundo/noticias-america-latina-43623464> [Accessed 06.08.2026]; Estremecedora declaración de Simone Biles en el juicio a Larry Nassar: "Sabían que estaba siendo abusada" [Simone Biles's Shocking Testimony at Larry Nassar's Trial: "They Knew I Was Being Abused"]. *Infobae*, 15.09.2021. Available at: <https://www.infobae.com/america/deportes/2021/09/15/estremecedora-declaracion-de-simone-biles-en-el-juicio-a-larry-nassar-sabian-que-estaba-siendo-abusada/> [Accessed 06.08.2026]; El Manchester City indemnizará a niños que fueron víctimas de abuso sexual por parte de un entrenador [Manchester City to Compensate Children Who Were Victims of Sexual Abuse by a Coach]. *El País*, deportes, 12.03.2019. Available at: https://elpais.com/deportes/2019/03/12/actualidad/1552393480_122496.html [Accessed 06.08.2026].

³ Falsa promesa. Tiene 14 años, lo llevaron a probarse a un club de Primera y lo dejaron abandonado a 700 kilómetros de su casa [False Promise. He is 14 years old; they took him to try out for a First Division club and left him stranded 700 kilometers from his home]. *Clarín*, 15.05.2022. Available at: https://www.clarin.com/sociedad/14-anos-llevaron-probarse-club-primera-dejaron-abandonado-700-kilometros-casa_o_uYrKgR54Yx.html [Accessed 06.08.2026].

ing events,⁴ violations of the right to the protection of sensitive personal data,⁵ corruption among authorities,⁶ drug abuse,⁷ etc. To what extent are sports organizations responsible for these negative consequences? How should they address their adverse impacts on human rights? The authors of the present article are attempting to outline answers to these complex questions.

For a long time, States were viewed as the only duty bearers of human rights obligations while sports governing organizations such as the International Olympic Committee (IOC) or international federations, shielded by the principle of sport autonomy, were not bound by international legal obligations in the sphere of human rights (Rietiker, 2022, pp. 24, 37, 199). The rationale behind it seemed understandable: international sports governing organizations were not subjects of public international law, and they did not assume such obligations voluntarily (Zakharova, 2020, pp. 62–63).

However, the scope of the “autonomy of sport” concept evolves over time. It has been noted in the academic literature that at the present stage international human rights instruments can restrict the autonomy

⁴ Impactante violencia en México: Querétaro vs Atlas, suspendido por batalla campal [Shocking violence in Mexico: Querétaro vs Atlas match suspended due to a brawl]. *TyC Sports*, 06.03.2022. Available at: <https://www.tycsports.com/futbol-internacional/queretaro-atlas-violencia-incidentes-muertos-mexico-id417177>. html [Accessed 06.08.2026].

⁵ Lara, M.A. and Calderón, J.L. La “Ley Bale”: los jugadores emprenden la batalla por proteger su información médica [The “Bale Law”: Players Take Up the Fight to Protect Their Medical Information]. *Marca*, 27.10.2019. Available at: <https://www.marca.com/futbol/real-madrid/2019/10/27/5db5fc1722601d76268b459a.html> [Accessed 06.08.2026].

⁶ EEUU indemnizó a la FIFA con USD 201 millones por los escándalos de corrupción de sus dirigentes [The U.S. awarded FIFA \$ 201 million in compensation for corruption scandals involving its leaders]. *Diario Infobae*, 24.08.2021. Available at: <https://www.infobae.com/america/mundo/2021/08/24/eeuu-indemnizara-a-la-fifa-con-usd-201-millones-por-los-escandalos-de-corrupcion-de-sus-dirigentes/> [Accessed 06.08.2026].

⁷ El calvario de la cocaína en el rugby de Francia: confesiones de jugadores y cómo evitan dar positivo en los controles [The cocaine crisis in French rugby: players’ confessions and how they avoid testing positive]. *Diario La Nación*, 17.04.2022. Available at: <https://www.lanacion.com.ar/deportes/rugby/el-calvario-de-la-cocaina-en-el-rugby-de-francia-confesiones-de-jugadores-y-el-porque-de-una-nid15042022/> [Accessed 06.08.2026].

of sport (Cornu et al., 2017, p. 22). The economic dimension of sports activities provides additional justification for the need to limit the autonomy of sport, “The autonomy of sports organizations is far narrower — and their subjection to state law relatively greater — when sport is considered to be an economic activity. In respect of labor relations, commercial contracts and also sponsorships, sport must effectively be regarded as an activity like all others” (Cornu et al., 2017, p. 24). A significant contribution to this understanding was made by the Court of Justice of the European Union (the CJEU) who starting from 1974 has differentiated in its decisions between issues in which the sports movement undoubtedly retains its autonomy, and the economic (labor) activities of athletes, which are subject to the Community (Union) law (Weatherill, 2014, pp. 24–55, see also an overview of the benchmark decisions rendered by the CJEU in cases involving athletes and sports organizations in: Zakharova and Melnik, 2020, pp. 297–304).

The present paper begins with an overview of the developments that were initiated by John G. Ruggie in his capacity of the United Nations (UN) Secretary-General’s Special Representative for Business and Human Rights back in 2008 (Section I). In the following sections we highlight, respectively, normative premises that originated within the UN framework in 2011, primarily the Guiding Principles on Business and Human Rights (UNGPs) (Section II), and were further developed in the more specific FIFA normative documents (Section III), namely in FIFA’s Human Rights Policy elaborated in 2017 and in FIFA World Cup 2026 Sustainability and Human Rights Strategy adopted in 2024.

Section IV is dedicated to the analysis of the most recent human rights violations that occurred at sporting events organized by CONMEBOL (South American Football Confederation), despite significant efforts to seriously address human rights violations. The authors believe that CONMEBOL should fully accept FIFA’s normative provisions on human rights and integrate human HRDD requirements into its practical activities. The most effective way for regional football confederations to achieve this goal would be to adopt their own human rights policies and establish the necessary bodies to ensure commitment to the 2011 UNGPs and FIFA’s 2017 Human Rights Policy.

The modern business and human rights debate originated back in the 2000s.⁸ John G. Ruggie, a Harvard professor who served as the UN Secretary-General's Special Representative for Business and Human Rights during the period from 2005 to 2011, elaborated in 2008 a framework concerning the duties of States and business enterprises from a human rights perspective, which was entitled "Protect, Respect and Remedy." According to it, States have a duty to protect citizens from human rights violations by companies (Para. 27–50); corporations have a responsibility to respect human rights and must act with due diligence (Para. 51–64); citizens have the right to have access to remedies and seek remediation if they have suffered from the actions of businesses, and the process of ensuring their access to legal protection should involve both States through the judicial grievance mechanisms (Para. 88–91) and non-judicial mechanisms (national human rights institutions, for example, ombudsmen — Para. 92, 96–99), and businesses themselves through the creation of company-level grievance mechanisms (for instance, hotlines for raising complaints, advisory services for complainants, expert mediators, wholly external mechanisms — Para. 93–95). Assessing business impact on human rights most often affected in particular business sectors or situations (Para. 52), John Ruggie points out primarily to civil rights (freedom of association; right to a fair trial; right to non-discrimination; abolition of slavery, forced labor, child labor, etc.) and labor rights (right to work; right to equality at work; right to just and favorable remuneration; right to a safe work environment; right to rest and leisure, etc.).

In the final part of his well-known report "For the Game. For the World. FIFA and Human Rights" prepared in 2016, Professor Ruggie stated, "FIFA has made an important start. Now comes implementation."⁹

⁸ Ruggie, J.G., (2008). *Protect, Respect and Remedy: a Framework for Business and Human Rights*: Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises. A/HRC/8/5. 07.04.2008. Available at: <https://digitallibrary.un.org/record/625292?v=pdf> [Accessed 06.08.2026].

⁹ Ruggie, J.G., (2016). *For the Game. For the World. FIFA and Human Rights*. Corporate Responsibility Initiative Report No. 68. Cambridge, MA: Harvard Kennedy School, p. 36. Available at: https://www.hks.harvard.edu/sites/default/files/centers/mrcbg/programs/cri/files/Ruggie_humanrightsFIFA_reportApril2016.pdf [Accessed 06.08.2026].

The authors of this article attempt to make their modest contribution and outline their answer to the question of what steps FIFA, its regional confederations and national football associations could take at the present stage in order to move forward to new benchmarks in the human rights sphere.

II. Guiding Principles on Business and Human Rights (UNGPs) of 2011 and a Reference Model for Their Implementation in the Olympic Movement

II.1. Origins, Adoption and Purpose of the UNGPs

The United Nations Guiding Principles on Business and Human Rights (the “Guiding Principles,” or “UNGPs”) were unanimously endorsed by the UN Human Rights Council on 16 June 2011, through Resolution 17/4. They were the culmination of a six-year mandate carried out by John Ruggie, the Special Representative of the UN Secretary-General on the issue of human rights and transnational corporations and other business enterprise.¹⁰

Their adoption responded to a long-standing accountability gap: international human rights treaties bind States, not corporations, yet globalization had made clear that business enterprises could — and did — affect the enjoyment of human rights on a scale comparable to States. Earlier attempts to close this gap, most notably the 2003 UN Draft Norms on the Responsibilities of Transnational Corporations, had failed to secure consensus precisely because they sought to impose binding obligations directly on companies. Ruggie’s approach broke that impasse by building on a differentiated, three-pillar framework — “Protect, Respect and Remedy” — first presented to the Human Rights Council in 2008 and subsequently operationalized through the 2011 Guiding Principles.¹¹

¹⁰ United Nations General Assembly, Res.17/4 (2011). Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework. The Office of the UN High Commissioner for Human Rights (OHCHR), https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf [Accessed 27.07.2026].

¹¹ Ruggie, J.G., (2008). *Protect, Respect and Remedy...*; Deva, S. and Bilchitz, D., (eds) (2013). *Human Rights Obligations of Business: Beyond the Corporate Responsibility to Respect*. Cambridge University Press.

II.2. Addressees, Main Provisions and Significance of the UNGPs

The Guiding Principles rest on three pillars: (i) the State duty to protect against human rights abuses by third parties, including businesses; (ii) the corporate responsibility to respect human rights, which exists independently of State willingness or ability to fulfil its own duties; and (iii) the need for greater access to effective remedy, judicial and non-judicial, for victims of business-related abuse. Principle 14 clarifies that the responsibility to respect applies to all business enterprises, regardless of their size, sector, operational context, ownership or structure — a formulation broad enough, as later analysis confirmed, to encompass sports governing bodies operating on a for-profit or not-for-profit basis alike.¹²

Operationally, the UNGPs require enterprises to adopt a public policy commitment to respect human rights and to carry out ongoing human rights due diligence (HRDD) — a process to identify, prevent, mitigate and account for actual and potential adverse impacts — complemented by grievance mechanisms capable of providing or contributing to remediation. Their significance lies less in creating new substantive rights than in providing, for the first time, a globally endorsed a “common reference point” — agreed by States, business and civil society alike — for how corporate responsibility for human rights should be understood and operationalized.¹³

As a soft law instrument, the UNGPs are not directly binding, yet the 15 years since their adoption have shown their capacity to generate hard law effects: over 30 States have adopted National Action Plans on business and human rights, and the UNGPs’ due diligence logic underpins binding instruments such as the EU Corporate Sustainability Due Diligence Directive and mandatory HRDD statutes in France, Germany and Norway. Ten years after their adoption, the 2021 anniversary reaffirmed their continued relevance, while negotiations toward a legally

¹² UN General Assembly, Res.17/4 (2011). P. 15; Ruggie, J.G, (2016). *For the Game. For the World.*

¹³ OHCHR (2014). *Frequently Asked Questions on the Guiding Principles on Business and Human Rights*, HR/PUB/14/3.

binding treaty on business and human rights continue within the UN Open-Ended Intergovernmental Working Group, without having so far displaced the UNGPs as the operative global standard.¹⁴

A parallel and complementary instrument is the Guidelines for Multinational Enterprises, the oldest multilateral instrument on responsible business conduct, adopted in 1976 by the Organization for Economic Cooperation and Development (OECD). A major revision of the Guidelines carried out in 2000 introduced an implementation procedure based on National Contact Points (NCPs). The 2011 edition of this document added a specific chapter on human rights aligned with the newly adopted UNGPs. Furthermore, in June 2023, the OECD adopted its first substantive update in more than a decade, renaming the instrument the “OECD Guidelines for Multinational Enterprises on Responsible Business Conduct” and expanding due diligence expectations to include climate change, technology, and artificial intelligence, as well as the protection of civic space, while maintaining the six-step risk-based due diligence framework first established in 2018.

II.3. The UN Working Group on Business and Human Rights

The UN General Assembly Resolution 17/4 also established the Working Group on the issue of human rights and transnational corporations and other business enterprises — commonly known as the UN Working Group on Business and Human Rights — with the mandate to promote the effective and comprehensive dissemination and implementation of the UNGPs. Its mandate has since been renewed by the Human Rights Council in 2014, 2017, 2020 and, most recently, in 2023 through Resolution 53/3.¹⁵

The Working Group is composed of five independent experts of balanced geographical representation. It guides and chairs the annual UN Forum on Business and Human Rights, which has become the world's largest global gathering on the topic, it conducts country visits,

¹⁴ OHCHR (2021). 10th Anniversary Materials on the UN Guiding Principles on Business and Human Rights.

¹⁵ OHCHR (2011). Human Rights Council Resolution 17/4; OHCHR (2023). Human Rights Council Resolution 53/3.

issues thematic reports to the Human Rights Council and the General Assembly, and engages directly with States and enterprises, including, as our earlier research documented, sport-related businesses through communications requesting explanations on their human rights due diligence processes, as illustrated by its 2021 communication to Adidas concerning allegations of forced labor linked to Uyghur workers in its supply chain (Gómez et al., 2021, p. 40). Although the Working Group cannot adjudicate individual complaints, this dialogic function has made it an increasingly relevant reference point for sports governing bodies, including FIFA, in benchmarking their own human rights due diligence architecture — the subject covered in Section III.

In conclusion, strengthening the global framework for business and human rights requires elevating the role of the UN Working Group, transforming its predominantly dialog-based function into a more assertive mechanism for oversight and accountability. In the context of international sports, this implies recommending that sports governing bodies not only formally adopt the Guiding Principles in their bylaws and tenders, but also be subject to periodic, standardized, and independent scrutiny by the Working Group regarding their HRDD processes. Establishing closer oversight between the UN and sports organizations, such as FIFA and CONMEBOL, will help bridge the gap between voluntary corporate commitments and the effective protection of people affected by major sporting events and commercial operations.

II.4. IOC's Good Example to Follow

In its Resolution 24/1 “Promoting human rights through sport and the Olympic ideal” of 26 September 2013, the UN Human Rights Council (HRC) stated that “sport and major sporting events such as the Olympic and Paralympic Games can be used to promote human rights and strengthen universal respect for them, thus contributing to their full realization” and recognized the efforts of the Olympic and Paralympic Movement to use sport as a tool for the promotion of human rights, development, peace, dialogue and reconciliation (Para. 3).¹⁶

¹⁶ United Nations Human Rights Council. A/HRC/RES/24/1. 26.09.2013. Available at: https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/AdvisoryCom/A_HRC_RES_24_1_ENG.pdf [Accessed 07.08.2026].

In March 2014, in response to the HRC Resolution 24/1, the IOC presented its report to demonstrate how the principles of the Olympic Charter align with fundamental human rights. In it, it highlighted the second of the Fundamental Principles of Olympism, established in the Olympic Charter (in force as from 24 June 2026), which aims “to place sport at the service of the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity.”¹⁷ The fourth Fundamental Principle of Olympism, enshrined in the Olympic Charter, views the practice of sport as a human right, “Every individual must have access to the practice of sport, without discrimination of any kind in respect of internationally recognized human rights within the remit of the Olympic Movement.” Olympism has evolved significantly in terms of prohibiting discrimination. In the Olympic Games of ancient Greece, slaves, barbarians (those who could not prove that they were Greeks and free people), persons who had broken the law (primarily those guilty of murder and sacrilege), citizens who had been fined, and women were prohibited from participating (Mestre, 2009, p. 6). Today, the prohibition of discrimination is enshrined in the sixth Fundamental Principle of Olympism, and the list of possible grounds on which discrimination is prohibited is quite extensive — “race, color, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.”

The IOC's 2014 response report also noted that through its sport development activities, the IOC and the Olympic Movement promote peace, youth development, education, culture, healthy lifestyles, sustainable development, gender equality, mutual understanding between peoples, and the rights of vulnerable groups and human rights in general. In its report, the IOC cited a number of examples of socially significant projects it had successfully implemented over the past two decades, which were aimed at protecting the rights of vulnerable groups such as women, children, persons with disabilities, refugees and internally dis-

¹⁷ International Olympic Committee. Available at: <https://stillmed.olympics.com/media/Documents/International-Olympic-Committee/IOC-Publications/EN-Olympic-Charter.pdf> [Accessed 07.08.2026].

placed persons in Afghanistan, Cambodia, Kenya, Namibia and Haiti.¹⁸ Thus, it can be stated that the IOC leading the Olympic movement has always demonstrated respect for the need to preserve human dignity and respect for human rights as proclaimed in the Olympic Charter.

The UNGPs expectations directed at a business can be summarized as follows: first, adopting a policy commitment to respect human rights; second, assessing human rights risks and adverse impacts of its activities; third, monitoring the company's responses and providing an array of the means to address negative impacts (Rietiker, 2022, p. 38). The IOC is taking action in each of the three areas. First human rights-related recommendations were formulated in the Olympic Agenda 2020 adopted in December 2014.¹⁹ In February 2017, human rights duties were incorporated for the first time into the Host City Contract for the 2024 Olympic Games (Grell, 2018, pp. 160, 164). In March 2021, the IOC established an internal Human Rights Unit in its Corporate and Sustainable Development in order to ensure compliance with these recommendations in managing human rights risks.²⁰ In September 2022, the IOC adopted the Strategic Framework on Human Rights in which it affirmed its commitment to respecting human rights in accordance with the UNGPs. It clearly indicated in this document 5 focus areas in its activities (equality and non-discrimination; safety and well-being; livelihood and decent work; the right to freedom of speech, freedom of association and peaceful assembly; the right to privacy) and defined 16 specific target objectives in the field of human rights as an organization, owner of the Olympic Games and leader of the Olympic Movement.²¹ In 2024, an independent IOC Advisory Committee on Human Rights was established

¹⁸ In more detail, see UN Office on Sport for Development and Peace. Annual report for the year 2014. Available at: <https://digitallibrary.un.org/record/798332> [Accessed 07.08.2026].

¹⁹ Olympic Agenda 2020. 20+20 Recommendations. Adopted on 09.12.2014. Available at: https://stillmed.olympic.org/Documents/Olympic_Agenda_2020/Olympic_Agenda_2020-20-20_Recommendations-ENG.pdf [Accessed 07.08.2026].

²⁰ International Olympic Committee. Available at: <https://www.olympics.com/ioc/news/ioc-approves-strategic-framework-on-human-rights> [Accessed 07.08.2026].

²¹ IOC Strategic Framework on Human Rights. 09.09.2022. Available at: <https://stillmed.olympics.com/media/Documents/Beyond-the-Games/Human-Rights/IOC-Strategic-Framework-on-Human-Rights.pdf>. Pp. 27–43 [Accessed 07.08.2026].

to provide regular third-party oversight and strategic guidance. It advises the IOC bodies on human rights matters, indicates ways to minimize human rights risks and points out to major institutions capable of giving support to the IOC in reaching these goals, examines annual reports presented by the IOC Human Rights Unit and issues recommendations thereupon.²² Thus, since the adoption of the UNGPs in 2011, the IOC has been consistently shifting in its human rights policies from a purely declaratory stance characterized by the absence of any significant policy document in the area of human rights (Zakharova, 2020, p. 66) to an institutional model of HRDD, and it is definitely a good example for all sport organizations of the Olympic movement to follow.

III. FIFA's Regulatory and Institutional Framework in the Sphere of Human Rights

III.1. FIFA's Human Rights Policy of 2017

Since 2014, international human rights bodies and officials have been urging FIFA to pay greater attention to the need to be guided by international human rights standards in its activities. In June 2014, Mary Robinson, former President of Ireland and UN High Commissioner for Human Rights, and John Ruggie, in their joint open letter on behalf of the Institute for Human Rights and Business (IHRB), called upon FIFA to integrate human rights considerations into its decision-making. They formulated five recommendations to international sports governing organizations such as FIFA, namely:

- to make a commitment to respect human rights and establish a human rights strategy based on the UN Guiding Principles on Business and Human Rights;
- to require sponsors and media partners to adopt a human rights policy statement and disclose information on their efforts to implement

²² IOC Advisory Committee on Human Rights Terms of Reference. September 2022. Available at: <https://stillmed.olympics.com/media/Documents/Beyond-the-Games/Human-Rights/TOR-Advisory-Committee-EN.pdf> [Accessed 07.08.2026].

human rights due diligence and eliminate negative human rights impacts;

- to revise candidate requirements in force at that time to conduct an impact assessment concerning human rights considerations;
- to require local organizers to adopt human rights policies;
- to appoint an ombudsman under the auspices of the respective sports organizations to investigate human rights abuses involving the activities of organizing committees and commercial partners.²³ This document marked the beginning of the process thanks to which FIFA formulated policy provisions regarding human rights and started to incorporate them into its regulatory acts.

In December 2015, FIFA asked Professor Ruggie to develop recommendations on the ways to embed respect for human rights across FIFA's operations of FIFA on a global scale in accordance with the UN Guiding Principles on Business and Human Rights of 2011. The report that followed in April 2016 was entitled, "For the Game. For the World. FIFA and Human Rights." It contained 25 detailed recommendations for FIFA's action based on the concept of HRDD.²⁴

Scholars keep searching for answers to the difficult question, "Who will decide what HRDD entails when disputes arise — corporations, national administrations, national courts, the Court of Justice of the European Union, NCPs for Responsible Business Conduct envisaged by the 2018 OECD Due Diligence Guidance for Responsible Business Conduct,"²⁵ civil society organizations or all of them simultaneously? Antoine Duval argues that at present "corporations are mostly in the driving seat when engaging in HRDD, identifying their human rights

²³ Open Letter of Mary Robinson, Patron of IHRB John Ruggie, Chair of IHRB Former President of Ireland Former UN Special Representative Former UN High Commissioner for Human Rights and John Ruggie, Chair of IHRB Former President of Ireland Former UN Special Representative Former UN High Commissioner for Human Rights on Business and Human Rights to Joseph Sepp Blatter, President of FIFA. 11 June 2014. Available at: <https://ihrb-org.files.svdcn.com/production/assets/uploads/statements/2014-06-11-Open-Letter-FIFA.pdf?dm=1726490132> [Accessed 07.08.2026].

²⁴ Ruggie, J.G. (2016). *For the Game. For the World*. Pp. 28–34.

²⁵ Available at: https://www.oecd.org/content/dam/oecd/en/publications/reports/2018/02/oecd-due-diligence-guidance-for-responsible-business-conduct_c669bd57/15f5f4b3-en.pdf [Accessed 07.08.2026].

risks and determining their responses almost unchecked.” However, he continues, “if HRDD is to be true to Ruggie’s design, its processes must be shaped much more actively from outside businesses and subjected to the constant input and scrutiny of the affected public” (Duval, 2023, p. 301).

In 2016, Art. 3 of the FIFA Statutes for the first time enshrined the organization’s pledge to respect human rights, “FIFA is committed to respecting all internationally recognized human rights and shall strive to promote the protection of these rights.”²⁶ Art. 4 of the FIFA Statutes prohibits discrimination of any kind against a country, individual or group of individuals on the grounds of race, color, ethnic, national or social origin, gender, disability, language, religion, political opinion or other belief, financial status, birth or any other status, sexual orientation or any other reason.

As a follow-up to new statutory human rights commitment in May 2017, the FIFA Council, the organization’s executive body, published a fundamental document, FIFA’s Human Rights Policy.²⁷ This document currently provides key guidelines for FIFA’s activities in this area. The document is consistent with the UN Guiding Principles on Business and Human Rights, which were approved by the UN Human Rights Council in 2011 and currently serve as the fundamental document reflecting the UN’s approaches to business and human rights issues.²⁸

The document consists of 13 paragraphs. Para. 2 of the FIFA’s Human Rights Policy states that FIFA is committed to the human rights set out in the Universal Bill of Human Rights (the 1948 Universal Declaration of Human Rights, the 1966 International Covenant on Civil and Political Rights, and the 1966 International Covenant on Economic, Social and Cultural Rights and the 1998 ILO Declaration on Fundamental Principles and Rights at Work). It is noted in the academic literature

²⁶ FIFA Statutes of 6 June 1990 (as amended on 5 June 2019). Fédération Internationale de Football Association. Available at: <https://resources.fifa.com/image/upload/fifa-statutes-5-august-2019-en.pdf?cloudid=ggymhxxv8jrdfbekrrm> [Accessed 08.08.2026].

²⁷ Fédération Internationale de Football Association. Available at: <https://img.fifa.com/image/upload/kro5dqyhwr1uhqy2lh6r.pdf> [Accessed 08.08.2026].

²⁸ United Nations General Assembly, Res.17/4 (2011).

that though FIFA's Human Rights Policy does not refer to the 1950 European Convention on Human Rights as a potential point of reference, it can be beneficial for FIFA to take into account the far-reaching and extensive case law of the European Court of Human Rights since FIFA is a legal entity under Swiss law and Switzerland bears special responsibility as the host state and a party to the 1950 Convention (Rietiker, 2022, pp. 41, 49–51).

FIFA is prepared to be guided by other specific international standards in relation to vulnerable groups such as indigenous peoples, women, national, ethnic, religious and linguistic minorities, children, persons with disabilities, migrant workers and members of their families, and human rights defenders, in those areas where its activities may have an adverse impact on the rights of persons belonging to these communities. Furthermore, if FIFA carries out its activities in situations of armed conflict, it will comply with the requirements of international humanitarian law.

In accordance with the UNGPs, in Para. 3 of its Human Rights Policy, FIFA declares its commitment to the principle of due diligence in order to avoid human rights violations in its activities and to address their consequences if they do occur.

Paragraph 5 outlines quite realistically FIFA's main risks in the area of human rights. They affect the following areas:

— labor rights (FIFA employs several hundred people; in addition, the labor rights of workers engaged by FIFA's business partners to build stadiums and infrastructure facilities, provide accommodation and food, and produce licensed goods may be affected) — FIFA declares its readiness to support and promote the highest international labor standards, in particular the principles enshrined in the eight fundamental conventions of the ILO;²⁹

— land acquisition and housing rights (land acquisitions often occur during the construction of sports infrastructure facilities intended

²⁹ International Labor Organization. Available at: <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm> [Accessed 08.08.2026].

for FIFA competitions or built by national associations with the FIFA funding) — FIFA encourages respect for international human rights standards when land acquisitions involve expropriation and displacement of people;

- discrimination, which was described as “a problem in the world of football both on and off the pitch” — FIFA strives to create an environment free from discrimination in accordance with Art. 4 of its Statutes, which, since April 2016, has reproduced the expanded list of grounds prohibiting discrimination in the Olympic Charter, including the one on the basis of sexual orientation. In addition, FIFA pays particular attention to identifying and eliminating discriminatory attitudes based on gender, promoting gender equality and preventing all forms of violence, including sexual harassment;

- ensuring the safety and security of spectators and other persons involved in or affected by FIFA sporting events that may impact fundamental human freedoms such as freedom of movement, freedom of expression and freedom of assembly;

- FIFA undertakes to engage with governments of host countries and private sector actors to ensure that any such impact is minimized and is necessary and proportionate in accordance with international security and human rights standards (during the selection of candidate countries for the 2026 FIFA World Cup, human rights provisions were included for the first time in the bilateral agreement between FIFA and the three host countries where football competitions under its auspices were planned to be held);

- the rights of players, primarily in connection with their employment and transfers (the most pressing issues are the timely payment of salaries, the fight against doping and match manipulation, combating human trafficking and respecting the rights of underage football players). Since these issues, if they are transnational, are resolved by FIFA's jurisdictional bodies without recourse to national courts of general jurisdiction, FIFA undertook to review existing regulations and procedures and, if necessary, implemented additional measures to eliminate the relevant risks on the recommendation of the HRAB.

FIFA's approach to human rights is based on the following four core commitments.

I — commit and embed: FIFA regards its human rights commitments as political obligations of the highest level and undertakes to implement them within all its bodies and among its member associations. To this end, FIFA will establish the necessary internal structures and initiate the necessary processes under the leadership of the FIFA Secretary General and will adapt its codes, guidelines and guiding principles in accordance with this policy (Para. 9);

II — identify and address: FIFA continuously identifies potential and actual situations of adverse human rights impacts related to its activities and addresses such risks through adequate prevention and mitigation measures. As a part of these efforts, FIFA includes risks to people in its risk assessments and identifies the most significant risks, and requires the same approach from organizations mandated to organize FIFA-sponsored competitions: confederations, national associations, business partners and other organizations in the supply chain in their interactions with FIFA. FIFA reflects its commitment to human rights in its requirements for the selection of countries hosting FIFA competitions, in particular by including a provision on the principles of the "FIFA Human Rights Policy" in such requirements and by defining and implementing specific action plans (Para. 10);

III — protect and remedy: FIFA will respect and will not interfere with the activities of human rights defenders who raise concerns about adverse human rights impacts and members of the media covering events organized under the auspices of FIFA and will take measures to protect their rights. FIFA will require parties organizing competitions under the auspices of FIFA to establish competent and independent bodies to deal with possible complaints of human rights violations in consultation with FIFA and, in particular, its Governance Committee. Such bodies must meet the effectiveness criteria listed in Para. 31 of the UNGPs: legitimacy, accessibility, predictability, fairness, transparency, compliance with international human rights law, etc. (Para. 11);

IV — engage and communicate: FIFA will engage with all stakeholders and the general public and inform them of its efforts to ensure respect for human rights. FIFA will engage constructively with the Hu-

man Rights Advisory Council and consult with stakeholders, including groups and individuals whose rights may be affected (Para. 12).

In the period from 2017 to 2021, a specific structural unit known as the Human Rights Advisory Board functioned within the institutional framework of FIFA in order to monitor compliance with the FIFA Human Rights Policy. It included eight experts representing UN agencies, trade unions and other public organizations, academic circles and FIFA sponsors. The Advisory Board reviewed the current state of affairs and made recommendations on what the organization should do to implement its human rights obligations more effectively. It produced five reports, the last of which was published in February, 2021.³⁰ The mandate of the HRAB expired in March 2021, after which FIFA moved to using internal and specialized advisory groups (for example, on matters related to the preparation and staging of the 2026 World Cup) (Duval, 2023).

The cessation of the Advisory Board's activities is regrettable, and it was criticized by human rights groups who called on FIFA to re-establish it on a permanent basis.³¹ Suggestions of the academic community also include using disciplinary procedures and sanctions more effectively to align them with FIFA's human rights commitments (in particular, strengthening accountability of the World Cup hosts and other FIFA's business associates in the situations when human rights are at risk); vesting FIFA's Ethics Committee with a broader mandate to address human rights complaints; allowing affected third-parties to challenge FIFA's decisions on human rights grounds at the Court of Arbitration for Sport (Duval and Heerdt, 2019).

III.2. FIFA's Experience in the Field of Human Rights: Identifying Problems and Finding Solutions

The FIFA HRAB has, in its reports, identified systemic problems in FIFA's activities that affect human rights and urgently require res-

³⁰ Fédération Internationale de Football Association. Available at: <https://img.fifa.com/image/upload/pyume2cahuue2szxgiwq.pdf> [Accessed 09.08.2026].

³¹ Sport & Rights Alliance. 06.08.2026. Available at: <https://sportandrightsalliance.org/fifa-governance-crisis-reveals-urgent-need-for-rights-reform/> [Accessed 09.08.2026].

olution. One of these systemic problems is discrimination, including gender discrimination. Back In 2014, at the 64th FIFA Congress in Sao Paolo, Brazil, one of the 10 key principles for the development of women's football was the idea that football is a powerful tool for empowering women to realize their potential in sport and society; no woman should be discriminated against, violated, or diminished in her rights because of her gender, and football will be a global leader in spreading this message. These provisions, as well as the call for more equitable representation of women in the governing bodies of football organizations at all levels, are set out in more detail in the FIFA Women's Football Strategy of 17 September 2018.³²

During its activities from 2017 to 2021, among the pressing issues that required the organization's urgent attention in the area of women's rights, the HRAB repeatedly pointed out to human rights violations in women's football (in particular, the inadmissibility of sexual harassment in Afghan women's football)³³ and the continued ban on women attending football matches in Iran. In this regard, the HRAB called on FIFA to use all possible levers of influence on the Islamic Republic of Iran Football Federation to ensure its compliance with the FIFA Statutes, namely Art. 3 ("Human Rights") and Art. 4 ("Prohibition of Discrimination, Equality and Neutrality") — the ban on women attending

³² Fédération Internationale de Football Association. Available at: <https://resources.fifa.com/image/upload/women-s-football-strategy.pdf?cloudid=z7w21ghir8jb9tgubvcq> [Accessed 08.08.2026].

³³ A group of female athletes who were members of the Afghan national team accused officials of the Afghan Football Federation of sexual harassment during the period between 2013 and 2018. 8 June 2019 the FIFA Ethics Committee found in its decision violations of Art. 23 (protection of physical and mental integrity) and Art. 25 (abuse of office) of the FIFA Code of Ethics in the actions of the former President of the Afghan Football Federation Keramuudin Karim, banned him for life from all football-related activities at national and international level and imposed a fine of 1 million Swiss francs — see the Decision of the FIFA Ethic Committee at: <https://resources.fifa.com/image/upload/ac-12-2019-8-06-2019-keramuudin-karim.pdf?cloudid=fryqw5hiyifbaxva6nwd> [Accessed 08.08.2026]. K. Karim filed an appeal to the Court of Arbitration for Sport in Lausanne (CAS), which CAS rejected on 14 July, 2020, upholding the decision of the FIFA Ethics Committee — see CAS 2019/A/6388 Karim Keramuddin v. FIFA. Arbitral award. 14 July 2020. Court of Arbitration for Sport. Available at: https://www.tas-cas.org/fileadmin/user_upload/Award_Final_6388.pdf [Accessed 08.08.2026].

sports matches involving men's football teams in Iran, although relaxed in October 2019, was not completely lifted.

Another systemic problem the HRAB considered was the violation of workers' rights by FIFA's business partners during the construction of stadiums, hotels, other infrastructure facilities, the production of licensed goods, etc. In preparation for the 2022 FIFA World Cup the HRAB welcomed the results of its engagement with the Qatari Supreme Committee for the Delivery and Legacy of the 2022 FIFA World Cup. According to experts, through the preparation and hosting of the FIFA World Cup, FIFA had a significant impact on improving the working conditions of a large number of migrant workers arriving in Qatar from Muslim countries in the Middle East. On 16 October 2019, the Qatari government made an official statement announcing the complete abolition of the *kafala* system,³⁴ which raised concerns among human rights organizations and academics,³⁵ as well as members of the FIFA HRAB,³⁶ and the introduction of a minimum wage on a non-discriminatory basis — this decision was the result of a study carried out jointly by the ILO and the Ministry of Development, Labor and Social Affairs of Qatar.³⁷

³⁴ The *kafala* (sponsorship) system emerged in the 1950s to regulate relations between employers and migrant workers in the Gulf States (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates), as well as in Jordan and Lebanon. Under this system, a migrant worker is linked to a specific employer, or sponsor (*kafil*), for the duration of the contract. A *kafil* provides sponsorship to a foreign worker, but the worker cannot enter the country, change jobs, or leave the country without receiving written permission from the *kafil*. Quite often, the *kafil* exercises other control over the employee, depriving him of his passport and travel documents. See more details: Reform of the Kafala (Sponsorship) System. International Labor Organization, <https://www.ilo.org/dyn/migpractice/docs/132/PB2.pdf> [Accessed 09.08.2026].

³⁵ Ruggie, J. For the Game. For the World. P. 4. See also Jerabek, M.M., Ferreira de Andrade, A.M. and Figueroa, A.M. FIFA's Hegemony: Examples from World Cup Hosting Countries. *Global Society*. 2017. Vol. 31. Issue 3. P. 418, doi: 10.1080/13600826.2016.1261807 [Accessed 09.08.2026].

³⁶ Recommendations R66-R71. Third report by the FIFA Human Rights Advisory Board, May 2019, p. 10. Available at: <https://resources.fifa.com/image/upload/third-report-by-the-fifa-human-rights-advisory-board.pdf?cloudid=sxdtbmx6wczrmwlk9rcr> [Accessed 09.08.2026].

³⁷ International Labor Organization. Available at: https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_724052/lang--en/index.htm [Accessed 09.08.2026].

The FIFA HRAB also called for the establishment of new human rights responsibilities in the work of the FIFA Council, its Management Committee, its standing and independent committees, for the inclusion of human rights obligations in the statutes of national football associations, and for raising awareness among confederations in this area.³⁸ Following the Advisory Board's cessation of activities in 2021, FIFA continued to identify existing human rights issues within its areas of responsibility and in the activities of its business partners, guided by its commitments set out in the 2017 Human Rights Policy.

III.3. FIFA World Cup 2026 Sustainability and Human Rights Strategy of 2024

Before staging the 2026 FIFA World Cup, FIFA in cooperation with stakeholders — local authorities, public organizations, trade unions developed in December 2024 the Strategy for Sustainable Development and Human Rights, which outlined key objectives for FIFA in general and the host cities in particular. The strategy was aimed at minimizing the negative impacts of the World Cup on society and the environment, enhancing the positive impact of the World Cup and creating a long-term legacy. The strategy includes social, environmental, economic, and management aspects. It covers three stages of the FIFA World Cup: its preparation, its staging and events that take place after its closing, up to the publication of the final report on sustainable development and human rights.

For the first time FIFA was guided by human rights requirements integrated into the bidding and selection processes for the 2026 World Cup — requirements for the absence of which FIFA faced criticism prior to the 2006, 2010, 2018 and 2022 World Cups (Rietiker, 2022, p. 39). These requirements were also set out in the hosting arrangement be-

³⁸ FIFA Human Rights Advisory Board, Fourth Report by the FIFA Human Rights Advisory Board, January 2020, Recommendation R79, p. 12. Available at: https://media.business-humanrights.org/media/documents/files/FIFA_HRAB_Fourth_Report_Feb2020_Final_O.pdf [Accessed 09.08.2026]; see also FIFA Human Rights Advisory Board, Fifth Report by the FIFA Human Rights Advisory Board, February 2021, p. 19 (reaffirming Recommendation R79). Available at: <https://media.business-humanrights.org/media/documents/vforeieiz1fho6ld4a36.pdf> [Accessed 09.08.2026].

tween three member associations and FIFA for the 2026 FIFA World Cup. Prior to that, Canada, Mexico, and the United States submitted a joint proposal on human rights — the 2026 Proposal for a United Human Rights Strategy. During the host city selection process from 2019 to 2021 each of the 16 cities planned to host the matches prepared two independent plans, a Host City Environmental Plan and a Host City Human Rights Action Plan.

Host cities were required to develop and implement their own environmental management plan to meet FIFA's environmental requirements. In addition, it was necessary to demonstrate how the hosting of the World Cup could be used to accelerate the planning and implementation of specific environmental projects at the local level. Host cities could work across different thematic areas or focus on several of them, depending on previously established national and local priorities and available infrastructure. The host cities were also required to develop a human rights action plan in cooperation with civil society organizations. In this process they were expected to build on the initial plans developed previously during the host city selection process.³⁹

In the run-up to the 2026 FIFA World Cup the 2024 FIFA Human Rights Framework 2024 was also adopted.⁴⁰ It reiterated that the document is based on the 2011 United Nations Guiding Principles on Business and Human Rights and the 2017 FIFA Human Rights Policy, as well as international human rights standards developed by the UN, the ILO and the OECD. After reviewing the submissions from the host city committees, the document's developers focused on three key areas requiring priority attention: *inclusion and safeguarding, workers' rights, and access to remedies*.

The first area of activity was *inclusion and safeguarding*. It concerned the rights of players, officials, employees, volunteers, spectators, community members, and other groups who could be at increased risk of negative impact. Vulnerable groups under international law include indigenous peoples, women, national or racial, ethnic, religious and

³⁹ Available at: <https://inside.fifa.com/tournament-organisation/world-cup-2026-sustainability-strategy/strategy> [Accessed 10.08.2026].

⁴⁰ Available at: https://digitalhub.fifa.com/m/494d934f7de1bad/original/FWC26-Human-Rights-Framework_Final_EN_24-July-2024.pdf [Accessed 10.08.2026].

hours, adequate payment for overtime); respect for the right to freedom of association and the right of workers or their representatives to collective bargaining with employers); protection from physical, emotional and psychological violence, exploitation, discrimination, abuse in the workplace, including violence and harassment based on gender or sexual orientation; prohibition of forced labor, trafficking in persons for the purpose of exploitative labor, as well as child labor in accordance with the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, 1999 (Art. 3, in particular, contains a list of prohibited forms of child labor)⁴² and the ILO Convention No. 138 on the Minimum Age for Admission to Employment (in particular, in accordance with Art. 1 and 2.3, no one under 15 years of age had the right to perform work for the World Cup, Art. 3.1 obliged states parties to the Convention not to allow adolescents under 18 years of age to perform work that could harm their health, safety or morals⁴³); respect for the rights of migrant workers and members of their families (their access to information and legal assistance in a language they understand, as well as the prohibition of economic coercion; ensuring equal employment opportunities for underserved communities and individuals facing barriers to employment, without discrimination; contracting practices that ensure that goods, services and construction work related to the staging of the World Cup are purchased from contractors that demonstrate a commitment to human rights and environmental protection.

With regard to the third area requiring attention — *ensuring effective access to remedies* — the FIFA Human Rights Framework points to the need for complaint mechanisms and redress procedures to ensure that human rights issues are addressed effectively and appropriately.

ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_915989.pdf [Accessed 10.08.2026].

⁴² International Labor Organization. Convention on Worst Forms of Child Labour Convention. 1999 (No. 182). Available at: https://normlex.ilo.org/dyn/nrm-lx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182 [Accessed 10.08.2026].

⁴³ International Labor Organization. Minimum Age Convention. 1973 (No. 138). Available at: https://normlex.ilo.org/dyn/nrm-lx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138 [Accessed 10.08.2026].

The emphasis is placed on ensuring proper interaction between state judicial and non-judicial mechanisms and the internal complaints mechanism provided by the World Cup Local Organizing Committee and the organizing committees of the host cities, in particular. It also points out to the need to take into account the traumatic experience of those filing complaints and the accessibility of mechanisms and procedures for resolution for them in terms of the language. Particular attention was recommended to be paid to protecting the rights of persons with disabilities and the rights of migrant workers (in particular, the latter risk facing the threat of retaliatory measures, including deportation and blacklisting).

IV. From Regulatory Compliance to Human Rights Due Diligence: Strengthening FIFA's Governance through Its Confederations (the Case of CONMEBOL)

FIFA's commitment to the UNGPs, formalized through the 2016 amendment of Art. 3 of its Statutes and the 2017 Human Rights Policy, is expressly framed as extending to "entities affiliated with FIFA or acting under its auspices,"⁴⁴ including six regional confederations: UEFA (Union of European Football Associations), CONMEBOL, CONCACAF (Confederation of North, Central America and Caribbean Association Football), CAF (African Football Confederation), AFC (Asian Football Confederation), and OFC (Oceania Football Confederation). In practice, however, this extension has remained largely declaratory.

Now, neither CONMEBOL nor CONCACAF, nor a single one of the 146 CONMEBOL first-division clubs surveyed has adopted a human rights policy meeting the standard of Principle 16 of the UNGPs (in more detail, see Gómez et al., 2021, p. 11). Notwithstanding this, FIFA's Statutes require confederations to accept CAS jurisdiction and to comply with its disciplinary regime (Art. 24, 57–59),⁴⁵ yet impose

⁴⁴ FIFA Statutes (2022/2024 eds), Art. 3 of the FIFA Statutes and Art. 23 of the FIFA Code of Ethics.

⁴⁵ FIFA. (2024). FIFA Statutes: Statutes, Standing Orders of the Congress, General Provisions. Fédération Internationale de Football Association, Art. 24, 57–59.

no equivalent, enforceable obligation to adopt a human rights policy or to operate a HRDD process of their own.⁴⁶ The consequence is a governance gap between FIFA's own institutional commitment and the practice of the confederations, which is precisely where most football-related human rights impacts actually materialize.

In cases where confederations have taken action, their responses — outlined in their disciplinary regulations — remain reactive, driven by specific incidents and focused on sanctions rather than prevention. In this regard, CONMEBOL's response to discriminatory chants and racist incidents illustrates this pattern. A clear example occurred in the 2022 River Plate — Fortaleza match when CONMEBOL raised the minimum fine for discriminatory conduct to USD 100,000,⁴⁷ however, several of those same Argentine clubs have been repeatedly sanctioned to this day. Another example is the violent incidents provoked between fans of different teams who attend stadiums to watch international tournaments — the Copa Sudamericana and Copa Libertadores — as well as the excessive use of force and repression by security forces against the visiting teams' supporters. A clear example of this, unfortunately, occurred in August 2025 during the match between Independiente de Avellaneda (Arg) and Universidad de Chile (Chi),⁴⁸ as well as during the South American World Cup qualifiers between the Argentinian na-

⁴⁶ Human Rights Watch (2023). FIFA Statutory Human Rights Requirements: Overview of UN Guiding Principles Commitments, Relevant FIFA Statutes and Structures, and Human Rights Bidding Requirements for the FIFA Men's World Cups, 27 October 2023, noting that FIFA's Statutes and Human Rights Policy bind FIFA itself, but do not impose an equivalent, directly enforceable obligation on its member confederations. Available at: <https://www.hrw.org/news/2023/10/27/fifa-statutory-human-rights-requirements> [Accessed 06.08.2026].

⁴⁷ CONMEBOL Disciplinary Code. Available at: <https://www.conmebol.com/wp-content/uploads/documents/codigo-disciplinario-conmebol-2021.pdf>.

⁴⁸ Infobae Sports Center, "Massacre in Avellaneda" and "outbreak of violence": the European media's reaction following the incidents at the Independiente vs U de Chile match on 21 August 2025. Available at: <https://www.infobae.com/deportes/2025/08/21/masacre-enavellaneda-y-estallido-de-violencia-la-reaccion-de-los-medios-en-europa-tras-los-incidentes-en-independiente-u-de-chile/https://www.marca.com/otros-deportes/2021/05/23/60aa0fe2ca474185098b459a.html> [Accessed 10.08.2026].

tional team and the Brazilian national team at Maracanã Stadium in November 2023.⁴⁹

The recurrence of such conduct indicates that a disciplinary response calibrated after the fact, however severe, does not substitute for the preventive, risk-based architecture the UNGPs require — namely, identifying foreseeable risks, assigning responsibility to the appropriate institutional level, and monitoring the effectiveness of preventive measures before harm occurs (Principles 17–20).⁵⁰

This section argues that FIFA's own due diligence, as clarified in the 2016 recommendations elaborated by Ruggie,⁵¹ cannot be considered complete while it excludes systematic oversight of the governance bodies through which it operates in every region of the world. The key point is that, just as FIFA requires confederations to apply its disciplinary and refereeing standards as a condition of membership, it should likewise require, as a parallel governance condition, that each confederation should adopt a public human rights policy and implement an HRDD process proportionate to its size and risk profile — extending inward, into its own structure, the concept of “leverage” that Principle 19 of the UNGPs already requires FIFA to exercise over its external business relationships.

⁴⁹ BBS, World News. The disturbances at the Maracanã that led Messi to lead the Argentine national team players off the field. Available at: <https://www.bbc.com/mundo/articles/c99edzd5z1ro> [Accessed 10.08.2026].

⁵⁰ According to the Commentary on Principle 17, “The human rights due diligence process should be initiated as early as possible when a new activity is undertaken or a business relationship is established, since risks to human rights can be mitigated or exacerbated as early as the stage of drafting contracts or other agreements, and such risks may also be inherited through mergers or acquisitions.”

According to the commentary on Principle 18, “The first step in the human rights due diligence process is to identify and assess the nature of current and potential adverse human rights impacts in which a business may be involved. The objective is to understand the specific impacts on specific individuals in a specific operational context.”

The commentaries on Guiding Principle 19 state that “There are situations in which the company lacks the influence to prevent or mitigate adverse impacts and is unable to increase its influence. In such cases, it should consider terminating the relationship, taking into account a reasonable assessment of the adverse impacts that such a decision may have on the human rights situation.”

See: United Nations General Assembly, Res.17/4 (2011).

⁵¹ Ruggie, J.G. (2016). *For the Game. For the World.*

In this sense, for Latin America in particular, where the empirical basis of this section is strongest, such a requirement would represent a decisive shift. Ideally, this would mean moving from a model in which human rights protection depends on *ad hoc* departments created by individual clubs — Racing, River Plate, Platense and a few others, none equivalent to a UNGP-compliant policy — toward a systematic, confederation-wide framework aligned with international standards.

To achieve this, it would be necessary to establish the bodies needed to guarantee the confederations' commitment to the UNGPs and their implementation at the regional level. Likewise, incorporating HRDD as a FIFA governance requirement for CONMEBOL and its peer confederations would not impose a new burden on football governance, on the contrary, it would close the most significant gap currently separating FIFA's declared commitment to the UN Guiding Principles from its actual capacity to prevent — rather than merely sanction — human rights abuses in global football.

V. Discussion

The preceding sections show that the international framework governing business and human rights in football has matured considerably since 2011, yet its practical effectiveness remains uneven across the three levels examined in this article — the architecture of the UNGPs themselves, FIFA's internal machinery, and the governance of its confederations. At the normative level, the UNGPs' chief strength — their status as a voluntary, universally endorsed “common reference point” — is also their principal limitation. Since Principle 16 carries no enforcement mechanism of its own, its translation into practice depends on each addressee's institutional will, a pattern visible in the gap between FIFA's own uptake of HRDD and confederations' continued reliance on disciplinary sanctions imposed *post factum*.

Scholars have described FIFA's practice of defining its own human rights obligations through its Statutes and Policy, rather than through an external and judicially enforceable framework, as a form of “self-constitutionalisation” that leaves FIFA in ultimate control over both

the content and the pace of implementation of its own commitments (Bützler and Schöddert, 2020, p. 53). The disbandment of the Human Rights Advisory Board in 2021 illustrates this dynamic: an external, independent body that had issued nearly 90 recommendations over four years was allowed to lapse precisely when, as discussed above, it had proposed embedding human rights oversight more deeply into FIFA's own governance structures.

At the operational level, FIFA's 2017 Human Rights Policy and its 2024 Sustainability and Human Rights Framework represent a genuine advance over the purely reactive, disciplinary model that is still typical of most of the confederations, as it was demonstrated in Section IV. Yet even FIFA's own instruments were, at their origin, designed primarily around the bidding and hosting requirements for individual tournaments rather than as a standing governance obligation binding on member bodies (Heerdt, 2018, pp. 170–185), which may help to explain why their extension to CONMEBOL and other confederations has remained, as shown above, largely declaratory rather than binding.

Taken together, these findings suggest that the central obstacle to more effective human rights protection in football is not a lack of normative content — the UNGPs, FIFA's Human Rights Policy and its 2024 Strategy each set out detailed, internationally aligned standards, but a persistent accountability gap between the standards adopted and the institutional mechanisms available to enforce them once a body such as the FIFA Human Rights Advisory Board ceased to operate. This is consistent with the broader academic call for closer, sustained engagement between the sport-and-human-rights scholarship and the practice of sports governing bodies (Rook et al., 2023, pp. 1–11). Addressing this gap requires reactivating independent oversight within FIFA and extending an equivalent governance obligation to its confederations, rather than relying solely on further declarations of principle.

VI. Conclusion

The experience of the International Olympic Committee, which leads the Olympic Movement, offers a reference model in the realm of

HRDD. FIFA, which has also consistently enshrined human rights standards in its regulations and, more recently, in the agreements with the host countries on organizing the 2026 World Cup, other international sports federations as well as their sponsors and business partners, may find it useful in developing their own human rights due diligence processes.

Given that different sports face different risk profiles, resources and governance structures, transposing FIFA's approach mechanically is neither self-evident nor necessarily desirable; a comparative assessment of the risks to human rights and institutional capacities across different sports is beyond the scope of this article. However, we consider it a valuable avenue for future research. What the UNGPs do require, irrespective of these differences, is that all international sport organizations, insofar as their commercial activities bring them within the scope of the corporate responsibility to respect human rights, should undertake their own risk-appropriate due diligence. Insofar as international sports federations and their commercial partners generate the scale of economic activity and human rights impact documented throughout this article, they fall, as private actors, within the scope of the corporate responsibility to respect commitments articulated by the UNGPs — a responsibility that exists independently of, and in addition to, the human rights duties that international law imposes on States.

The next step after the development of the relevant regulatory documents should be the creation of an institutional framework for ensuring human rights in each international sports federation administering the development of Olympic sports. More specifically, representatives of the academic community continue to call on FIFA to revive the Human Rights Advisory Board and allow it to operate on a permanent and proactive basis to ensure the necessary transparency in managing human rights risks.

Just like the International Olympic Committee who pledged to assist its members — international federations and national Olympic committees — to address their own human rights responsibilities within their remit and to elaborate policies and approaches on shared human rights-related challenges (Objective 9 of the IOC Strategic Framework

on Human Rights),⁵² FIFA should urge six of its regional confederations and national football associations to include commitments to respect human rights in their statutory documents. This requirement goes back to Recommendations 1.3 and 4.5 formulated by Professor Ruggie back in 2016.⁵³ Following the normative consolidation of these provisions, the next step should be the establishment of appropriate human rights structures within six FIFA's regional confederations — UEFA, CON-MEBOL, CONCACAF, CAF, AFC, OFC — managing the development of football at the regional level. The time has come to shift from a reactive crisis-management stance to a proactive approach anchored in international human rights standards.

References

Bützler, B.P. and Schöddert, L., (2020). Constitutionalizing FIFA: Promises and Challenges. *Tilburg Law Review*, 25(1), pp. 40–54, doi: 10.5334/tlir.192.

Cornu, P., Cuendet, S. and Vidal, L., (2017). *Disciplinary and Arbitration Procedures of the Sport Movement*. Good practice handbook for judicial authorities. Strasbourg: Council of Europe.

Duval, A. and Heerdt, D., (2019). FIFA and Human Rights: Introduction to the Symposium. *VerfBlog*, 2019/7/04. Available at: <https://verfassungsblog.de/fifa-and-human-rights-introduction-to-the-symposium/>, doi: 10.17176/20190704-112732-0.

Duval, A., (2023). Ruggie's Double Movement: Assembling the Private and the Public Through Human Rights Due Diligence. *Nordic Journal of Human Rights*, 41(03), pp. 279–303, doi: 10.1080/18918131.2023.2171633.

Gómez, L.E., Boulin, I.A., Cantú, M.F. and Muscará, F.J., (2021). Impactos negativos del deporte en los derechos humanos: las obligaciones de las organizaciones deportivas a la luz de los Principios Rectores sobre las empresas y los derechos humanos. Available at: <https://slg.la/>

⁵² IOC Strategic Framework on Human Rights, objective 9, p. 37. Available at: <https://stillmed.olympics.com/media/Documents/Beyond-the-Games/Human-Rights/IOC-Strategic-Framework-on-Human-Rights.pdf> [Accessed 10.08.2026].

⁵³ Ruggie, J.G., (2016). *For the Game. For the World*. Pp. 29, 33.

impactos-deporte-en-los-derechos-humanos-principios-rectores-onu/. (In Spanish).

Grell, T., (2018). The International Olympic Committee and human rights reforms: game changer or mere window dressing? *International Sports Law Journal*, vol. 17, 3–4, pp. 160–169, doi: 10.1007/s40318-018-0127-x.

Heerdt, D., (2018). Tapping the Potential of Human Rights Provisions in Mega-Sporting Events' Bidding and Hosting Agreements. *The International Sports Law Journal*, 17, pp. 170–185, doi: 10.1007/s40318-018-0129-8.

Mestre, A., (2009). *The Law of the Olympic Games*. The Hague: TMC Asser Press.

Rietiker, D., (2022). *Defending Athletes, Players, Clubs and Fans*. A manual for human rights education and litigation in sport, in particular before the European Court of Human Rights. Strasbourg: Council of Europe.

Rook, W., Jain, S. and Heerdt, D. (eds), (2023). *The Routledge Handbook of Mega-Sporting Events and Human Rights*. Abingdon: Routledge.

Weatherill, S., (2014). Discrimination on Grounds of Nationality in Sport. *European Sports Law*. Collected papers, 2nd ed. The Hague: T.M.C. Asser Press, pp. 21–62, doi: 10.1007/978-90-6704-939-9_2.

Zakharova, L.I. and Melnik, T.E., (2020). Some Reflections on Regulating Professional Sports in Integration Associations: a Sphere of Autonomy or an Object of the Union Law Regulation? *Comparative Law Review*, vol. 26, pp. 281–310, doi: 10.12775/CLR.2020.011.

Zakharova, L.I., (2020). International Standards of Human Rights as a Restriction on the Principle of Sports Autonomy. *Zakon*, 8, pp. 62–63. (In Russ.).

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