

ANTI-CORRUPTION DIRECTIVES

FIFA®





Key message



Definition/example



Reference

Fédération Internationale de Football Association

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WHY WE NEED THESE DIRECTIVES

At FIFA, we are committed to promoting the game of football ethically so that we can be a force for positive change throughout the global football community. As an international organisation with employees of many nationalities, working with confederations and member associations in a wide variety of countries, all with different ideas, standards, and perceptions about what constitutes bribery and corruption, it is necessary to define what is illegal or undesirable behaviour so that we are all on the same page. FIFA has a zero-tolerance approach to any form of bribery. These directives apply to all FIFA team members as well as any third-party intermediaries (“TPIs”).

HOW WE ADDRESS ANTI-CORRUPTION AT FIFA



FIFA has a zero-tolerance approach to any form of bribery and corruption.

GENERAL PRINCIPLE

FIFA is devoted to maintaining the highest ethical standards and preventing corrupt practices while growing the game and enhancing the football experience. We must comply with all anti-corruption laws wherever we promote the game of football, including, but not limited to the Swiss Criminal Code, the US Foreign Corrupt Practices Act and the UK Bribery Act.

KEY LEGAL REQUIREMENTS



A BRIBE IS THE GIVING OR RECEIVING OF ANYTHING OF VALUE WITH THE INTENT TO OBTAIN OR RETAIN AN IMPROPER BUSINESS ADVANTAGE FOR FIFA OR ANOTHER ORGANISATION.

Team members

We may not receive or offer funds or benefits in exchange for an improper business advantage. When interacting with government officials, we must take due care of the increased risk of bribery.

Business partners

We could face prosecution based upon actions made through our business partners or TPIs. To mitigate this risk, we conduct reasonable, risk-based sanctions and reputational risk screening on business partners and TPIs. In addition, the relationship owner has to make sure that the TPIs are bound by relevant anti-bribery and anti-corruption legislation.



For further details on how we screen our business partners, please consult the [International Trade Controls Directives](#) and the [Reputational Risk Directives](#).

RAISING CONCERNS

All FIFA team members are responsible for promoting high ethical standards. If any of us observe, in good faith, any violation or potential violation of these directives, we must take action and report the issue. If you have a feeling that misconduct is occurring, you should report your suspicions. This is the only way we can prevent breaches of our directives and protect our reputation. FIFA handles all reports of misconduct confidentially to the extent practically and legally permissible and thoroughly reviews each report of misconduct.

FIFA does not tolerate any form of retaliation against individuals who report concerns, violations, or suspected violations of these directives in good faith. "Retaliation" includes any adverse action taken against an individual who reports violations or acts of misconduct.



If something doesn't feel right, use the safe approach – report it!



To report a violation of these directives or an act of misconduct, please contact the FIFA Compliance Division, your Chief Officer/line manager or submit a report through the anonymous reporting mechanism.



REPORTING IN "GOOD FAITH" MEANS PROVIDING ALL THE INFORMATION YOU KNOW.

FOCUS AREAS



Prior to offering or accepting a gift or hospitality, we must ensure there is a clear business purpose, and that an outside party could not interpret the gift or hospitality as an attempt to improperly influence a decision.

GIFTS AND HOSPITALITY

FIFA does business the right way. We never offer or accept gifts or other business hospitality in exchange for improper business advantages. The exchange of gifts and hospitality is an acceptable part of any business. At FIFA, we apply a reasonable gifts and hospitality approach.

In general, we may give or receive an unsolicited gift or hospitality without approval if it passes the FIT test and:

- the gift is valued at USD 200 or less per year from or to a certain person or
- the hospitality is reasonable in expense.

FIT TEST

Before accepting or receiving any gift or hospitality, we must evaluate:

Frequency –

- Does it involve the same giver or recipient in a single calendar year? (For gifts, keep the threshold of USD 200 in mind.)

Intent –

- Is the intent anything other than relationship-building or promoting FIFA and football and is it consistent with local law?

Timing –

- Is the gift given or received shortly before a business decision will be made that may benefit the giver or receiver?

If the answer to any of these questions is **YES**, you should consult the Compliance Division.



For further guidance regarding what constitutes appropriate gifts and hospitality, including exclusions of certain items such as football match tickets, please consult the Gifts and Hospitality Directives, which also address the process for gifts and hospitality that exceed the threshold or fail the FIT test.

DONATIONS

FIFA is committed to responsibly supporting and improving the communities and environments in which we promote the game of football. In some cases, donations may pose corruption risks. For this reason, the President or the Secretary General and FIFA's Chief Compliance Officer must approve, in writing, all donations made on FIFA's behalf.

Donations must be made with a legitimate purpose and may not be used to conceal bribes. For more information regarding donations, please consult the Donations Directives.



Donations may include funds, goods, or services provided at no charge to a civic or charitable entity to support a charitable cause or to directly benefit a group or community.

FACILITATION PAYMENTS

We strictly prohibit facilitation payments. If you receive a request from a government official for a facilitation payment, you must immediately report the request to the Compliance Division.



Facilitation payments are payments made to government officials to expedite government actions.

POLITICAL CONTRIBUTIONS

FIFA is politically neutral. Political contributions may pose corruption risks and invite the perception that FIFA is attempting to improperly influence government officials or other individuals. For this reason, we may not contribute FIFA funds, time, or assets to political parties or candidates for political office. We may not make or approve political contributions on FIFA's behalf or as a representative of FIFA, regardless of level of authority. We must make it clear that any political activity reflects our individual beliefs and not those of FIFA.



Political contributions include any donations to political parties, campaigns, or candidates for political office.

DURESS PAYMENTS

Duress payments are those made when we reasonably believe that our immediate personal health or safety is in danger if we do not make the payment. Our safety is our number one priority. We must report, in writing, all incidents involving duress payments (whether paid or not) to our line manager. Line managers must promptly inform the Compliance Division of the incident in writing.

FINAL PROVISIONS

OFFICIAL LANGUAGES

The present directives are issued in English and German. If there are any discrepancies in the interpretation of the different versions of these directives, the English text is authoritative.

ADOPTION AND ENFORCEMENT

These directives were approved by the FIFA Secretary General on 10 May 2018 and come into force with immediate effect.

Zurich, 10 May 2018

A handwritten signature in black ink, appearing to be 'FS', written over a horizontal line.

FIFA Secretary General
Fatma Samoura

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SWISS LEGAL REQUIREMENTS

INTRODUCTION

The giving and taking of bribes in the private sector is included in articles 322^{octies} and 322^{novies} of the Swiss Criminal Code (SCC). It is also governed by art. 4a of the Federal Law on Unfair Competition (UCA). The giving and taking of bribes in the private sector is, with the exception of *de minimis* cases, pursued *ex officio*. In other words, the law enforcement authorities may open investigation proceedings without regard to whether or not a criminal complaint was filed. In addition, it is not a prerequisite that bribery in the private sector results in a market distortion.

Active and passive bribery of FIFA team members while performing their duties for FIFA can therefore lead to criminal prosecution and have financial consequences.

The giving and taking of bribes can additionally still be classified as an “unfair act”, giving the person whose economic interests are damaged the opportunity to in particular commence legal action for rectification of the violation and for compensation of damages (art. 4a UCA).

Furthermore, in the event of active corruption pursuant to art. 322^{octies} SCC, sanctions can also be imposed on the entity that has not taken every necessary and reasonable precaution (for example, by information and control of its employees) to prevent acts of bribery. In the event that the entity fails to take all such reasonable organisational measures, it can be sanctioned with an amount of up to CHF 5 million.

OBLIGATION

All FIFA team members are requested to take note of and strictly comply with these legal provisions.

SWISS LEGAL PROVISIONS

“Art. 322^{octies} SCC: Bribery

Any person who offers, promises or gives an employee, partner, agent or any other auxiliary of a third party in the private sector an undue advantage for that person or a third party in order that the person carries out or fails to carry out an act in connection with his official activities which is contrary to his duties or dependent on his discretion is liable to a custodial sentence not exceeding three years or to a monetary penalty.”

“Art. 322^{novies} SCC: Accepting bribes

Any person who as an employee, partner, agent or any other auxiliary of a third party in the private sector demands, secures the promise of, or accepts an undue advantage for himself or for a third party in order that the person carries out or fails to carry out an act in connection with his official activities which is contrary to his duties or dependent on his discretion is liable to a custodial sentence not exceeding three years or to a monetary penalty.”

“Art. 322^{decies} SCC: General provisions

1. *The following are not undue advantages:*
 - a. *advantages permitted under public employment law or contractually approved by a third party;*
 - b. *negligible advantages that are common social practice.*
2. *Private individuals who fulfil official duties are subject to the same provisions as public officials.”*

“Art. 4a UCA: Giving and taking of bribes

1. *A person is guilty of unfair competition if he:*
 - a. *offers, promises or grants an undue advantage to an employee, shareholder, agent or other auxiliary person of a third party in the private sector in connection with the latter’s official or business activity for an act or omission contrary to his obligations or at his discretion in his favor or in that of a third party;*
 - b. *demands, promises or accepts an improper advantage for himself or a third party as an employee, shareholder, agent or other aide to a third party in the private sector in connection with his official or business activity for an act or omission in breach of duty or discretion.*
2. *An advantage that is not undue is one that has been contractually approved by the third party or one that counts as a minor, socially acceptable advantage.”*



RESOURCES

- Code of Conduct
- Reputational Risk Directives
- International Trade Control Directives
- Gifts and Hospitality Directives
- Donations Directives
- Internal Organisation Directives



DEFINITIONS

FIFA team members

- The Secretary General
- The Deputy Secretaries General
- The Chief Officers
- All other employees of FIFA
- All freelancers and volunteers (to the extent permitted by law)
- All employees and members of executive bodies of FIFA's consolidated subsidiaries

Government official

- Any director, officer or employee of a foreign or local government or any department, agency, instrumentality thereof, or entity owned or controlled by a government;
- Any person acting in an official capacity for or on behalf of any such foreign or local government, department, agency, instrumentality, or entity;
- Any director, officer, or employee of any public international organisation;
- Any officer or employee of any political party or affiliation; and
- Any candidate for political office.

Third-party intermediary (TPI)

- TPIs are third parties that interact with government officials or business partners on FIFA's behalf.

Fédération Internationale de Football Association

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