



# Challenges of legal structure and judicial principles governing the Statutes of the Iranian Football Federation

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Accepted: 18 July 2023 / Published online: 2 August 2023  
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## Abstract

This paper aims to examine the legal framework and principles governing the Statutes of the Iranian Football Federation [FFIRI (The acronyms FFIRI and IRIFF have been interchangeably employed in various correspondences involving the AFC and FIFA). The FFIRI Statutes, which defines and explains the legal structure of the organization, is central to the establishment of judicial principles governing the football organization. It serves as the official framework for establishing substantive legal principles, and as such, is subject to challenges. The challenges surrounding the FFIRI Statutes are primarily concentrated around three main areas: sports-related laws, legal structure definitions in the Statutes, and the jurisdiction of judicial bodies within the Football Federation. In this article, a comparative analysis of the latest version of the FFIRI Statutes with its previous version is presented to assess the resulting improvements and shortcomings, as well as identify any remaining unaddressed issues, both in terms of form and substance.

**Keywords** Football law · Football Federation Statute · Legal structure · Self-regulation · Sports governing bodies

## 1 Introduction

The Iranian Football Federation has a long and storied history, having been established in 1946. The national team's successes on the international stage, including their first-ever World Cup qualification in 1978 as the top team in Asia and Australia, and three championships in the Asian Cup, have firmly established Iran as a major player in Asian football. At the club level, Iranian teams such as Esteghlal and Persepolis have a massive following, with more than thirty million fans, and have consistently performed well in Asian leagues.

However, the legal and judicial structure of the Football Federation has failed to keep pace with the evolving standards set by FIFA, and this has had significant negative consequences in recent years. In 2006, despite Iran's 15th-place ranking in the FIFA rankings, FIFA suspended Iranian football from all international activities due to government interference in the Football Federation's structure

and organization<sup>1</sup>. A task force was quickly formed, and after much effort, a new Statutes was developed in 2011. However, this Statutes had unresolved issues and problems that eventually led to the suspension of the scheduled 2020 election of the Football Federation by FIFA. Finally, in December 2020, FIFA agreed to hold the election in March 2021, with the stipulation that the Federation address the remaining issues and submit the officially approved version of the Statutes within 1 year.

At the club level, the Iranian State-run football clubs, F.C. Esteghlal and F.C. Persepolis, were prohibited from participating in the 2022 AFC<sup>2</sup> Champions League due to authorities' failure to transfer ownership to private parties within the given time frame. The main reason behind this bar was that those clubs are State-run clubs<sup>3</sup>. Measures implemented by authorities to transfer the ownership to different parties were actions regarded as either insufficient or too late and as a consequence, the clubs have not been granted licenses to participate in the AFC Champions League 2022<sup>4</sup> This

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<sup>1</sup> <https://www.theguardian.com/world/2006/nov/24/iran.football>.

<sup>2</sup> Asian Football Confederation.

<sup>3</sup> <https://www.aljazeera.com/news/2022/1/8/three-iranian-clubs-barred-from-asian-champions-league#:~:text=The%20AFC%20announced%20on%20Friday,ineligible%20for%20the%202022%20tournament.>

<sup>4</sup> <https://www.arabnews.com/node/2000031/sport>.

action has resulted in significant social and economic damages at the national level and inflicted enormous financial losses on Iranian football. To prevent such consequences in the future, addressing the legal and judicial challenges of the Iranian Football Federation (FFIRI) Statutes is crucial. Despite limited research on the legal gaps and challenges of the FFIRI structure and foundation, this paper aims to compile and discuss the issues and challenges of Statutes in light of FIFA and national regulations. This study is based on the work and research conducted for the first author's Ph.D. dissertation titled "A Comparative Study of Football Disputes Legal Procedures in Spain and Iran".

## 2 The challenges of the Iranian Football Federation Statutes

As mentioned in the introduction, the Statutes of FFIRI faced serious criticism from FIFA's side and has gone through extensive revisions and changes. To explain better the issues, it is necessary to review Iranian law regarding juridical and natural personalities and alternatives for corporate legality.

### 2.1 Nature of personalities

#### 2.1.1 Natural and legal persons

A person is juridically classified into two groups: natural persons and juridical persons. The first group refers to a human being, who is an individual being capable of assuming obligations and capable of holding rights. The second group refers to those entities endowed with juridical personality which are known also as legal entities such as corporations or partnerships. A legal entity could be a legal entity of public law or a legal entity of private law.

#### 2.1.2 Public law legal entities

These entities are legal entities that are created by a law or an administrative act, as executors of tasks of a public nature or service and they are created within the framework of special rules and regulations. Examples of such entities in Iran are the National Oil Company, government institutions, ministries, universities (and all non-governmental public institutions-described below) which, as soon as being established, have legal personality without the need for registration in contrast to the private law legal entities that must be registered according to the law. However, in some cases, a specific law may force the registration of public law legal entities (e.g., the Public Bus Transport Company which shall be registered according to the requirements of Commercial Law).

In Article 5 of the Public Accounts Law approved in 1987, the legislator has defined non-governmental public institutions. According to the said article, "non-governmental public institutions are specific organizational units that, with the permission of the law, perform tasks and services that are public in nature. It is being formed or is being formed". In addition to this definition, in the Civil Service Management Law, which was approved in 2016, the definition of non-governmental public institutions is also defined, according to Article 3 of the Civil Service Management Law, non-governmental public institutions are defined as "*It is a specific organizational unit that has legal independence and is established or will be established with the approval of the Parliament and more than 50% of its annual budget is provided from non-governmental sources, and it is responsible for duties and services that are public in nature*".

In the Public Accounts Law approved in 1987, it was foreseen that the list of non-governmental public institutions must be approved by the parliament. For this purpose, in 1994, the parliament passed a law entitled "Law on the List of Non-Governmental Public Institutions", according to this law, a list of the names of non-governmental public institutions was stated, among them there are municipalities and their subsidiaries as long as more than 50% of their shares and capital belong to the municipalities, National Olympic Committee, Social Security Organization and Amateur Sports Federations of the Islamic Republic of Iran.

#### 2.1.3 Private law legal entities

Private law legal entities are established following the general regulations of registration laws such as the law of registration of commercial companies and the regulations of registration of associations and non-commercial institutions. The emergence of the personality of these legal entities requires registration and their activity period is until the date of liquidation. Examples of such entities are commercial companies and corporations, cultural associations, charitable groups, political parties, etc.

Private law legal entities are classified into two categories of commercial and non-commercial entities. A commercial legal entity is made up of a group of individuals who contribute assets or services for joint business activities and share the profits among themselves. The types of commercial companies are mentioned in Article 20 of Iranian Commercial Law<sup>5</sup> and are Joint-Stock Companies, Limited Liability Companies, Partnership Companies, Non-Shareholding Mixed Companies, Shareholding Mixed Companies, Proportional Liability Partnerships, and Cooperative society

<sup>5</sup> <http://students.sbu.ac.ir/r.bastani/upload/Law%20of%20Commerce.pdf>.

for production and consumption Companies. According to Article 583 of the Commercial Law, "*All the aforementioned commercial companies in this law have legal personality*". Non-commercial entities are institutions that are formed by a group of individuals for non-commercial purposes, both for benefit and non-benefit. Therefore, non-commercial entities are of two types:

- Entities whose purpose of formation is not to attract benefits and divide them among their members, such as associations formed to protect animals.
- Entities whose purpose of formation is seeking profit and material benefit, such as legal institutes, and audit institutions.

## 2.2 Legal personality of FFIRI

Article 1 of the Iranian Football Federation (FFIRI) Statutes (the 2011 edition) defined the Federation as "*a non-governmental organization with legal personality and is based on sports policies and principles determined by the Olympic Committee*". However, as explained in the previous section, Iranian sports federations (including Football Federation) were listed as non-governmental public entities falling under the provisions of public law legal entities. In reality, the FFIRI could have not been considered as an independent organization in which the government has no vote, role, or influence. Examples of the government's influence over the Federation's affairs are that the Minister of Sports and his deputy were members of the general assembly of the Federation and had the right to vote in the assembly or that the 2011 edition of FFIRI Statutes had to be approved by the Cabinet of Ministers.

## 2.3 FIFA requirements

Article 14, P1 (i) and Article 19 of the FIFA Statutes (Federation Internationale de Football Association 2021) impose obligations on member state Football Federations to manage their affairs independently and ensure that their own affairs are not influenced unduly by any third parties. These provisions recognize that third parties can have a significant impact on football, and seek to regulate their involvement to promote transparency and fairness in the sport and preserve the autonomy and integrity of football. Government interference in football can lead to issues such as corruption, human rights abuses, and unequal treatment of football clubs and players.

By ensuring that football federations are able to manage their affairs independently, FIFA aims to prevent these issues from arising and to promote a level playing field for all clubs and players. In addition to Article 19, FIFA has also introduced a range of other regulations to prevent government

interference in football. These include requirements and recommendations for member state football federations to be registered as private organizations with an associative nature (FIFA 2005) and to operate in accordance with FIFA's governance standards. FIFA also has a system of monitoring and investigating allegations of government interference in football and can take disciplinary action against football federations that do not comply with its regulations.

As a consequence, and according to FIFA rules and precedents, a public non-governmental organization's nature cannot be a proper legal nature for a Football Federation—in this case, FFIRI, and since 2019 it caused a serious crisis for Iranian Football which is described in the next section.

## 2.4 FFIRI's Statutes crisis

This section of the paper delves into two main topics. The first topic concerns the suspension of the FFIRI's election and the warnings issued by FIFA regarding the necessary modifications to be made to the 2011 edition of the Statutes. The second topic pertains to the structure and contents of the newly drafted edition of the Statutes. The discussion on these two issues is critical in comprehending the challenges and complexities associated with the legal and judicial framework governing the FFIRI, and the efforts undertaken to address the shortcomings and gaps identified in the Statutes.

### 2.4.1 FFIRI election and suspension

In 2016, the Iranian Parliament passed a law that prohibits the employment of retirees. This legislation, citing Article 5 of the Civil Service Management Law, has proclaimed that the prohibition of hiring retirees applies to all the entities specified in that article, including non-governmental public institutions (see Sect. 3.1.2). The use of this general reference method, resulting from an erroneous comparison between the subject matter of two laws, poses legal and operational issues. Non-governmental public entities are theoretically exempt from the ambit of state employment and public finance and accounting regulations, and the term "non-governmental" in the name of these establishments shall signify this exemption.

As explained before, FFIRI at that moment was among those non-governmental public institutes and as a consequence, under the provisions of the newly approved legislation. At the time, FFIRI's president and deputy were both retired managers and according to the new legislation should have been dismissed. However, the process of appointing managers and members to the Football Federation cannot be legislated, as it is not a government institution. The Federation shall operate independently, without a government budget, and its president is elected by the assembly. Any

attempt by the government to interfere in the selection of managers for non-governmental entities is a violation of legal principles. Additionally, the Football Federation is obligated to be immune from external interference and managed independently in accordance with international obligations. On November 2018, AFC warned Iran over government interference in football matters following passing of the mentioned law<sup>6</sup>. In the statement, AFC highlights that *“The AFC is closely working with the FFIRI, whose current board was elected for 4 years in May 2016, to prevent any outside interference”*.

Subsequently, on February 2020, a letter was forwarded by the FFIRI to AFC, which contained a proposed amendment to the 2011 Statutes. In the letter, FIFA was also notified of the forthcoming elections of the FFIRI, scheduled for the ensuing month. However, the amended version kept the legal form of the Federation as a non-governmental public entity together with other serious shortcomings regarding the lack of an independent election committee among other things. On March 2nd, 2020, FIFA issued a response to the mentioned correspondence from the Football Federation, wherein the following statement was made at the end of the response<sup>7</sup>; *“Finally, we recall that in spite of the IRIFF having the draft revised Statutes and electoral code in hand since August 2019, IRIFF has not provided the necessary feedback in order to eventually adopt the revised documents. We thus request for your understanding on this matter and would like to re-iterate FIFA and the AFC in common and firm position that IRIFF should adopt the new Statutes electoral code and standing order of the general assembly before conducting elections”*.

FIFA postponed the scheduled elections of the Football Federation until the amendment of its Statutes and explicitly made the holding of the elections contingent upon the amendment of the Statutes of the Football Federation. FIFA's communication highlights several shortcomings and inadequacies of the Statutes, including the electoral code which does not provide for an independent electoral committee appointed by the legislative body of the FFIRI, and does not set out regulations to be followed at the election itself, but is primarily concerned with matters relating to the eligibility of candidates and the submission of candidatures.

Furthermore, FIFA has indicated that the Ministry of Sports and Youth's position as a voting member in the general assembly is in contradiction with Articles 14 and 19 of the FIFA Statutes.

#### 2.4.2 The amendments and revisions in the newly drafted Statutes

As part of the efforts to amend the Football Federation's Statutes, three fundamental steps were taken, which are explained below.

- A. In May 2021, the Council of Ministers formulated a legislative proposal with the aim of delisting Amateur Sports Federations from the category of non-governmental public organizations. The proposal, which concerned the legal status of Amateur Sports Federations, was subsequently endorsed by the President and submitted to Parliament as a single article<sup>8</sup>. As a result, the approval of the Statutes of the sports Federations by the Council of Ministers—which was completely contradictory to their non-governmental nature—changed to General Assemblies.
- B. On October 2021, the General Assembly of the Administrative Court of Justice ruled on a related matter. The said case is about the decision of the State Inspectorate Organization of Iran to ban the employment of retirees on the Executive Committee of the Football Federation. A petition was filed with the Administrative Court of Justice to annul the decision and the Court finally ruled the following<sup>9</sup>: *“Football Federation is not subject to Article 5 of the Civil Service Management Law because it is not included in government agencies and public non-governmental organizations, so it is not subject to the provisions of the law prohibiting the employment of retirees and its subsequent amendments.”*
- C. The legal committee of the FFIRI approved the new Statutes<sup>10</sup> on November 28, 2020. Subsequently, the General Assembly of the Federation also gave its final approval to the revised document.

<sup>6</sup> [https://www.the-afc.com/en/about\\_afc/member\\_associations/news/afc\\_statement\\_on\\_ir\\_iran.html](https://www.the-afc.com/en/about_afc/member_associations/news/afc_statement_on_ir_iran.html).

<sup>7</sup> Regrettably, the sole accessible version of the aforementioned letter is retrievable through the following hyperlink. Although the quality of the document is not optimal, it is legible. Despite the authors' endeavors to obtain a higher quality version, such attempts have proven fruitless; <https://newsmedia.tasnimnews.com/Tasnim/Uploaded/Image/1398/12/16/1398121618242356119863604.jpg> and <https://newsmedia.tasnimnews.com/Tasnim/Uploaded/Image/1398/12/16/1398121618253376419863614.jpg>.

<sup>8</sup> *“Article 1: Amateur Sports Organizations are removed from the list of non-governmental public organizations approved in 1994 and are recognized as non-governmental organizations with the independence of legal personality. These institutions are established with the permission of the Ministry of Sports and Youth. In addition to the non-governmental sources of income, the above-mentioned institutions may receive government assistance, as the case may be, per the legal duties of the State executive bodies or in the form of budget lines from the government's budget. The Statutes of each of these institutions are prepared, approved or amended by the relevant General Assembly.”*

<sup>9</sup> Lawsuit number 140009970905811665. [https://rc.majlis.ir/fa/law/print\\_version/1678164](https://rc.majlis.ir/fa/law/print_version/1678164) [Only in Persian].

<sup>10</sup> <https://assets.the-afc.com/migration/f/ffiri-statutes>.



The 2020 edition of the FFIRI Statutes defines the Federation (in Article 1) as follows: "*IRIFF is an autonomous non-profit non-governmental entity with legal personality, established in compliance with the legislation of the Islamic Republic of Iran. It is formed for an unlimited period*".

The newly ratified 2020 Statutes of the FFIRI heralded a significant milestone in the Federation's autonomy, wherein the government and the Ministry of Sports are no longer permitted to interfere with the Federation's decision-making processes. Notable among the positive changes was the establishment of an Independent Electoral Committee. Consequently, the legal status of the Football Federation was redefined from a public law legal entity to a private law legal entity.

However, despite the considerable progress made, there remain certain shortcomings and flaws within the Statutes, notably pertaining to Article 87. Although this Article alludes to the temporary legal form of the Football Federation, it fails to clearly and unambiguously establish the Federation's status as a private law legal entity. The same article further stipulates that the determination of the Federation's legal nature must be based on revisions to the National Sports Law, which will be collaboratively undertaken by the Iranian government and parliament, along with FIFA and the Asian Football Confederation<sup>11</sup>.

The authors suggest that non-profit, non-commercial institutions could serve as a suitable framework for establishing the legal entity of the Federation. Additionally, many unresolved issues in the field of sports law require legislative action at the national level by the parliament, and it is imperative that lawmakers address and approve these matters in a timely manner.

### 3 Challenges of the Statutes regarding the legal resources of the judicial bodies

The laws derive their validity from an authority or a seat of power. This authority is called the source of law. In the civil law system, the primary sources of law are enacted law, customs, general principles of law, jurisprudence, religion,

equity and scientific commentaries. The sources of law are of different importance in different legal systems. Accordingly, in the Civil legal system, the law plays a pivotal role while in Common law, the role of custom is very important. As leading countries in the field of sports law, including football, are mainly using Civil or Common law legal systems, the principal law sources that can be considered in the federation's judicial cases are law and custom.

#### 3.1 The legal status of the principle of autonomy and legality of the proceedings (in FFIRI)

To regulate any structure, legislators formulate a series of rules and regulations. Some structures can set these rules and address their violations in the same structure. Such a capacity is called self-sufficiency or autonomy. In this context, there are two main parameters which play an important role. One is that the scope of this autonomy should be clearly defined and the other is that the capacity for self-sufficiency shall be created by law. In this section, these parameters are being studied and the challenges related to FFIRI are discussed.

##### 3.1.1 The scope of autonomy in the legal proceedings of the Football Federation

The principle of constitutional supremacy, whereby all governing structures within a country derive their power from the constitution, is a fundamental tenet of law. The Iranian Constitution, specifically Article 159, establishes that courts of justice are the official bodies to which all grievances and complaints must be referred, and the formation of courts and their jurisdiction is to be determined by law. While compliance with the constitution is emphasized in the Statutes of the Football Federation of the Islamic Republic of Iran (FFIRI), compliance with international laws and regulations, particularly those established by FIFA, is also crucial in sports law and football. For this reason, while the Statutes of the FFIRI emphasize compliance with the Constitution, members are prohibited from appearing in public courts for cases that are within the jurisdiction of this institution.

This prohibition is stipulated in clause "d" of Article 8 of the 2020 edition of the Statutes of the FFIRI, which establishes the autonomy of the Football Federation in dealing with rule violations. The FFIRI's position as a quasi-judicial authority with special authority and competence is in alignment with FIFA Statutes and rules, and its flexibility in adhering to FIFA criteria is contrasted with its prohibition on parties seeking resolution in public courts in other cases<sup>12</sup> (Federation Internationale de Football Association 2021; Baddeley 2020).

<sup>11</sup> Article 87: *Transitory legal form. IRIFF shall be defined, as foreseen in art. 1 par. 1 above, as an autonomous non-profit non-governmental entity with legal personality, established in compliance with the legislation of the Islamic Republic of Iran. This new legal form shall: (i) come into effect within 1 year following the elections of a new IRIFF executive committee which are scheduled by the end of 2020; and (ii) be the result of a review of the national sports law by the Iranian government and Parliament in collaboration with FIFA and AFC. Until the relevant review of the national sports law is completed within the given timeline, IRIFF shall be legally defined as an institution with an independent legal personality.*

<sup>12</sup> Article 58 of FIFA Statutes 2021 edition

It is important to note that this authority is limited to the judicial organs of the Football Federation and should not extend to other legal authorities, such as the Players' Status Committee. The Committee functions as an arbitration body (Bennett and Norris 2017) and deals with disputes between players and clubs concerning matters outlined in the Transfer Law and the determination of players' status. Therefore, if parties are obligated to refer disputes to the Committee, preventing them from seeking resolution through public courts would transform the Committee from an optional to a mandatory arbitration chamber, which is contrary to the Constitution.

One of the famous cases which had set a precedent was the lawsuit of a player who had demanded 50% of his monthly salary and the transfer fee for 4 years from a football club. The club's lawyers believed that due to the sportive nature of the dispute, the public courts were not allowed (and competent) to hear such cases. Finally, the Supreme Court of Iran intervened in this matter and its Fifth Branch ruled that “regarding the dispute over the jurisdiction of football contracts between the general courts and the quasi-judicial organs of the Football Federation, it should be taken into consideration, given that the cited contract has been drawn up in the form of a civil contract and has nothing to do with sports-related violations to be investigated in the disciplinary committee, and was about the fulfillment of the obligations of adversarial litigation, based on Article 159 of the Constitution, the case can be heard by the ordinary courts, and so, these courts can hear and handle lawsuits and contract disputes in football.

It can be said that the Supreme Court's decision is a landmark decision and in accordance with the Constitution, while on the other hand, it is in line with international rules and regulations, including the FIFA Statutes and the FIFA Players-Status Committee (RSTP), as in the latter, the RSTP regulations stipulate<sup>13</sup> when FIFA is competent to hear the cases stating: “*without prejudice to the right of any player, coach, association, or club to seek redress before a civil court for employment-related disputes, FIFA is competent to hear (...) (b) employment-related disputes between a club and a player of an international dimension...*”.

Furthermore, while utilizing public courts for resolving sports-related disputes offers benefits like reduced costs, it can also lead to diverse verdicts for similar cases, creating complications for larger issues regarding sports contracts. The autonomy of Federations in judicial proceedings has both positive and negative outcomes. To accentuate the positive aspects, special tools like specialized sports courts and the expansion of arbitration chambers must be utilized. For instance, provincial/local football federations can establish

arbitration chambers like the Players' Status Committee, with jurisdiction limited to their geographical area. Such measures encourage the sports community to refer to arbitration chambers and authorities, leading to a redistribution of cases and faster, more efficient, and professional resolution of disputes arising from contracts. Instead of relying solely on international institutions to bring their appeals, these measures offer an easier and quicker path to an award.

### 3.2 The principle of legality in the judicial proceedings of the Football Federation

According to the principle of legality of proceedings, the formation of courts should be following the law; in fact, the first step is that the inherent jurisdiction of the dispute resolution authority should be derived from the law, otherwise, even if the related authority is subject to judicial principles and the rights of the parties are respected during the proceedings, the trial will not have legitimacy. The power of ruling will have legal legitimacy only when it is recognized and approved by the legislature. Therefore, the principle of legality of the trial is a priority.

Regarding the latest version of the Football Federation Statutes approved in 2020, as mentioned earlier, steps have been taken to comply with this principle. However, this process has not been completed yet, as paragraph 2 of Article 87 of the Statutes provisionally defines the legal nature of the Federation and makes it subject to the revision of the National Sports Law. This article states that “...This new legal form shall: ... *be the result of a review of the national sports law by the Iranian government and Parliament in collaboration with FIFA and AFC*”. As it can be seen, currently, the internal committees and authorities of the Federation (such as its judicial committees) have a temporary status and structure recognized using the capacity provided in Article 87 of the Statutes of the Football Federation. Hence, there are still important legal gaps that need to be addressed by the legislature as soon as possible in order to resolve different legal issues of the Federation and avoid future problems with the legality principle.

## 4 The role of custom in the structure of the judicial bodies of the Iranian Football Federation

A custom is a continuing course of conduct which may be the acquiescence or express approval of the community observing it and is known as a source of law. In other words, the type of custom that is used as a source of law and the builder of a rule of law is the one that is not inconsistent or ambiguous with the general customs, order of good morals and the general solution of law. For this purpose,

<sup>13</sup> Article 22 (letter b) of FIFA RSTP

both elements of custom, namely stability and inclusiveness and generality (material element) on the one hand and the acceptance of society and people (spiritual element) should be considered to give the custom a binding feature and description. In sports and in particular, in Football, one of the important resources to be considered after the law, within the judicial proceedings of the Federation and its code of conduct is custom.

#### 4.1 Custom and Ethics Committee of FFIRI

The Ethics Committee is a judicial body<sup>14</sup> of FIFA responsible for investigating possible infringements of the FIFA Code of Ethics. FFIRI's Ethics Committee is based on and governed by the Federation's Statute and Code of Ethics, but its regulations have not been revised for more than 7 years, leading to potential personal perceptions or misconceptions. For instance, the principle of conflict of interest in the committee is questionable, and basic legal procedures are not adequately foreseen or executed. These irregularities lead to delayed hearings, disproportionate punishment, and sanctions without following relevant procedures. To resolve the issue, it is necessary to update the rules, regulations, and code of conduct related to the Ethics Committee in the Federation.

#### 4.2 The position of custom in the disciplinary and appeal committee of FFIRI

The disciplinary regulations of the Football Federation, approved in 2018, take into account customary laws in sports. For instance, Article 82 prohibits smoking by all players and match officials in the stadium and surrounding areas, with violators subject to a fine of 50 million Rials for the first offence. Repeat offenders face a ban from an official match and increasingly harsh penalties. This regulation addresses a previous lack of enforcement regarding smoking on the bench or during matches.

However, the authors of the Federation's ethical regulations paid little attention to the customs of sports. The regulations related to the ethics committee should have been derived from sports customs and unwritten laws. Professional ethics, which govern a person's conduct in a professional sports environment, such as respect, dignity, commitment, and integrity, are one of the most important examples of such customs. They are accepted as a principle in professional sports, including football, and can have statutory sanctions to ensure compliance.

While it may not be possible to sanction certain behaviors, any behavior that causes tension and violates professional

ethics can be punished. Therefore, sports moralities and professional ethics are ethical dimensions with a binding origin and can serve as constructive customary sources in judicial proceedings of football federations. Leading sports federations establish professional ethics in their legal body to create relationships and conduct that follow ethics without necessarily having a purely moral compliance guarantee. However, the Federation's ethical committee appears to have overlooked this important issue.

## 5 Conclusion and discussion

The legal challenges of the FFIRI's judicial principles can have significant implications in terms of both form and nature. The previous version of the 2011 Statutes faced significant issues, which have been temporarily resolved in the 2020 edition. However, establishing a suitable legal structure is necessary for promoting the rule of law. To ensure judicial justice, it is important to consider the impact of judicial principles, such as protecting the rights of the litigants, respecting the rights of the accused, and ensuring equal access to tools. While the Statutes define the judicial bodies of the Football Federation as quasi-judicial authorities, they cannot be referred to as such, until recognized by the legislature and law. The judicial proceedings of the Federation are based on its Statutes, which have not yet been turned into law, rendering the legal form of the Federation temporary.

The Football Federation in Iran not only has self-regulatory and autonomous dimensions but also has responsibilities to respect the principles of law. Initially, contractual disputes related to football were not heard in public courts, but the Iranian Supreme Court eventually ruled that this was incorrect. It is necessary for the Football Federation to decentralize such cases by establishing independent arbitration chambers that meet FIFA's requirements. This can be achieved through the creation of clear frameworks and the use of proper resources in the regulations governing judicial proceedings. While some progress has been made, there are still unresolved issues that can be solved through legislative, procedural, and customary tools.

**Funding** Open Access funding provided thanks to the CRUE-CSIC agreement with Springer Nature.

### Declarations

**Conflict of interest** The authors have no conflict of interest to declare. All co-authors have seen and agree with the contents of the manuscript and there is no financial interest to report. The authors did not receive support from any organization for the submitted work.

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<sup>14</sup> Article 50 of FIFA Statutes, 2021 edition

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