

Decision of the FIFA Disciplinary Committee

passed on 29 May 2025

DECISION BY:

Jorge Iván PALACIO (Colombia), Deputy Chairperson

Paola LÓPEZ BARRAZA (Mexico), Member

Thomas HOLLERER (Austria), Member

ON THE CASE OF:

Football Union of Russia

(Decision FDD-18144)

REGARDING:

Art. 5 of the FIFA Regulations on the Status and Transfer of Players (eds. 2019 and 2021 – hereinafter *RSTP*) – *Registration*

Art. 19 RSTP – *Protection of minors*

Annexe 3 RSTP – *Transfer Matching System*

Art. 15 of the FIFA Disciplinary Code (ed. 2019 – hereinafter *FDC*) – *Failure to respect decisions*

I. FACTS

1. The following summary of the facts does not purport to include every single contention put forth by the actors at these proceedings. However, the FIFA Disciplinary Committee (**the Committee**) has thoroughly considered any and all evidence and arguments submitted, even if no specific or detailed reference has been made to those arguments in the following outline of its position and in the ensuing discussion on the merits.

A. Investigation of FIFA Regulatory Governance and Compliance Department

2. On 22 August 2023, the FIFA Regulatory Governance and Compliance Department (**Regulatory Enforcement**) transferred a report (the **Case Transfer Report** or **CTR**) to the Secretariat of the FIFA Disciplinary Committee (the **Secretariat**), in which it analyzed a complaint alleging that the Football Union of Russia (**FUR** or the **Respondent**) had an affiliated club, FC Vista Gelendzhik (**Vista**), internationally transferring minor players, mainly from African countries, without submitting the relevant minor applications and without obtaining the relevant authorization from FIFA.
3. Based on the information obtained throughout the investigation, Regulatory Enforcement made the following factual findings in the CTR:
 - Vista, by offering internships and “*studying abroad*” opportunities, organized scouting events in Africa for minor players promising that the best ones would “*be signed into FDC Vista and gain education*” at the Kuban State University in Russia.
 - The players would transfer to Vista when minors *without* submitting a minor application to FIFA. Subsequently, when they turned 18, the best players would transfer from Vista to other clubs in Europe, mainly to Fremad Amager, Denmark and Botev Plovdiv, Bulgaria.
 - In addition to African players, minor players from other countries, such as Chile, Armenia and Kyrgyz Republic, were also transferred to Vista without the prior authorization from FIFA.
 - The transfer of all these minor players to Vista was, however, not generally reflected in TMS. Only after the players turned 18, would the players’ new clubs in Europe enter the transfers in TMS. The transfers were recorded as being directly from their previous clubs to the new club, leaving no track in TMS of the players’ time at Vista.
 - In total, at least 30 foreign minor players were internationally transferred to Vista or were registered for the first time with Vista using the aforementioned scheme.
 - Vista has confirmed that all 30 foreign players (i) were transferred to the club, (ii) did not hold Russian nationality, and (iii) joined Vista before turning 18.

- The FUR is potentially in breach of the Regulations on the Status and Transfer of Players (**RSTP**) in relation to 18 out of these 30 players.
- The FUR has confirmed that 15 out of the 18 players were not registered at all or not properly registered with the FUR and 17 out of the 18 players participated in organized football.
- The FUR was granted a Limited Minor Exemption (LME) by FIFA, valid from 12 February 2020 until 12 February 2022. In the context of the investigation carried out by Regulatory Enforcement, the FUR has confirmed having registered three minor players from Nigeria and Kyrgyzstan in 2021 through the LME. However, the LME was misused by the FUR and a minor application should have been submitted by the FUR for these 3 players to FIFA as required by art. 19 RSTP.

4. Based on the above, Regulatory Enforcement found the following potential breaches by the Respondent of the RSTP and the FIFA Disciplinary Code (**FDC**):

- **Art. 5.1 RSTP:** Failure to properly register players 1-15 and 17-18.
- **Art. 9.1 RSTP:** Failure to request the ITC from the former association of players 3, 4, 8-11, 13 and 15.
- **Art. 19.1 RSTP:** Failure to submit the relevant minor applications to FIFA for players 3, 4, 8-11, 13, and 15-18 when internationally transferred to Vista.
- **Art. 19.3 RSTP:** Failure to submit the relevant minor applications to FIFA for the non-Russian players 1, 2, 5, 6, 7, 12, and 14 when registered for the first time with Vista.
- **Article 19.7(b) RSTP:** Failure to verify and ensure that the circumstance of the players included in the LME lists (players 16, 17 and 18) fell beyond all doubt, under one of the exceptions provided in art. 19 RSTP.
- **Art. 1.3 of Annexe 3 RSTP:** Failure to submit the relevant minor applications for all players.
- **Art. 8.1.1 of Annexe 3 RSTP:** Failure to request and receive the ITF for players 3, 4, and 11.
- **Art. 15 FDC (now art. 21 FDC):** Failure to respect the decision of the Players' Status Chamber regarding the application for an LME by the FUR, by having misused the LME regarding the players 16-18.

5. More specifically, Regulatory Enforcement considered the following:

- Pursuant to art. 14.1(d) of the FIFA Statutes, the FUR had the obligation *"to cause their own members to comply with the Statutes, regulations, directives and decisions of FIFA bodies"*. In previous cases, the Court of Arbitration for Sport (**CAS**) has confirmed that member associations have the duty to ensure that rules concerning the protection of minors are respected within their territory, and that FIFA can take actions against member associations

that failed to ensure compliance among their own members.¹ In view of the above, the FUR is responsible for the correct implementation of the regulations aimed at protecting minors in Russia. This means that, if a club affiliated to the FUR has breached said rules, the FUR can also be held responsible for not having ensured compliance by its members.

- Players 1-15 were minors (born after July 2004) when Regulatory Enforcement contacted Vista for the first time (i.e. on 3 June 2022). Players 16-18 were also minors as evident from the fact that an LME exemption was (mis)used on them. Consequently, given that Vista has confirmed the presence of such foreign minor players at Vista and that no minor application was submitted through TMS, the FUR has breached art. 19.1 and 19.3 RSTP, considering the FUR's statutory obligation to cause ensure compliance with the FIFA regulations.
- Players 16-18 were included in the LME list by the FUR indicating that they moved to Vista in 2021. The FUR has confirmed that the players were registered through the LME but admitted that it used art. 19.2(a) by mistake. The FUR should have used art. 19.2(e). However, the LME granted to the FUR after 1 March 2020 explicitly excluded art. 19.2(e) from its scope. In any case, neither exception, was met. With respect to art. 19.2(a) RSTP, the FUR has confirmed that their players did not move with their parents to Russia, and therefore the exception 19.2(a) did not apply. As to art. 19.2(e) RSTP, the players did not move for purely academic reasons. Indeed, according to the documentation provided by the FUR, it appears the minor players were supposed to enter into a pre-university program to learn Russian in order to be able to later enroll in the university program when they turned 18. Notwithstanding, the players were transferred to other clubs in different countries when they turned 18 and there is no proof that they actually studied at this university, demonstrating that the alleged study purpose of learning Russian to enroll at the university never materialized. The LME was thus misused in breach of the RSTP. A minor application should have been submitted for these players. Since no such application was submitted, the FUR breached art. 19.1 RSTP.
- While the players were not registered with the FUR, 17 out of the 18 players participated in the Krasnodar Regional Championship which falls under the definition of organized football (definition no. 6 of the RSTP), since it is a competition organized under the auspices of the FUR. Consequently, the FUR has breached art. 5 RSTP with respect to players 1-17.
- Players 3, 4, 8-11, 13 and 15 were registered with another member association before joining Vista. Therefore, as the FUR never requested the ITC for these players, it has breached art. 9 RSTP.

B. Proceedings before the Disciplinary Committee

6. On 8 April 2024, the Secretariat opened disciplinary proceedings against the Respondent for potential breaches of arts. 5, 9, 19, and Annexe 3 RSTP, as well as art. 21 FDC. The Secretariat granted six (6) days to the Respondent to file its position.

¹ CAS 2014/A/3813 *Real Federación Española de Fútbol v. FIFA*; CAS 2019/A/6432 *The Football Association v. FIFA*.

7. On 11 April 2024, the Secretariat granted the Respondent an extension until 3 May 2024 to file its position.
8. On 3 May 2024, the Respondent submitted its position.

II. POSITION OF THE RESPONDENT

9. The Respondent's position during the investigation conducted by Regulatory Enforcement can be summarized as follows:
 - All of FUR's regulations and procedures are in line with the FIFA regulations.
 - Vista is a purely amateur club which competes in amateur competitions and has never applied to the FUR for the registration of professional players.
 - The FUR is the only Russian football governing body recognized by FIFA. However, the FUR has regional federations that are responsible for submitting the registration requests for amateur clubs to the FUR.
 - The FUR acknowledges that 15 minor players are not registered with the FUR. For that reason, an internal audit was conducted to *"determine the legal status of these players and identify the presence or absence of regulations' violations at any level"*.
 - Regarding the non-registered players, *"[t]here was no application of the football club or the [K]RFF [i.e. the Krasnodar Regional Football Federation] to register players which means that the RFU did not intentionally violate the FIFA RSTP rules on registration and transfers of minors but did not have a chance to implement the procedure as remained in total ignorance despite the fact that the information was conveyed properly"*. The KRFF – which is a legal entity and a FUR member – is responsible for governing football in the Krasnodar region (i.e. the region in which Vista is located).
 - The non-registered players participated in the Krasnodar Regional Championship.
 - The FUR acknowledges that the ITC of the non-registered players was not requested by the FUR from their previous association.
 - Regarding the LME, the FUR informed that *"the football players included in the LME[s] were scrutinized by the RFU Commission of certification"*. The FUR acknowledges that the exception indicated in the LME Report (art. 19.2(a)) was wrong and claims that the correct exception that should have been indicated is art. 19.2(e).
 - The FUR admits the violation of art. 5.1 RSTP by its regional federation.
10. The Respondent's position before the present disciplinary proceedings can be summarized as follows:

- The RSTP violations were committed by Vista and the KRFF but not the FUR. There are no grounds to hold the FUR accountable for violations of the RSTP committed by Vista or the KRFF. Indeed, in accordance with CAS jurisprudence, it took all reasonable actions to cause its clubs/members to comply with the mandatory provisions of the RSTP (CAS 2019/A/6432). Furthermore, as players 1-15 were not registered with the FUR, it cannot be held to have committed breaches of the RSTP. Pursuant to CAS 2016/A/4785, the “*de facto*” registrations are not sustained under the RSTP and/or consistently applied by the FIFA bodies or the CAS.
- The FUR has taken the following measures to ensure that its affiliated clubs and members comply with the RSTP requirements:
 - The KRFF is an RFU member which governs football in the Krasnodar Territory. As such, it is responsible, pursuant to art. 11 of the FUR Statutes, to comply with FUR and FIFA regulations.
 - According to the FUR regulations, the KRFF is responsible to supervise and submit the player registration information into FUR Digital Platform (**FUR.DP**). This is established in Chapter 2 of the FUR Regulations on the Status and Transfer of Players (**FUR-RSTP**), which sets out the rules for players’ registration. In particular, art. 13.1 of the FUR RSTP states that *“in order to play for the club in competitions under the auspices of the RFU as an amateur or professional, a football player must be registered in the FUR Digital platform (FUR.DP) system in accordance with these Regulations and the Regulations on the certification and the FUR policy. In accordance with the competition regulations, a player shall be included in the club’s application. By the fact of registration, players agree to comply with the statutes and regulations of FIFA, UEFA and the FUR”*. Furthermore, according to 3.1 of the RFU Regulations on the certification and the FUR registration policy, *“entering date into the FUR.DP is carried out by a representative of the organization that is the initiator of the recorded events. The registration functions for an amateur club should be carried out by the federation (MRO, RFF) on the territory of which this club or an individual subject of football operates in case the club applies for the registration and does not have an account”*.
 - The FUR has also included in art. 3.1 of the Regulations of Territorial Football Competitions Among Amateur Teams (**TFF Regulations**) that *“Football players are allowed to participate in competitions held by the territorial Football Federation if a football player is registered in the Unified Information System of the RFU on the territory of the Krasnodar Territory and the Republic of Adyged”*.
 - As was demonstrated by the RFU in its letter dated 28 August 2022, some of the players in the initial FIFA request (12 players) passed the registration procedures, namely, the players were entered into FIFA TMS, and the first registration and international transfer of minors were reviewed and approved by the FUR Certification Commission in accordance with the prescribed LME procedures. This shows that the procedure established by the FUR works. Its effectiveness is confirmed by the fact that only 1 club has violated the FIFA rules – i.e. Vista, which is purely amateur and participated only in regional competitions, the organizer of which is not the FUR, but rather the Ministry of Physical Culture and Sports of the Krasnodar Territory.

- The FUR has no possibility to take any other measures. It has limited capabilities in terms of influence on members of the FUR (i.e. the regional sports federations) under Russian law, in particular, art. 161 of the Federal Law of the Russian Federation No 329-FZ, which gives the regional sports federations the right to organize and hold official regional championships and cups, and to completely independently develop and approve the regulations for such competitions. Thus, regional sports federations in Russia are substantially independent from FUR in matters of organizing and holding regional competitions. Furthermore, the status of a regional sports federation is assigned and revoked by state authorities of Russia, not by the FUR.
- The FUR also has limited capabilities to influence the Krasnodar Regional Championship and the Krasnodar Regional Cup. The decision to hold these competitions was made by the Ministry of Physical Culture and Sports of the Krasnodar Territory, and the responsibility for organizing them was assigned to the KRFF. The Ministry also determined the conditions and procedure for organizing them and adopted and approved the regulations.
- The FUR's ability to monitor regional competitions is minimal and its ability to ensure that clubs/members comply with the RSTP in relation to regional competitions is largely limited by law and government authorities of Russia. However, despite these circumstances, the FUR took all measures available to the FUR and create a fairly effective system to ensure compliance with the RSTP by clubs/members of the RFU.
- The FUR has sent a request to the KRFF to conduct an internal audit and analyze the incident. Furthermore, the FUR has taken all measures to normalize the situation in both the KRFF and Vista, requesting them to exclude the non-registered players from competitions until they are properly registered.
- With regard to players 16-18 and the LME, the FUR does not dispute that they moved to Vista in 2021. The LME applicable to that period was granted to the FUR in 2020 for two years in accordance with the FIFA RSTP and included three exceptions under art. 19 RSTP. A few months later, a new edition of the RSTP was published in June 2020, adding two more exceptions. The fact that the RSTP was amended within a short time created some confusion in the LME application during the period of its validity. However, the players included in the LMEs were scrutinized by the RFU Certification Commission and the ground to apply the LME was found. The RFU Certificate Commission then sent FIFA an explanation that the players should be registered under art. 19.2(e).
- FIFA should consider this matter an isolated incident and determine that the FUR has established a correct and legal registration procedure and done everything possible to bring these provisions to the attention of all its members. Consequently, FIFA should find that the FIFA registration provisions have not been violated and, accordingly, not impose any sanctions on the FUR. At most, the FUR should receive a warning for this first and only alleged breach of said rules.

III. CONSIDERATIONS OF THE DISCIPLINARY COMMITTEE

11. In view of the circumstances of the present case, the Committee decided to first address the procedural aspects of the case, i.e. its jurisdiction and the applicable legal framework, before entering into the substance of the matter and assessing the potential breaches of the RSTP and the FDC by the Respondent as well as the potential sanctions, if applicable, resulting therefrom.

A. Jurisdiction of the FIFA Disciplinary Committee

12. First of all, the Committee noted that at no point during the present proceedings did the Respondent challenge its jurisdiction or the applicability of the FDC.
13. Notwithstanding the above and for the sake of good order, the Committee found it worthwhile to emphasize that, on the basis of art. 56 FDC (2023 ed.) as read together with art. 19 RSTP, it is competent to evaluate the present case and to impose sanctions in case of corresponding violations.

B. Applicable law

I. Applicable edition of the FIFA regulations

14. In order to duly assess the matter, the Committee deemed that it had to determine which edition of the RSTP applied to the substance of the case.
15. In these circumstances, the Committee noted from the CTR that Regulatory Enforcement considered that different versions of the RSTP were applicable, based on the date at which the minor in question joined Vista. In this regard, the Report referred to the following versions of the RSTP:
- For player 3, 4, and 11, the 2021 RSTP.
 - For players 16-18, based on the Limited Minor Exemption Report uploaded in TMS by FUR, the 2021 RSTP.
 - For the rest of the players, either the 2019 or 2021 RSTP. For these players, Regulatory Enforcement reported that based on information they gathered, the players joined Vista either in 2019 or 2021. The exact date, however, could not be determined since Vista – although it confirmed the presence of the players – failed to provide precise information as to when the players moved to Vista despite FIFA Regulatory Enforcement's requests.
16. Notwithstanding the above, the Committee decided – with the exception of players 16-18 who clearly fell under the 2021 RSTP – to refer to the RSTP in a general manner, without specifically mentioning the pertinent edition applicable to each player involved in the present case, as the aforementioned editions of the RSTP were inherently identical, so that the content and the relevant regulatory principles to be respected had not undergone any changes in the different editions, i.e. the 2019 and 2021 editions.
17. In continuation, with respect to the applicable edition of the FDC, the Committee emphasized that certain of the alleged infringement(s) were committed prior to the entry into force of the 2023 edition

of the FDC. However, and whilst keeping in mind the principles enshrined under art. 4 FDC, the Committee deemed that the merits of the present case should be analyzed under the 2023 edition of the FDC.

18. With the above in mind, the Committee went on to analyze the content and the scope of the relevant provisions at the basis of the present proceedings, namely arts. 5, 9.1. and 19 RSTP and art. 21 FDC.

II. Relevant applicable FIFA provisions

19. The following provisions² are applicable to the present matter:

Article 5.1 of the RSTP – Registration³

20. In accordance with art. 5.1 RSTP, "... [a] player must be registered at an association to play for a club as either a professional or an amateur in accordance with the provisions of article 2. Only electronically registered players identified with a FIFA ID are eligible to participate in organised football. By the act of registering, a player agrees to abide by the FIFA Statutes and regulations, the confederations and the associations".

Article 9.1 of the RSTP – International Transfer Certificate

21. This article stipulates as a prerequisite for the registration of a player who has been the subject of an international transfer the need to request, and receive, an International Transfer Certificate (ITC).

Players registered at one association may only be registered at a new association once the latter has received an International Transfer Certificate (hereinafter: ITC) from the former association. The ITC shall be issued free of charge without any conditions or time limit. Any provisions to the contrary shall be null and void. The association issuing the ITC shall lodge a copy with FIFA. The administrative procedures for issuing the ITC are contained in Annexe 3, article 8, and Annexe 3 of these regulations.

22. Specifically, art. 9 (1) RSTP provides that players registered at one association may only be registered at a new association (and for the new club) after the latter has received an ITC from the former association.

Article 19 of the RSTP – Transfer and registration of minor players

23. To begin with, the Committee pointed out that art. 19 RSTP governs the international transfers of minor players as well as the first registrations of foreign minor players. In particular, the Committee recalled that said provision was implemented with the aim of protecting minor players in the context of international transfers.

² Unless stipulated otherwise, the language in the 2019 and 2021 RSTP are identical.

³ Note that the 2019 edition stated that "only registered players" instead of "only electronically registered players identified with a FIFA ID".

24. In light of the above, it is therefore essential that member associations and their clubs comply with this provision to safeguard the interests of minor players. Indeed, it is only through the consistent and strict application of this provision that football authorities, such as FIFA, can ensure effective control of international transfers and guarantee the protection of minor players.
25. Bearing the foregoing in mind, the Committee highlighted that the international transfer of a player is only permitted if the latter is over the age of 18. Such ban is reflected under art. 19.1 RSTP: *"[i]nternational transfers of players are only permitted if the player is over the age of 18"⁴.*
26. Notwithstanding the above, art. 19.2 of the 2019 RSTP provided for three exceptions to said prohibition, whereby an international transfer of a minor player or the first registration of a foreign minor player may be possible in circumstances where:
- The player's parents move to the country in which the new club is located for reasons not linked to football (art. 19.2.a) RSTP);
 - The transfer takes place within the territory of the European Union (EU) or European Economic Area (EEA) and the player is aged between 16 and 18 (art. 19.2.b) RSTP)⁵; and
 - The player lives no further than 50km from a national border and the club with which the player wishes to be registered in the neighbouring association is also within 50km of that border (art. 19.2.c) RSTP).
27. In the 2021 RSTP, five exceptions were provided to said prohibition, adding the following possible circumstances where:
- The player flees his country of origin for humanitarian reasons without his parents and is therefore at least temporarily permitted to reside in the country of arrival; and
 - The player is *"a student and moves without his parents to another country temporarily for academic reasons in order to undertake an exchange program. The duration of the player's registration for the new club until he turns 18 or until the end of the academic or school programme cannot exceed one year. The player's new club may only be a purely amateur club without a professional team or without a legal, financial or de facto link to a professional club"*.
28. In circumstances where a minor player complies with one of the exceptions set out in art. 19.2 RSTP, the member association wishing to register the player is required, upon the request of its affiliated club, to request and obtain the approval of the sub-committee as established under art. 19.4 RSTP, which reads as follows:

In the 2019 RSTP:

"Every international transfer according to paragraph 2 and every first registration according to paragraph 3, as well as every first registration of a foreign minor player who has lived continuously

⁴ The same principle applies to the first registration of a foreign minor player (cf. art. 19.3 RSTP).

⁵ In such case, the new club must fulfil minimum obligations listed under art. 19.2(b) RSTP.

for at least the last five years in the country in which he wishes to be registered, is subject to the approval of the sub-committee appointed by the Players' Status Committee for that purpose if the concerned minor player is at least ten years old. The application for approval shall be submitted by the association that wishes to register the player as per the request of its affiliated club. The former association shall be given the opportunity to submit its position. The sub-committee's approval shall be obtained prior to any request from an association for an and/or a first registration".

In the 2021 RSTP:

"Every international transfer according to paragraph 2 and every first registration according to paragraph 3, as well as every first registration of a foreign minor player who has lived continuously for at least the last five years in the country in which he wishes to be registered, is subject to the approval of the subcommittee appointed by the Players' Status Committee for that purpose. The application for approval shall be submitted by the association that wishes to register the player. The former association shall be given the opportunity to submit its position. The sub-committee's approval shall be obtained prior to any request from an association for an International Transfer Certificate and/ or a first registration. Any violations of this provision will be sanctioned by the Disciplinary Committee in accordance with the FIFA Disciplinary Code. In addition to the association that failed to apply to the sub-committee, sanctions may also be imposed on the former association for issuing an International Transfer Certificate without the approval of the subcommittee, as well as on the clubs that reached an agreement for the transfer of a minor".

29. Such approval will only be granted if it can be demonstrated that the minor player complies with one of the exceptions of art. 19.2 RSTP.
30. In a nutshell, the aforementioned procedure can be summarized as follows in case of an international transfer:
- One of the exceptions of art. 19.2 RSTP must be applicable to the player's situation;
 - The association concerned, upon the request of its affiliated club, submits an application for the approval of the sub-committee (art. 19.4 RSTP along with art. 1.3 of Annexe 3 RSTP⁶ and Annexe 2 RSTP);
 - Once the approval is granted by the sub-committee, the association requests the player's ITC from his former association (cf. art. 9 (1) RSTP);
 - Once the former association has issued the ITC, the new association receives the ITC and proceeds to the player's registration (art. 9 read together with art. 5 RSTP).

⁶ "TMS helps safeguard the protection of minors. If a minor is being registered as a non-national for the first time or is involved in an international transfer, an approval must be given by a sub-committee appointed by the Players' Status Committee for that purpose (cf. article 19 paragraph 4). The request for approval by the association that wishes to register the minor on the basis of article 19 paragraphs 2 and 3 and the subsequent decision-making workflow must be conducted through TMS (cf. Annexe 2)".

31. Notwithstanding the above, the Committee wished to recall that, consistently with FIFA circular no. 1576, member associations may be relieved from the obligation to make a formal application to the sub-committee as per art. 19.4 RSTP – solely for amateur players who were to be registered with purely amateur clubs – in circumstances where it is granted an LME by the Players' Status Chamber⁷. In such a case, *"there is no prior analysis and review of the supporting documentation by the [sub-committee]"* and the relevant member association *"must ensure that the principles regarding the protection of minors are upheld and respected in accordance with arts 19 and 19bis of the [RSTP]"*. In particular, the member association *"can only use the LME to register minor players in circumstances that fall, beyond any doubt, under the wording of the exceptions provided for in art. 19 par. 2 of the [RSTP](...)"*. For the sake of good order, the Committee emphasized that the principles related to the LME were included under art. 19.1(4) of the 2021 RSTP.
32. In this respect, the Committee pointed out that the use of the LME, where granted, is not mandatory and remains at the discretion of the member association concerned. In other words, the principle remains that the approval of the sub-committee is required prior to any international transfer of a minor player. Nevertheless, in circumstances which fall *"beyond any doubt"* under the scope of the LME, the member association may *"substitute"* itself to the sub-committee and authorise such transfer.
33. The contours of art. 19 having been outlined, the Committee next proceeded to recall the jurisprudence of the CAS in relation thereto.
34. As a matter of fact, art. 19.1 RSTP has been confirmed as the backbone of the RSTP with regards to the protection of minor players, said provision having to be observed both by clubs and associations alike⁸.
35. In continuation, it needs to be emphasized that the rules contained in said provision are divided into substantive and procedural rules as follows⁹:
- Pars. 1 to 3 (of art. 19 RSTP) are regarded as substantive rules establishing a general ban on the international transfer (par. 1) of a minor player and on the first registration of a foreign minor player (par. 3), unless one of the exceptions set out in par. 2 of that article applies to the minor concerned; and
 - Par. 4 (of art. 19 RSTP) is a procedural provision requiring the member association to seek and obtain the approval of the sub-committee prior to taking any further step(s) in the registration of the minor player.
36. This distinction implies that an association (or a club) would, on the one hand, be in breach of art. 19.1(or 19.3) RSTP), and therefore subject to sanctions, if it has registered a minor player for whom none of the exceptions of art. 19.2 RSTP applied at the time of such registration¹⁰.

⁷ The Committee notes that the functions of the Players' Status Committee are now incumbent on the Players' Status Chamber of the FIFA Football Tribunal.

⁸ For the sake of good order, the Committee emphasised that the principles related to the LME have in the meantime been included under art. 19.7 RSTP.

⁹ CAS 2019/A/6301 Chelsea Football Club Limited v. FIFA

¹⁰ CAS 2019/A/6301 op.cit.

37. On the other hand, an association or a club would be facing sanctions in the event that it failed to submit an application for approval to the sub-committee, and obtain that approval, before registering the minor player. In particular, the RSTP contains very limited exceptions to art. 19.4 RSTP and to the strict and mandatory obligation to seek the sub-committee's approval¹¹, even if such approval was subsequently granted (once the player has already been registered with the association)¹².
38. It follows that, when determining whether the provisions governing the protection of minor players have been infringed by an association or a club, FIFA's Judicial Bodies are required to analyze distinctly and separately if the association has infringed the substantive and/or the procedural rules of art. 19 RSTP.
39. Finally, the Committee stresses that the CAS has also confirmed on repeated occasions that the protection of minor players constitutes a key element in FIFA's overall regulatory framework¹³. Moreover, the legality of these provisions has been validated by CAS, which in addition, concluded that these regulations do not contravene any rule of public policy or European law¹⁴.

Article 21 FDC – Failure to respect decisions

40. The relevant part of article art. 21 FDC reads:

"Anyone who fails to pay another person (such as a player, a coach or a club) or FIFA a sum of money in full or part, even though instructed to do so by a body, a committee, a subsidiary or an instance of FIFA or a CAS decision (financial decision), or anyone who fails to comply with another final decision (non-financial decision) passed by a body, a committee, a subsidiary or an instance of FIFA, or by CAS:

a) will be fined for failing to comply with a decision and receive any pertinent additional disciplinary measures; and, if necessary::

b) will be granted a final deadline of 30 days in which to pay the amount due or to comply with the non-financial decision;

(...)

d) in the case of associations, upon expiry of the aforementioned final deadline and in the event of persistent default or failure to comply in full with the decision within the period stipulated, additional disciplinary measures may be imposed;

(...)".

41. The Committee underlined that the wording of this provision is clear and unequivocal in so far that its main purpose is to ensure that any (financial or non-financial) decision passed by a body, a committee or an instance of FIFA or CAS is duly complied with. Any such breach shall, in principle, result in the imposition of the measures listed under said provision.

¹¹ Namely the LME (as previously emphasised) situations in which the minor player concerned is below the age of 10 – those "exceptions" have now both been reflected under art. 19.6 and 19.7 of the current edition of the RSTP.

¹² CAS 2016/A/4805 Club Atlético de Madrid SAD v. FIFA.

¹³ CAS 2005/A/955 & 956; CAS 2008/A/1485; CAS 2011/A/2354; CAS 2011/A/2494; CAS 2012/A/2787; CAS 2014/A/3611; CAS 2014/A/3793; CAS 2014/A/3813; CAS 2015/A/4312; CAS 2016/A/4785; CAS 2016/A/4805; CAS 2017/A/5244, CAS 2020/A/7116, CAS 2020/A/7150, CAS 2020/A/7374 and CAS 2020/A/7503.

¹⁴ CAS 2008/A/1485 FC Midtjylland A/S v. FIFA.

C. Standard of proof

42. The above having been established, the Committee recalled that the burden of proof regarding disciplinary infringements rests on the FIFA judicial bodies (cf. art. 41 FDC). In other words, the Committee is required to prove the relevant infringement(s).
43. In addition, the Committee pointed out that, in accordance with art. 39.3 FDC, the standard of proof to be applied in disciplinary proceedings is that of "*comfortable satisfaction*". According to this standard, the onus is on the competent judicial body to establish the disciplinary violation to its comfortable satisfaction, taking into account the seriousness of the allegation(s).
44. In this respect, the Committee recalled that CAS – which also applies this standard in disciplinary proceedings – has defined the "*comfortable satisfaction*" standard as higher one than the civil standard of "*balance of probability*" but lower than the criminal "*proof beyond a reasonable doubt*"¹⁵.
45. Having clarified the foregoing, the Committee subsequently went on to analyze the merits of the case at hand.

D. Merits of the dispute

I. Issue of review

46. The Committee started by analyzing the evidence at its disposal, in particular the documentation and information provided in the scope of the proceedings before Regulatory Enforcement as well as the present disciplinary proceedings, to determine the potential violations of the RSTP and FDC committed by the Respondent.
47. To that end, the Committee decided to first set out the information of each player, as submitted by Regulatory Enforcement and updated – with information available on TMS – during the present disciplinary proceedings:

Player ref. no.	Name	Date of Birth	Nationality	Previous association	Participated in organized football as confirmed by FUR	Registered at FUR	TMS Transfer reference	Minor application submitted	Player transferred to Vista as minor
Player 1	Usman Ajibona	23.02.2007	Nigeria	Not registered	Yes	Not registered in RFU Digital Platform	TMS 1008333 / 1008406 (direct transfer from NGA to ARM on 27.02.2025)	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 2	Emmanuel Ojo Abraham	22.12.2006	Nigeria	Not registered	Yes	Not registered in RFU Digital Platform	TMS 964863 / 970217 (direct transfer from NGA)	No	Yes, minor when FIFA first contacted Vista on 03.06.22

¹⁵ See amongst others CAS 2009/A/1920; CAS 2010/A/2172; CAS 2013/A/3323; CAS 2017/A/5006.

							to BUL on 17.01.2025)		
Player 3	John Batigi	24.06.2006	Ghana	Ghanian FA since 2018	Yes	Not registered in RFU Digital Platform	TMS 861974 / 854350 (direct transfer from NGA to BUL 20.07.2024)	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 4	Davit Davtyan	27.07.2005	Armenia	Armenian FA since 08.08.2017	Yes	Not registered in RFU Digital Platform	No TMS reference	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 5	Emmanuel John	01.08.2005	Nigeria	Not registered	Yes	Not registered in RFU Digital Platform	No TMS reference	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 6	Seydou Traore	10.01.2005	Ivory Coast	Not registered	Yes	Not registered in RFU Digital Platform	No TMS reference	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 7	Christian Nwachukwu	27.12.2005	Nigeria	Not registered	Yes	Not registered in RFU Digital Platform	TMS 806455 / 812361 (direct transfer from NGA to BUL on 14.02.2024)	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 8	Ikechukwu Kalu	09.10.2005	Nigeria	Registered	Yes	Not registered in RFU Digital Platform	No TMS reference	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 9	Destiny Oscar Emuwahen	09.07.2004	Nigeria	Registered	Yes	Not registered in RFU Digital Platform	TMS 576093 (Transfer from NGA to Vista – Rus on 12.09.2022) – joined Vista 20 April 2022 or before, as evidenced from Vista YouTube video introducing the player to the team	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 10	Raymond Nsoh	18.05.2004	Ghana	Registered with Ghanian FA since 2021	Yes	Not registered in RFU Digital Platform	TMS 728269 / 711083 (Direct transfer from GHA to ARM – although prior transfer to Vista cancelled at request	No	Not denied in Annex 4.2 of CTR Report in Vista case

							of Vista – TMS 576095 on 09.08.2023)		
Player 11	Morrison Agyemang	21.12.2004	Ghana	Registered with Ghanaian FA since 2016	Yes	Not registered in RFU Digital Platform	TMS 814766 / 815585 (direct transfer from NGA to CRO on 19.02.2024)	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 12	Adama Diomande	14.11.2004	Ivory Coast	Not registered	Yes	Not registered in RFU Digital Platform	No TMS reference	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 13	Ehije Success Ukaki	02.10.2004	Nigeria	Registered	Yes	Not registered in RFU Digital Platform	No TMS reference	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 14	Matthew Tejiri Gbomadu	16.10.2004	Nigeria	Not registered	Yes	Not registered in RFU Digital Platform	TMS 702511 / 703117 (direct transfer from NGA to ARM on 11.09.2023)	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 15	Umeh Emmanuel	31.08.2004	Nigeria	Registered	Yes	Not registered in RFU Digital Platform	TMS 573706/ 573778 (direct transfer from NGA to BUL on 02.09.2022)	No	Yes, minor when FIFA first contacted Vista on 03.06.22
Player 16	Nduka Ifeanyi	02.12.2004	Nigeria	Registered	Yes	LME procedure performed – registration April 2021	TMS 378959	LME	Yes
Player 17	Jonathan Teophilus Okoronkwo	13.09.2003	Nigeria	Registered	Yes	LME procedure was performed – registration April 2021	TMS 378960	LME	Yes
Player 18	Atai Ilichbek Uulo	18.03.2004	Kyrgyzstan	Registered with Kyrgyzstan since 01.01.2016	No	LME procedure was performed – registration April 2022	TMS 501472	LME	Yes

48. In continuation, the Committee observed from the above and from the evidence submitted along with the CTR that:

a) Out of the 18 players which are the subject of this disciplinary proceeding:

- all moved to Vista as minors: players 1-15 were minors (born after July 2004) when Regulatory Enforcement contacted Vista for the first time (i.e. on 3 June 2022), and

players 16-18 were also minors as evident from the fact that an LME exemption was used on them;

- all were non-Russian internationals;
- all, except player 18, participated in the Krasnodar Regional Championship, which the FUR confirmed falls under its auspices;
- 11 players were previously registered with another association (players 3, 4, 8, 9-11, 13, and 15-18);
- 7 players were not previously registered with another association (players 1, 2, 5, 6, 7, 12, and 14);
- The FUR did not request the ITC for players 3, 4, 8-11, 13 and 15.
- 15 players never had minor applications submitted and were never registered with the FUR or had a TMS reference before turning 18 years of age (players 1-15);
- 3 players were registered under an LME (players 16-18).

- b) Vista, through an NGO and by offering internships and *"studying abroad"* opportunities, organized scouting events in Africa for minor players promising that the best ones would *"sign into FDC Vista and gain education"* at the Kuba State University in Russia.
- c) Using this scheme, Vista transferred minors from African countries, as well as from Chile, Armenia and Kyrgyz Republic, without submitting a minor application to FIFA and, generally, without reflecting the transfer in TMS.
- d) As part of the scheme, when the players turned 18, the players' new clubs in Europe would enter their transfers in TMS as occurring directly from their previous club and not from Vista.
- e) Vista is an amateur club which competes in amateur competitions.
- f) No application was submitted by Vista or the Krasnodar Regional Football Federation (i.e. the legal entity and FUR member which governs football in the Krasnodar region where Vista is located) to register players 1-15.

49. In this context, the Committee noted that the aforementioned facts and information were not contested by the Respondent during the present proceedings. The Respondent only claims that the RSTP violations were committed by Vista and the KRFF only and that the Respondent cannot be held responsible for their breaches. In particular, the Respondent claims that it has taken all reasonable actions to ensure that its clubs and members comply with the mandatory provisions of the RSTP. As for players 16-18, the Respondent claims that the LMEs were scrutinized by its RFU's "Certification Commission" which had found that the players should be registered under art. 19.2(e).

50. In light of the foregoing, the Committee proceeded to examine whether the Respondent had complied with the applicable FIFA regulations, in particular, with arts. 5, 9.1, 19.1, 19.3, 19.7(b) RSTP, arts. 1.3 and 8.1.1 of Annexe 3 RSTP, and art. 21 FDC.

II. Infringements committed by the FUR in connection with Vista's scheme

51. Having established the above, the Committee proceeded to examine whether the Respondent had breached the applicable provisions of the RSTP, in particular, with arts. 5, 9.1, 19 RSTP.

a. Preliminary remarks on the interplay between art. 5 and 19 RSTP

52. Preliminary, the Committee recalled the scope and purpose of the Article 19 RSTP, which the CAS deems *"relevant, together with [its] literal meaning..., when interpreting the FIFA RSTP"*¹⁶.

53. As explained in CAS 2022/A/8592:

"Football can provide opportunities for a young player that may not be readily available in the player's own country, e.g. educational opportunities, economic opportunities, amongst others. The international transfer process has, however, brought harm to some young players, and, in 2001, FIFA adopted strict rules regarding the international transfer of minors. The need to strictly regulate the international transfer process became apparent following documented instances in the 1990s of professional clubs in the European leagues recruiting young players from abroad, and bringing the player to the club, only for the player to be abandoned in a country where the language and culture was entirely unknown and sometimes without the means to return home if the player's performance did not meet expectation. Article 12 of the FIFA RSTP 2001 (now Article 19) was the product of discussions with FIFA, UEFA, FIFPRO (the international players' association), the European Commission, football confederations and associations, leagues and clubs, and aims to balance the interests of all football stakeholders. The regulations have been modified since 2001. Nonetheless, the key aim of the provisions regarding minors remains the same: to protect the welfare of young players and minimise potential for commercial exploitation or abuse of minors in the process".

54. The Committee thus determined that the *mens legis* underlying said provision is the protection of minors from exploitation and to ensure the best interest of minors in the context of international transfers.¹⁷

55. The Committee then recalled that in view of said provision's purpose to protect the interest of minor players – art. 19 RSTP must be applied in a *"strict, rigorous and consistent manner"*.¹⁸

56. In continuation, the Committee considered the foundational importance of art. 5 RSTP in the context of the application of 19 RSTP.

57. The Committee observed that Art. 5 RSTP provisions sets out the fundamental requirement that all players be registered with an association in order to participate in organized football. In the Committee's view, this provision is not merely administrative. Rather, it is the legal linchpin of the

¹⁶ CAS 2011/A/2354, CAS 2013/A/3140, CAS 2022/A/8592, CAS 2020/A/7008 & 7009.

¹⁷ CAS 2022/A/8592 and CAS 2020/A/7503,

¹⁸ CAS 2013/A/3140.

entire RSTP system, as it is the gateway through which other regulatory safeguards – such as those in art. 19 RSTP on the protection of minors – are triggered.

58. The functional centrality of art. 5 RSTP is underscored in CAS 2019/A/6432, which importantly held:

“Articles 5(1), 19 and 9 RSTP serve the same purpose, i.e. ensuring that minor players participating in “organized football” comply with the criteria set out in Article 19(2) RSTP. If a violation of Article 5(1) RSTP would prevent a club from complying with a mandatory prerequisite for violating Articles 19 and 9 RSTP, this makes the violation of Article 5(1) all the more severe.

(...)

There may be situations where it is necessary to distinguish between these different provisions, but... regardless of whether all three provisions are considered to be violated, or whether only a violation of Article 5(1) RSTP took place and thereby prevented violations of Articles 19 and 9 RSTP, the result is basically the same, i.e. the mandatory requirements to register minors were not complied with, while they participated in “organized football”.

Indeed, as argued by FIFA, fielding a player in “organized football” or not complying with the requirements to internationally transfer a minor cannot be healed by the absence of a registration. If a club finds a way of reaching the ultimate goal – fielding the player – without complying with the previous pre-conditions – verification of Article 19(2) RSTP exception and approval by the competent body, ITC and/or registration –... it is evident that such circumvention cannot be left unsanctioned.

Finding The [the member association] liable for infringing only Article 5(1) RSTP or for infringing Articles 5(1), 9 and 19 RSTP separately would therefore not have an impact on the Panel’s assessment of the proportionality of the sanctions imposed by the Appeals Committee. The Panel therefore, in principle, does not consider it necessary to examine the alleged violations of Articles 9 and 19 RSTP any further”.

59. The Committee endorsed the view of CAS 2019/A/6432, in the sense that where art. 19 RSTP is avoided by not registering the minors, art. 5 RSTP takes on a qualitatively more serious character, warranting firmer disciplinary action.

b. Infringement of art. 5 RSTP

60. According to art. 5 RSTP, only registered players are eligible to participate in organized football. Despite the fact that all 18 players were not registered, 17 of these players played for the Krasnodar Regional Championship which, as confirmed by the FUR, falls under its auspices and, therefore, is considered “organised football” as defined in def. 6 of the RSTP.

61. The FUR does not dispute that the players participated in organized football. Indeed, in a letter dated 24 April 2023, in the context of the investigation conducted by Regulatory Enforcement, the FUR declared unequivocally that *“the Krasnodar Region Cup and Krasnodar Region Championship are both*

organized by the RFU thus may be considered as part of organized football". Rather, the Respondent only argues that it was its regional federation – the KRFF – which breached this provision, not the FUR.

62. The Committee found, however, in accordance with CAS jurisprudence¹⁹, that the FUR has an ancillary duty to play in ensuring full compliance with art. 5.1 RSTP by undertaking both preventive and curative measures in monitoring clubs' compliance thereof. As a preventive measure, the FUR by virtue of art. 14.1 (d) of the FIFA Statutes was required to ensure that Vista followed the procedure laid down under art. 5.1 RSTP. The FUR could have done this, for example, by conducting spot checks on all organized football tournaments held in Russia with a view to deterring its members from fielding unregistered players. Then, as a curative role, the FUR is generally and by implication empowered to take disciplinary action on clubs that field players who have not been registered. As such, art. 5.1 RSTP entails dual responsibilities on clubs and associations.
63. In this regard, the Committee notes that the Respondent's actions fell short of meeting the aforementioned ancillary duty to ensure compliance with art. 5.1 RSTP. The Respondent was not, for instance, conducting spot checks. Had it done so, it would have been in a better position to ensure compliance with art. 5.1 FIFA RSTP. The Respondent has also not proven the curative actions it has taken. The Respondent mentions an "internal audit" conducted to *"determine the legal status of these players and identify the presence or absence of regulations' violations at any level"*; however, it does not submit any proof thereof and the Committee is unaware of the full extent of the audit.
64. The Committee also rejects the FUR's argument that it has limited capabilities in terms of influence on the members of the FUR under Russian law. As a FIFA member, the FUR agreed and undertook to be fully bound by the FIFA regulations including its duty under art. 5.1 RSTP and cannot pass on its responsibilities and liabilities to the KRFF. It is the FUR that is the entity empowered to run football at national level in Russia as vested by FIFA and the body responsible to comply with the FIFA regulations.
65. The Committee further determined that the Respondent's breach of art. 5 RSTP is particularly serious in the present case since it has made way for the Respondent to avoid FIFA's rules on the protection of minors. In this respect, the Committee recalled that pursuant to CAS jurisprudence the application of art. 19 RSTP requires a formal registration of the player, with mere participation in organized football not sufficient to trigger said provisions. The Committee considered that where the application of art. 19 RSTP is avoided by not registering the minors, art. 5 RSTP takes on a qualitatively more serious character, warranting firmer disciplinary action.²⁰ The Committee considered that, otherwise, such act of not registering minors would undermine the integrity and effectiveness of the rules on the protection of minors.

c. Infringements of Art. 19 RSTP

66. As determined above, the Committee found that 18 players moved to Russia whilst still being minors. Eight of them were previously registered at another association before being transferred, while 7 were never before registered at another association.

¹⁹ CAS 2014/A/3813 RFEF v. FIFA

²⁰ CAS 2019/A/6432

67. For 8 of the 15 players (i.e. 3, 4, 8, 9-11, 13, and 15), the move and subsequent registration in Russia is to be considered an international transfer as per the applicable definition of the RSTP: *"the movement of the registration of a player from one association to another association"*. For the remaining 7 players (i.e. 1, 2, 5, 6, 7, 12, and 14), the move to Vista is to be considered a first registration, which pursuant to art. 19.3 RSTP are also subject to the provisions on the protection of minors.
68. As also determined above, the Committee found that for players 16, 17 and 18, the FUR used an LME.
69. Therefore, considering that it has been confirmed that all these players were registered with Vista, and in view of the conclusions contained in the Report, it was necessary for the Committee to examine whether the Respondent had complied with the applicable regulations governing the protection of minor players.

i) Did the players' international transfer or first registration comply with the substantive rules contained in art. 19 RSTP?

70. The above having been determined, the Committee subsequently turned its attention to the substantive rules contained in art. 19 RSTP. The Committee began with players 1-8 and 10-15.
71. Preliminarily, the Committee took note of the Respondent's argument that it cannot be found to have breached art. 19 RSTP because *"de facto"* registrations are not sustained under the RSTP and/or consistently applied by the FIFA bodies or the CAS.
72. In this respect, the Committee recalled that pursuant to CAS jurisprudence, to trigger the substantive provisions of art. 19 RSTP, the registration of a minor with the member association is not necessary, even a less formalized registration is with the club's academy, league or regional association is sufficient.²¹
73. From the evidence Regulatory Enforcement managed to collect, the Committee determined it could be reasonably inferred that the minors were registered with the club.
74. First, in a parallel investigation, Vista confirmed that the aforementioned players joined its club. Indeed, in Vista's response dated 16 June 2022 to Regulatory Enforcement in said investigation, the club admitted that the players formed part of the amateur team. This admission is corroborated by further evidence. For example: players 1-3, 5-7, 10, 12-15 had profiles on Vista's official website listing them as part of the amateur team, (ii) players 4 and 9 were part of a YouTube video uploaded on the Vista account, presenting the players as the goalkeepers of the club, and (iii) player 11 was featured in an online article entitled *"Cheetah FC defender Morrison Agyemang joins Vista in Russia"*. Moreover, a number of these players were also promoted as players of the amateur team on Vista's official social media accounts.
75. Second, the FUR has provided documentary evidence that the players 1-15 participated in organized football. Indeed, the Committee observed that the players were listed in official match reports of games played in the Krasnodar Regional Championship. The FUR has confirmed that this competition is sanctioned by it and is considered as organized football.

²¹ CAS 2019/A/6301 Chelsea Football Club Limited v. FIFA

76. In the Committee's view, Vista's confirmation that the players joined the club, coupled with the players' inclusion in the match reports of official competitions constituting organized football, is indicative of their effective registration with the club. In this respect, the Committee noted that participation in organized football would, in principle, require a formal registration in line with art. 5 of the RSTP, since said provision is mandatory at domestic level pursuant to art. 1.3 RSTP. The Committee considered that, therefore, Vista would have had to register the players to field them in the Krasnodar Regional Championship.
77. However, the Committee noted that pursuant to CAS jurisprudence, *"some written form of registration that can objectively denote a reciprocal and sufficiently stable commitment on the part of both the minor player and the club"* is required to trigger art. 19 RSTP and that participation in organized football by unregistered players cannot be construed as a *"de facto"* registration and, thus, is insufficient to trigger said provisions. With this in mind, the Committee noted that there was no evidence of a formal registration of the players, despite the aforementioned finding that it could be reasonably inferred that the players had to have been registered with the club.
78. In light of the foregoing, the Committee found that the requirements of art. 19 RSTP did not apply to the players 1-8 and 10-15. Notwithstanding, the Committee recalled once more that had the Respondent complied with art. 5 RSTP, as was its duty, these minors would have been registered, thus triggering the application of art. 19 RSTP. For this reason, as stated above, the breach of art. 5 RSTP must take on a qualitatively more serious character, warranting firmer disciplinary action, as its breach has permitted Vista to avoid the application of art. 19 RSTP.
79. The Committee wished to remark that, on the basis of the case file presented to it, no minor applications were submitted and the players, when they moved to or first registered with Vista, did not appear to qualify for any exception under art. 19.2 RSTP. Therefore, the Respondent's breach of art. 5 RSTP has permitted not only the avoidance of the application of art. 19 RSTP, but the finding of a breach of the procedural and substantive provisions of art. 19 RSTP on the protection of minors.
80. Turning to player 9, the Committee found that the Respondent did breach art. 19 RSTP. In this respect, the Committee recalled that the behavior of bringing the player to Russia as a minor, training him for a specified period before registering him with the FUR once he turned 18 years old is considered a circumvention of art. 19.1 RSTP, in line with CAS jurisprudence.²²
81. For this player, the Committee observed from the case file that he was registered with a previous association before transferring the FUR. However, there is no evidence to support that the transfer of Player 9 could fall under one of the exceptions of art. 19.2 RSTP. Therefore, the Committee came to the conclusion that Player 9 could not have been internationally transferred to the FUR without violating the general prohibition embodied in art. 19.1 RSTP.
82. Lastly, the Committee turned to players 16, 17 and 18 and noted that according to the Respondent, the players fell under the exception of art. 19.2(e) of the 2021 RSTP.
83. The Committee rejected the Respondent's contention because art. 19.2(e) of the 2021 fell outside the scope of the LME granted to the FUR; therefore, it could not be used for players 16, 17 and 18.

²² CAS 2021/A/8594 Spezia Calcio SRL v. FIFA

84. In this respect, the Committee observed that at the time of the aforementioned players' registration the FUR benefited from an LME granted to it through a decision from the bureau of the Players' Status Committee (**PSC**) valid from 12 February 2020 until 12 February 2022. However, the Committee noted that the scope of said LME did not extend to art. 19(e) of the 2021 RSTP since said provision was not in force when the LME Decision was issued. The Committee further noted that the LME Decision was extended by another decision of the Players' Status Chamber rendered on 13 June 2022 (the **LME Extension**). However, the LME Extension was also limited in scope to art. 19.2(a) and art. 19.2(c) and explicitly excluded from its scope arts. 19.2(e) because it had only recently been added to the FIFA regulatory framework and consequently the PSC was not in a position to establish whether the FUR would be able to comply with the requirements of said exceptions. The LME Decision indicated that for any international transfer made on the basis of arts. 19.2(d) and (e), the FUR had to submit a minor application pursuant to art. 19.4 RSTP for assessment by the FIFA Football Tribunal.
85. As such, the Committee considered that the Respondent was not entitled to transfer the minor players 16, 17 and 18 on the basis of art. 19.2(e) RSTP through the LME granted to the FUR. Furthermore, as there is no information or documentation to support that these players qualify for another exception under art. 19.2 RSTP 2019, the Committee came to the conclusion that these players could not have been registered by Vista without violating the general prohibition embodied in art. 19.1 RSTP.
86. In light of the foregoing, the Committee held that the Respondent breached the substantive provisions on the protection of minors for players 9, 16, 17 and 18.

ii) Did the Respondent comply with the relevant procedure related to international transfers of minors, i.e. art. 19(4) RSTP and Annexe 3 RSTP?

87. As far as the procedural aspects of art. 19 RSTP are concerned, the Committee reiterated that, as a general rule, the approval from FIFA's decision-making bodies must be obtained prior to any further steps being taken towards the registration of the minor player. In other words, and as previously emphasized, the association concerned must, at the request of its affiliated member club, seek and obtain such approval from FIFA prior to proceeding to the international transfer and subsequent registration of the player for the club in question or the first registration of a minor.
88. However, the FUR did not submit on behalf of Vista a minor application for Player 9. This led the Committee to conclude that the Respondent failed to comply with art. 19(4) RSTP. Furthermore, the Committee recalled that the procedure for obtaining the approval must be carried out in TMS. Therefore, by not submitting a request for FIFA's approval in TMS, the Respondent also breached art. 1.3 of Annexe 3.
89. In this regard, the Committee notes that the Respondent alleges it did not breach these provisions since Vista and the KRFF did not inform the FUR of the player's registration with Vista and the need to request minor applications via TMS. Further, the Respondent claims that it took all reasonable actions to cause its clubs and members to comply with the mandatory provisions of the RSTP.
90. On this point, the Committee found that the Respondent, as the body in charge of running football in Russia and by virtue of its status as a FIFA member, was obliged by art. 14.1(d) RSTP to ensure full

compliance with Article 19.1 RSTP by its members, *in casu Vista*.²³ In other words, the Respondent has an oversight role to ensure the full protection of minors.²⁴ The Committee found that the Respondent's act of setting up regulations placing on the clubs and regional federations the responsibility to comply with the RSTP is insufficient, in and of itself, to satisfy the aforementioned duties, in particular because art. 1.3 of the RSTP makes art. 19 binding at national level and obliges member associations to include them in their respective regulations without modification. The Respondent must also monitor and supervise all activities related to the protection of minors within its jurisdiction and ensure that it has a system in place and takes the appropriate and necessary actions – both preventive and curative – to adequately ensure that the principles and steps established in the RSTP are adequately followed.

91. In this regard, the Committee considers that the Respondent's actions fell short of this standard. As previously mentioned, the Respondent was not, for example, conducting spot checks and, had it done so, it would have been in a better position to ensure compliance with art. 19.4 of the RSTP. Furthermore, the Respondent has also not proven the curative actions it has taken (as previously mentioned, the extent of the "*internal audit*" allegedly conducted by the FUR is unknown). Moreover, the Respondent cannot escape its responsibilities by alleging "*limited capabilities*" under Russian law to "*influence*" the regional associations. The Respondent, as the governing body of football in Russia, is responsible under the FIFA regulations to ensure compliance with the rules on the protection of minors.
92. In continuation, the Committee turned to the registration of players 16, 17 and 18 and recalled, as stated above, that 19.2(e) fell outside the scope of the LME granted to the FUR. As such, the Committee considered that the FUR was not entitled to register players 16, 17 and 18 on the basis of said LME and exception and, accordingly, was obligated to submit a minor application pursuant to art. 19.4 RSTP and art. 1.3 of Annexe 3 RSTP. It follows that the Respondent failed to comply with the relevant procedure related to international transfers of minor players in the context of the registration of players 16, 17 and 18, and, in particular, breached 19.4 RSTP and art. 1.3 of Annexe 3 RSTP.

d. Infringements of Art. 21 FDC

93. In turn, the Committee recalled that pursuant to art. 21 FDC, the Respondent has the duty to comply with non-financial decisions passed by a committee of FIFA, this includes the LME Decision and the LME Extension.
94. With this in mind, the Committee found that, by proceeding to register players 16 to 18 under the LME despite the players not qualifying for an exception of art. 19.2 RSTP that fell within the scope of the LME Decision, the Respondent failed to respect the terms and scope of the LME Decision. In this respect, the Committee recalled once again, for the reasons previously established, that the scope of LME Decision did not include art. 19.2(e) RSTP, which the Respondent attempted to use as the basis for the players' transfers.
95. As such, the Committee found that the Respondent also breached art. 21 FDC.

²³ CAS 2014/A/3813 RFEF v. FIFA

²⁴ *Idem*.

e. Infringement of art. 9 RSTP

96. Finally, the Committee noted that Player 9 was registered with another association before moving to Russia. As mentioned above, the Committee considered it could be reasonably inferred that the minor was registered with Vista; however, there is no evidence of a formal registration of the player. Considering that CAS jurisprudence requires an actual registration with the new association in order to trigger art. 9 RSTP, the Committee concluded that it could not find a violation of this provision with respect to the aforementioned players. Notwithstanding, the Committee underlined once more that the application of art. 9 RSTP has been avoided due to the breach of art. 5 RSTP, which results in said breach taking on a more qualitatively serious character.

f. Summary

97. Summarizing the above, the Committee recalled that the Respondent breached:

- art. 5 RSTP for permitting players 1-15 to play for a club without registration; and
- art. 19.1 and 19.3 RSTP as players 9 and 16-18 did not fall under an applicable exception of art. 19.2 RSTP.
- art. 19.4 RSTP, in conjunction with arts. 1.3 of Annexe 3 RSTP, for failure to submit minor application of players 9 and 16-18; and
- art. 21 FDC in so far that the registration of players 16, 17 and 18 did not fall within the scope of the LME Decision.

98. Against such background, the Committee held that the Respondent is to be sanctioned for the aforementioned violations.

III. Determination of the sanction

99. The violations of the RSTP and FDC by the Respondent having been established, the Committee subsequently considered the sanction(s) to be imposed.

100. The Committee observed in the first place that the Respondent was a legal person, and as such can be subject to the sanctions described under arts. 6.1 and 6.3 FDC.

101. For the sake of good order, the Committee underlined that it is responsible to determine the type and extent of the disciplinary measures to be imposed in accordance with the objective and subjective elements of the offence, taking into account both aggravating and mitigating circumstances (art. 25.1 FDC).

102. In light of the foregoing, the Committee remarked that the Respondent failed to respect a decision passed by FIFA and infringed the relevant provisions of the RSTP related to the protection of minors which – as previously emphasized – is one of the essential pillars of the RSTP.

103. In this regard, the Committee stressed that the football authorities as well as the members of the football community shall enforce these rules in a consistent and strict manner.

104. In other words, associations (as well as clubs) are responsible to ensure that (i) the relevant provisions of the RSTP are duly respected and (ii) the protection of underage players is not put at stake. As such, any violation of the provisions governing the international transfer and registration of minor players must be qualified as a serious breach of the RSTP.
105. In addition, the Committee pointed out that, for the good functioning of the principles related to the protection of minors, it is crucial that member associations respect and comply not only with the FIFA regulations, but also with the directives and decisions adopted by the FIFA bodies, specifically with regard to decisions related to LME.
106. Indeed, any failure to respect a FIFA rule, directive or decision is considered to be a very serious infringement as it jeopardizes the football game and the trust of all stakeholders in the system.
107. Moreover, the Committee considered that, by allowing the players' registration with Vista without complying with art. 19 RSTP, the Respondent has jeopardized FIFA's efforts related to the protection of minors and hindered the possibility of the football authorities to have a more effective control and monitoring regarding minor players.
108. The Committee further considered that, by failing to register players in accordance with the mandatory provision of ar. 5 RSTP, the application of art. 19 RSTP was avoided. As previously mentioned, the Committee determined that in such a situation art. 5 RSTP takes on a qualitatively more serious character, warranting firmer disciplinary action,²⁵ as otherwise, such act of not registering minors would undermine the integrity and effectiveness of the rules on the protection of minors.
109. In continuation, the Committee took into account that the Respondent had no previous record(s) of any infringements of the RSTP, and that the Respondent appeared to have complied with implementing the mandatory provisions on the protection of minors in the FUR RSTP.
110. Given the above, the Committee underlined that articles 5, 9 and 19 RSTP do not provide for specific sanctions for a breach thereof, thus leaving discretion to the Committee to determine the appropriate sanction. On the other hand, with respect to players 16, 17 and 18, the Committee noted that a breach of art. 21 FDC shall in principle *"be fined for failing to comply with a decision and receive any pertinent additional disciplinary measure"* and, in the case of associations, may come with additional measures.
111. In view of the foregoing, and after a thorough analysis of all circumstances pertaining to the matter at hand, the Committee considered that a fine was an appropriate and sufficient sanction in response to the infringements committed by the Respondent.
112. In this regard, the Committee noted that according to art. 6 (4) FDC, a fine may not be lower than CHF 100 and greater than CHF 1,000,000.

²⁵ CAS 2019/A/6432

113. Taking into account all the circumstances of the case, while keeping in mind the deterrent effect that the sanction must have on the reprehensible behavior, the Committee considered a fine of CHF 60,000 to be adequate and proportionate to the offence, with CHF 30,000 suspended for a probationary period of four year pursuant to art. 27 of the FIFA Disciplinary Code. In particular, the Committee was satisfied that such amount would produce the necessary deterrent effect, whilst serving as a stern reminder to the Respondent to undertake all appropriate measures in order to guarantee that the FIFA regulations are strictly complied with.

Decision

1. **The Respondent, the Football Association of Russia, is issued with a warning and ordered to pay a fine to the amount of CHF 30,000 for infringing the relevant provisions of the Regulations on the Status and Transfer of Players related to registration and the protection of minors, as well as for failing to comply in full with the decision issued by the bureau of the Sub-Committee of the Players' Status Committee on 12 February 2020. The fine is to be paid within 30 days of notification of the present decision.**
2. **The Respondent is ordered to pay a further fine of CHF 30,000, such fine being suspended pursuant to art. 27 of the FIFA Disciplinary Code for a period of four (4) years. If the Football Association of Russia commits another infringement of a similar nature and gravity during the aforementioned probationary period, the suspension listed therein shall be revoked and the fine shall be enforced without prejudice to any additional sanction imposed for the new infringement.**

FÉDÉRATION INTERNATIONALE
DE FOOTBALL ASSOCIATION

Jorge Iván PALACIO (Colombia)

Deputy Chairperson of the FIFA Disciplinary Committee

NOTE RELATING TO THE PAYMENT OF THE FINE:

Payment can be made either in Swiss francs (CHF) to account no. 0230-325519.70J, UBS AG, Bahnhofstrasse 45, 8098 Zurich, SWIFT: UBSWCHZH80A, IBAN: CH85 0023 0230 3255 1970 J or in US dollars (USD) to account no. 0230-325519.71U, UBS AG, Bahnhofstrasse 45, 8098 Zurich, SWIFT: UBSWCHZH80A, IBAN: CH95 0023 0230 3255 1971 U, with reference to the abovementioned case number.

NOTE RELATING TO LEGAL ACTION:

This decision can be contested before the FIFA Appeal Committee (art. 60 FDC). Any party intending to appeal must announce its intention to do so in writing within three (3) days of notification of the grounds of the decision. Reasons for the appeal must then be given in writing within a further time limit of five (5) days, commencing upon expiry of the first-time limit of three (3) days (art. 60.4 FDC). The appeal fee of CHF 1,000 shall be transferred to the aforementioned bank account on the date of the expiry of the time limit of five days for submitting the reasons for appeal at the latest (art. 60.6 FDC).