

LE PRÉSIDENT



The FA Group
Mr Greg Dyke, Chairman
Wembley Stadium
Wembley
London HA9 0WS
United Kingdom

Zurich, 19 November 2014

Your letter of 17 November 2014

Dear Chairman,

Thank you for your above-mentioned letter, the contents of which have received my full attention.

First of all, I note your opinion that FIFA's reputation in England is rather low, and I also note that you consider the immediate publication of the report of the investigatory chamber of the FIFA Ethics Committee into the bidding and award process relating to the 2018 and 2022 FIFA World Cups™ an appropriate means with which to rebuild this reputation. We understand your line of reasoning but would like to kindly ask you to also consider our position and perspective, which we will outline below.

As you are no doubt well aware, FIFA is not a public authority but a private entity under Swiss law. As such, it is bound by its own rules and regulations as well as by relevant national and international laws. With regard to the above-mentioned report prepared by the investigatory chamber of the FIFA Ethics Committee, it must first be noted that the committee itself also operates under the FIFA Code of Ethics and is bound by all of the relevant provisions of the code. These provisions, however, include an obligation of strict confidentiality with regard to any and all information obtained in the course of the committee's activities (article 36 of the code). It is quite clear that the report in question and the information contained therein are covered by this obligation of confidentiality. While the said provision of the FIFA Code of Ethics allows for disclosure of relevant information under certain circumstances, these circumstances are not applicable with regard to the investigatory chamber's report in question. Therefore, by making the report (which is not even in its possession) public, FIFA would violate the Code of Ethics.

Moreover, although I personally have not seen the report, I think it is safe to assume that it contains certain information related to individual persons and entities. Such persons and entities enjoy several different rights under Swiss law, in particular with regard to the protection of their personality. These rights, in turn, prevent FIFA from disclosing publicly any information with regard to the persons and entities included in the report in question. The legal implications of such a disclosure were carefully assessed by the chairman of the adjudicatory chamber of the FIFA Ethics Committee. As a result of this

assessment, he strongly advised against making the report public, since such publication would violate relevant provisions of Swiss law, in particular those on the protection of personality rights.

All in all, in the light of the foregoing, it must be pointed out that FIFA would not only violate its own rules and regulations but also Swiss law by making public the report in question. We trust you will understand that FIFA is not willing to act in a manner that would be in plain breach of applicable laws and regulations. Therefore, I regret to inform you that FIFA reaffirms its position, whereby full publication of the report in question is not possible. As an additional observation, I would like to draw your attention to the fact that only the adjudicatory chamber of the FIFA Ethics Committee is competent to decide on this matter, and not FIFA or any other FIFA body.

Notwithstanding the above, we have been advised that publication of the report might be permissible if the persons and entities included in the report consent to such publication and waive any legal action they might be entitled to bring due to the publication (in particular regarding liability). Against this background, I would therefore like to ask you whether we may interpret your letter as providing consent on behalf of any natural or legal person affected by the parts of the report relating to the England World Cup bid (i.e., *inter alia*, the bid team/committee, FA employees, consultants, etc.) to publication of the report and as a corresponding waiver of any legal action in the event of such publication.

On a final note, I would like to let you know that FIFA has yesterday filed a criminal complaint with the Office of the Attorney General of Switzerland due to certain indications of possible violations of Swiss law contained in the above-mentioned report. As a consequence, the occurrences that are relevant in the context of the report will now also be assessed and investigated by an external public authority.

Thank you for your kind attention to the above and for your understanding.

Yours sincerely,



Joseph S. Blatter

cc: FIFA Executive Committee members