



FROM REDISTRIBUTION RULE TO PAYMENT
INFRASTRUCTURE:

FIFA TRAINING REWARDS AFTER THE FIFA CLEARING
HOUSE — EPP/TMS DATA GOVERNANCE,
EVIDENTIARY BURDENS, AND PROCEDURAL FAIRNESS
BEFORE THE FIFA FOOTBALL TRIBUNAL AND CAS

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ABSTRACT

This thesis examines the transition from the former claim-driven model of training rewards to a centralised payment infrastructure built around the FIFA Clearing House (FCH) and the Electronic Player Passport (EPP). It starts from a simple premise: the rationale of training rewards is both legitimate and necessary. If clubs are to invest in the training of young players, the legal framework must ensure that the value generated by that training is genuinely redistributed. Otherwise, the system risks becoming more symbolic than real.

From that perspective, the thesis treats the FCH as a recent reform with genuine promise. Its centralisation of payment and data aims to reduce opportunistic behaviour, strengthen redistribution, and give fuller effect to the original rationale of training compensation and solidarity. At the same time, the thesis shows that the system remains imperfect. Because it is still developing, certain inconsistencies and procedural weaknesses remain, and these may operate unfairly against clubs with fewer resources or less control over the relevant data.

The analysis combines description, critique, and normative reflection. It examines how the FCH functions, how the EPP reshapes the identification and contestation of entitlements, and how the system affects weaker parties in practice. Particular attention is paid to data governance, evidentiary burdens, standards of proof, and procedural fairness before FIFA and CAS.

This recent reform should not be rejected but improved. The system has strong foundations and positive future potential, provided that greater clarity, better safeguards, and a stronger shared commitment from the actors involved allow it to operate in a way that is both effective and fair.



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GLOSSARY OF TERMS

CAS	Court of Arbitration for Sport
EPP	Electronic Player Passport
FCH	FIFA Clearing House
FCHR	FIFA Clearing House Regulations (August 2025)
FIFA	Fédération Internationale de Football Association
RSTP	FIFA Regulations on the Status and Transfer of Players, including interim Regulatory Framework (January 2025)
TMS	Transfer Matching System

I. INTRODUCTION, CONTEXT, AND RESEARCH DESIGN

A. Regulatory context and motivation

The FCH became operational on 16 November 2022, as part of FIFA's framework for the management and distribution of training rewards. These rewards are based on two mechanisms: training compensation (art. 20 RSTP and Annex 4) and the solidarity mechanism (art. 21 and Annex 5). The introduction of the FCH and the EPP has changed the way in which entitlements are implemented. Instead of relying solely on strict rules for redistribution, the new approach emphasises the importance of accurate and complete registration data, making the process fairer and more reliable.

A small training club that has developed a player over several seasons may expect to receive a training reward when a triggering event occurs under the RSTP and the FCHR.¹ If the player's training history is inaccurate or incomplete in the registration data, the EPP generated for that player might fail to reflect the club's training period correctly.

Since the payment process depends on this set of data, the club is likely to encounter problems, such as non-payments, underpayments or even delays, unless the error is quickly identified and corrected. For many clubs around the world, a single transfer or signing can generate substantial revenue, allowing them to expand their business and invest more in youth development.

This raises a question as to how responsibility for data accuracy, procedural access, and evidentiary control is shared among the actors involved, and whether the system adequately protects the clubs for which it is intended.

¹ FCHR, arts. 5, 6 and 7; RSTP, arts. 20 and 21.

From a regulatory perspective, training rewards are designed to redistribute the value generated by the training of players and encourage clubs to invest in youth.² For clubs with limited revenue, these mechanisms may constitute a critical source of income.

For smaller clubs in particular, delays, uncertainty, or shortfalls may have a disproportionate practical impact. The accessibility and enforceability of the system therefore form part of its regulatory function. This helps explain why FIFA chose to centralise the processing and payment of training rewards.³

The FCH operates as the centralised payment intermediary for training rewards triggered under the RSTP. Its functioning is closely connected to the TMS⁴, through which relevant information is recorded and processed. Within this framework, the EPP serves as a centralised record of a player's registration history throughout his career and provides the data needed for identifying training periods and generating the information required for the allocation and distribution of amounts. This architecture does not alter the substantive legal bases for training compensation and the solidarity mechanism under the RSTP, but it does reshape the way in which those rights are implemented through a data-driven workflow.

In the previous system, training clubs had to track transfers, identify potential entitlements, and actively pursue their claims, which tended to lead to delays and legal uncertainty. The introduction of the FCH and EPP-based determinations has now centralised allocation and payment based on consolidated registration data. Although this may reduce certain administrative burdens, it also makes the accuracy and completeness of the underlying record, as well as the ability to challenge and correct it, decisive for clubs seeking to enforce their rights.

When the allocation depends on the content of the dataset⁵, disputes usually focus on how contested registration information is handled and who bears the

² CAS 2017/A/5103, para. 50.

³ FIFA, *FIFA Clearing House: The first 24 months* (2024), testimonial of Javier Sánchez-Porro, p. 16.

⁴ RSTP, definition n° 13: "a web-based data information system with the primary objective of simplifying the process of international player transfers as well as improving transparency and the flow of information."

⁵ FCHR, definition Allocation Statement.

consequences of inaccuracies.⁶ Such disagreements can determine whether a training period is recognised and how the resulting amounts are allocated. This issue is central because the FCH model shifts responsibility for data accuracy and correction onto actors who may not control the records.⁷

B. Research questions, scope, and structure

The dissertation examines whether, and on what basis, the regulatory framework governing training rewards should establish clear standards for data accuracy, evidentiary assessment, and procedural safeguards, when entitlements are operationalised through FCH and EPP-based data.

The thesis is structured around three connected questions. The first one concerns which standards should govern data accuracy, responsibility, and correction when EPP information is disputed. The second one concerns which evidentiary burdens and standards of proof should apply when parties seek to challenge EPP-based determinations. The third one addresses which procedural safeguards and remedies should be available, both prior to and following payment, within FIFA dispute mechanisms and on appeal to CAS.

The inquiry focuses on how training rewards are operationalised when processed through FCH and determined based on EPP records, rather than on reassessing the policy desirability of the system as such. More specifically, it examines disputes in which the content of an EPP is contested and the resulting allocation statement serves as the practical gateway to identifying the paying and receiving parties and the amounts to be distributed.⁸ This thesis concentrates on standards for data accuracy and its correction, on evidentiary burdens and standards of proof in cases where the EPP is contested, on

⁶ FCHR, art. 4.8.

⁷ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 15.

⁸ FCHR, definition Allocation Statement: “the document issued by the FIFA general secretariat to the FIFA Clearing House that provides it with the necessary information to process payments, notably the paying and receiving parties and the amounts to be distributed.”

procedural safeguards and remedies within FIFA dispute mechanisms and on appeal to CAS. It does not provide a comprehensive analysis of the substantive calculation rules across all scenarios, nor does it address employment-related disputes, agency matters, or domestic training reward regimes except where necessary for context.

This chapter proceeds in seven stages, each addressing a distinct dimension of the shift introduced by the FIFA Clearing House. It begins by revisiting the legal foundations and policy objectives underlying training compensation and the solidarity mechanism under the RSTP, while recalling the claim-driven logic that traditionally governed disputes in this area. It then turns to the Clearing House itself, examining how an EPP-based payment infrastructure reshapes both the allocation of training rewards and the procedural position of training clubs within FIFA's dispute resolution framework.

The analysis then focuses on data governance, addressing the origin of EPP and TMS data, the allocation of responsibility for its accuracy, and the mechanisms available to correct errors. This leads to a discussion of the evidentiary status of EPP records and of how burdens and standards of proof should operate where such data is contested.

The following section examines procedural safeguards, both prior to and following the execution of payments, with particular emphasis on the availability of meaningful review within FIFA and on appeal before CAS. The chapter then considers enforcement and compliance mechanisms, questioning in particular the appropriate intensity of review where disputes involve automated processes and potentially unreliable data.

Finally, the analysis concludes by proposing targeted recommendations on data governance, procedural reform, and evidentiary standards to address the structural tensions identified throughout the thesis and to improve the overall accountability of the system.

C. Method overview and contribution preview

Methodologically, the thesis combines a doctrinal analysis of the RSTP, its commentary⁹, and the FCHR with a jurisprudential analysis of FIFA decision-making practice and CAS awards concerning training rewards. Rather than treating the regulatory framework as a static set of rules, the analysis focuses on how these instruments operate within a data-driven payment infrastructure, in which consolidated registration data, primarily through the EPP, serves as the basis for identifying and implementing entitlements. In parallel, FIFA and CAS jurisprudence are examined to assess how decision-makers approach contested EPP records, structure evidentiary burdens, and address procedural fairness concerns in a context where the underlying data is not controlled by the parties. The thesis adopts a governance-oriented perspective, analysing how the institutional design of the Clearing House and its data architecture reshape the allocation of responsibility, the distribution of evidentiary and financial risk, and the practical accessibility of remedies for training clubs.¹⁰

The dissertation develops a structured set of standards for disputes arising in a data-driven training reward framework. First, it articulates practical standards for data accuracy and correction, including how responsibility should be understood where EPP information is incomplete or contested.¹¹ Second, it proposes an evidentiary approach to contested EPP determinations, including how burden and standards of proof should be allocated in light of the operational role of consolidated records.¹² Third, it formulates minimum procedural safeguards and remedial principles to ensure that training clubs can effectively challenge errors before and after payment within FIFA dispute mechanisms and on appeal to CAS. Taken together, these elements aim to support consistent decision-making and to provide workable guidance for stakeholders operating within the FCH model.

⁹ FIFA, *Commentary on the Regulations on the Status and Transfer of Players*.

¹⁰ FCHR, p. 5 to 12.

¹¹ FCHR, art. 4.8.

¹² FCHR, definition of Allocation Statement; CAS 2007/A/1320–1321, headnote. 1; CAS 2012/A/2908, headnote. 1.

Chapter 2 therefore turns to training rewards before the infrastructure shift. It revisits the legal foundations of training compensation and the solidarity mechanism under the RSTP and reconstructs how these entitlements were enforced within a claim-driven model. This provides a necessary baseline against which the implications of the FCH and EPP framework can be assessed.

II. TRAINING REWARDS BEFORE THE INFRASTRUCTURE TURN

A. Legal basis and policy objectives under RSTP

As introduced in Chapter 1, training rewards within the FIFA regulatory framework comprise: the training compensation (art. 20 RSTP and Annex 4 RSTP) and the solidarity mechanism (art. 21 RSTP and Annex 5 RSTP). Although both mechanisms are based on the same principle of redistribution, the conditions under which they apply differ, as do the methods used to calculate them. This has historically contributed to considerable practical and legal complexity.

The redistributive logic is closely linked to FIFA's institutional role in governing the international transfer system and ensuring a degree of competitive balance across clubs and leagues of different sizes and resources¹³. In CAS's words, this function is meant to "help to bring smaller clubs on board to invest in the training of young players".¹⁴ As reflected in the RSTP Commentary¹⁵, these rules are part of a broader framework governing player status, transfers, and the financial mechanisms linked to them. Thus, training rewards generate individual payment claims between clubs, while also serving the wider regulatory purposes of the transfer system.

¹³ LASKOWSKI, p. 150.

¹⁴ CAS 2021/A/8227, para. 67.

¹⁵ FIFA, *Commentary on the Regulations on the Status and Transfer of Players*, pp. 362 ff. and 414 ff.

The purpose of the training compensation is to incentivise clubs to invest in youth development by ensuring they receive financial compensation when a player signs their first professional contract or is transferred internationally before the end of the season in which the player turns 23.¹⁶ The solidarity mechanism, by contrast, redistributes a percentage of transfer compensation to clubs that contributed to the training of the player between the ages of 12 and 23. In practical terms, 5% of any transfer compensation is withheld and allocated to the player’s training clubs on a pro rata basis according to the player’s registration history.¹⁷ Taken together, these mechanisms seek to reconcile economic incentives with the long-term development of players.

However, while the objectives of the system appear relatively clear at the normative level, its practical operation has long been characterised by structural limitations. In particular, the enforcement of training rewards has often proven difficult in practice, especially for clubs with limited administrative and financial resources. This is particularly visible where “the club that is deemed responsible for paying the training compensation to prove that another club has to carry this obligation”.¹⁸ This creates a gap between the formal objectives of the system and its actual accessibility.

This approach is reflected in the definition of training compensation as payments intended to “cover the development of young players”¹⁹ and has been consistently recognised in CAS jurisprudence.²⁰ CAS jurisprudence **supports the characterisation of training compensation as a *sui generis* regulatory mechanism** serving broader economic and governance objectives.²¹ This distinction has a direct impact on the allocation of the burden of proof and on the interpretation of eligibility criteria in disputes concerning these training rewards.

¹⁶ RSTP, Annex 4, art. 1; FIFA, *Explanatory notes on the FIFA Clearing House Regulations*, p. 1258.

¹⁷ RSTP, Annex 5, art. 1.

¹⁸ CAS 2012/A/2908, headnote 1.

¹⁹ RSTP, definition n° 10.

²⁰ CAS 2017/A/5103, para. 55. CAS 2023/A/9775, para. 151.

²¹ CAS 2007/A/1320–1321, para. 27–31; CAS 2012/A/2908, paras. 134–138.

B. Classic enforcement model and dispute patterns

Prior to the introduction of the FCH, the enforcement of training rewards operated in a largely decentralised, claim-based manner. Although the entitlement to training compensation and solidarity contributions arises automatically under the RSTP, their effective realisation depended in practice on the initiative of the training clubs. These clubs were required to identify the relevant triggering events, calculate and determine the amounts due, and, where necessary, initiate proceedings before FIFA's competent bodies.²²

In practice, disputes tended to cluster around several recurring issues. One significant source of contention concerned the qualification of relevant training periods, since the FIFA framework treats a player's career as a different series of distinct segments, each of which may independently affect entitlement to training compensation.²³

Disagreements also frequently emerged in relation to the calculation of the amounts due. This is particularly apparent in disputes relating to the classification of clubs and the determination of applicable training costs, both of which are governed by a detailed regulatory framework based on pre-defined cost categories and pro-rata calculations.²⁴ In addition, the application of these provisions has often proved problematic, as late payments or non-compliance with payment obligations have often necessitated additional steps, including disciplinary action.

As a result, the enforcement of training rewards was characterised by a high degree of procedural friction and evidentiary uncertainty. The absence or fragmentation of registration data tended to place a significant burden on training clubs, which were often required to rely on documentary evidence that was incomplete, difficult to obtain, or subject to dispute. In that respect, the system's reliance on ex post claims may have contributed to certain inefficiencies, while also potentially affecting the consistency of access to the mechanism.

²² CAS 2012/A/2908, headnote 1.

²³ CAS 2007/A/1320-1321, para. 46.

²⁴ RSTP, Annex 4, arts. 3 and 5.

C. Relevant CAS themes in the pre-Clearing House era

Within this pre-Clearing House framework, evidentiary issues played a central role in the resolution of disputes. Proceedings before FIFA and, on appeal, before the CAS, were largely shaped by the parties' ability to substantiate their claims through reliable documentation. In this context, the burden of proof operated as a decisive factor²⁵, requiring clubs to demonstrate both the existence of an entitlement and the accuracy of the underlying factual elements, in particular the player's registration history.²⁶

This reflects the general principles of FIFA procedural law, according to which a party asserting a fact bears the burden of proving it, and judicial bodies assess the evidence based on their own evaluation of the facts.²⁷ This allocation tended to disadvantage smaller clubs, which lacked both the administrative capacity and the institutional access necessary to obtain comprehensive records, and were often subject to errors of failure to comply.²⁸

Consequently, CAS jurisprudence in the pre-Clearing House era frequently engaged with questions of evidentiary sufficiency, the probative value of registration documents, and the consequences of incomplete or contradictory records.²⁹ These recurring problems show that, even before the introduction of automated systems, the effectiveness of training rewards was closely linked not only to the substantive rules governing entitlement to such compensation, but also to the clubs' ability to demonstrate, from a procedural standpoint, the validity of their claims.³⁰

²⁵ AL, p. 44; CAS 2018/A/5513, para. 67; CAS 2012/A/2908, paras. 134–138.

²⁶ AL, p. 43.

²⁷ FIFA, *FIFA Procedural Rules Governing the Football Tribunal*, art. 13 para. 5.

²⁸ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 7.

²⁹ CAS 2012/A/2908, paras. 134–138.

³⁰ CAS 2012/A/2908, paras. 134–138; FIFA, *FIFA Procedural Rules Governing the Football Tribunal*, art. 13 para. 5.

The introduction of the FCH marks a structural transformation in the administration and enforcement of training rewards. Rather than relying on ex post claims supported by documentary evidence, the system moves towards a model in which all entitlements are identified, calculated, and executed based on centrally aggregated registration data. This transition does not resolve the evidential difficulties that already existed under the previous framework. Instead, it reconfigures those difficulties by relocating questions of accuracy, completeness, and contestability within a data-driven infrastructure. The focus then shifts from the parties' production of evidence to the reliability and governance of the data on which the system is based, raising new legal questions about liability, evidence, and procedural safeguards.

III. FIFA CLEARING HOUSE AS PAYMENT INFRASTRUCTURE

A. Operational logic and legal implications

The operation of the FCH is structured around a data-driven workflow through which training rewards are identified, calculated, and ultimately distributed. In contrast to the previous claim-based system, eligible transactions are now automatically detected by the TMS, triggering the generation of an EPP that consolidates the player's registration history across associations and lists "the exact amounts due to the training clubs".³¹ Based on that dataset, FIFA determines whether an entitlement exists and issues an allocation statement specifying the clubs concerned and the amounts due. Then, "the file is forwarded to the FIFA Clearing House entity in Paris (FCH) [...] for further processing".³²

At first glance, the Clearing House may appear to be a purely technical and administrative process, limited to the processing or registration of data and execution

³¹ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 7.

³² *Idem*.

of payments. In reality, it performs functions that are substantively legal in nature³³, where the EPP and the corresponding allocation statement have been treated as decisions capable of producing legal effects.³⁴ The establishment of an EPP and the subsequent allocation statement actively determine the recognition and scope of rights by specifying which clubs are involved, for what periods, and under what financial basis. In doing so, the system goes beyond organising or processing information and effectively participates in the concretisation of rights under the RSTP, mainly the ones related to training rewards.³⁵

This operational reality is reinforced by the fact that the EPP is built on registration data from member associations and integrated into FIFA's digital infrastructure, thereby consolidating a player's career history into a single authoritative record. Once validated, this record forms the basis of the allocation statement, which specifies the exact amounts due to training clubs and triggers the payment process via the Clearing House. Technically, the system brings together scattered information and turns it into decisions that have legal consequences.

That close link to decision-making raises broader questions about how transparent, inclusive, and reviewable the process really is. More specifically, it requires an assessment of whether the current system provides sufficient safeguards as regards transparency, the right to be heard, and the ability to challenge the data and conclusions about the allocation decisions.

B. Risk allocation and the position of training clubs

The shift to a data-driven allocation model also entails a redistribution of practical risks within the system. Although the FCH is intended to streamline the identification and payment of training rewards, its operation depends on the quality and completeness of the registration data provided by member associations and the

³³ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 4.

³⁴ CAS 2023/A/9775, para. 116; CAS 2024/A/10718, paras. 5 and 6.

³⁵ RSTP, art. 20 and art. 21.

clubs involved.³⁶ Where this data is incomplete or inaccurate, the resulting allocation may fail to reflect the player's actual training history, with direct consequences for the clubs concerned.

This dependency is an integral part of the regulatory framework. The system depends on electronic registration infrastructures that are maintained at the national level, and those infrastructures are essential to the collection and transmission of the player data required for the operation of the EPP. In this context, the accuracy of the outcomes depends directly on the trustworthiness of the data entered at each step of the registration process.

These consequences are not borne equally. FIFA itself has recognised that finding and recovering training rewards has historically proven difficult, particularly for clubs with limited resources.³⁷ It is important to note that registration data may be incomplete, with only partial coverage of training periods in practice.³⁸

As a result, the system might unintentionally place additional pressure on clubs that are less prepared to handle its procedural and data demands. This situation raises a more fundamental question: does the system adequately protect training clubs in practice?

C. Interaction with FIFA dispute resolution pathways

This structural asymmetry becomes particularly significant when viewed through the lens of dispute resolution. While affected clubs formally retain access to FIFA's judicial bodies, their effective ability to exercise those rights remains constrained by asymmetries in access to data and by the technical complexity of the system.

Under the previous claim-based model, disputes arose between identifiable parties and were supported by documentary evidence produced by the clubs themselves, such

³⁶ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 7; FIFA, *Explanatory notes on the FIFA Clearing House Regulations*, p. 1259.

³⁷ FIFA, *FIFA Clearing House: The first 24 months* (2024) p. 15.

³⁸ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 22.

as contracts, transfer agreements, or registration records. In that context, although evidentiary difficulties already existed, the clubs retained a certain degree of control over the material needed to support their claims.

By contrast, with the FCH system, disputes increasingly revolve around centrally generated data, in particular the EPP³⁹, which consolidates registration information from various associations.⁴⁰ This shift has direct implications for the evidentiary structure of disputes. A club's ability to challenge an allocation turns on both its formal procedural rights and its effective access to the data on which that allocation is based.

From a procedural point of view, this raises questions regarding FIFA's general evidentiary framework, under which the burden of proof lies with the party asserting a fact and the decision-making bodies have discretion in assessing the evidence.⁴¹ Hence, where a club is unable to obtain or verify the relevant registration data, its ability to discharge this burden may be compromised. Indeed, CAS jurisprudence confirmed that parties may substantiate their claims with convincing evidence, and even where access to documentation is limited, unsupported allegations are insufficient.

For instance, in *Panionios GSS FC v. Paraná Clube*, the Panel held that the burden of proving the existence and terms of a transfer lay with the claimant and rejected the claim where the club failed to produce adequate documentary evidence.⁴² This illustrates that the evidentiary requirements become decisive, mostly when key information is missing or incomplete.

However, these evidential constraints may give rise to procedural disadvantages. In this respect, the right to challenge an allocation is therefore closely linked to the ability to access the relevant data and to effectively contest its accuracy.⁴³ Where such access is limited, the formal availability of remedies before FIFA bodies, and, on appeal, before CAS may not fully guarantee effective judicial protection.

³⁹ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 7; FIFA, *Explanatory notes on the FIFA Clearing House Regulations*, section 5.

⁴⁰ RSTP, art. 7 para. 3.

⁴¹ FIFA, *Procedural Rules Governing the Football Tribunal*, 2025 edition, art. 13 para. 5.

⁴² CAS 2012/A/2908, paras. 134 and 138.

⁴³ FIFA, *Explanatory notes on the FIFA Clearing House Regulations*, p. 1266–1267.

Therefore, the interaction between the Clearing House infrastructure and FIFA's dispute resolution mechanisms reflects a move towards a data-driven procedural framework. In that context, procedural fairness requires not only remedies, but also enough transparency and access to information for clubs to exercise their rights effectively.

IV. EPP AND TMS DATA GOVERNANCE

A. Data sources, responsibility, and validation

The data on which the EPP is based is not generated by FIFA, but comes from a decentralised set of sources, primarily collected by member associations and supplemented by data submitted by clubs via the TMS. Associations are responsible for recording and maintaining player registration data⁴⁴, whilst the TMS serves as the mandatory interface for international transfers, requiring clubs and associations to enter consistent and complete information. The EPP consolidates this data within the framework of the FCH, transforming a series of national and transactional records into a single structured dataset used for the calculation of training compensation in accordance with the FCHR. In this sense, the EPP does not generate new information but reorganises existing data, which remains dependent on the accuracy and completeness of previous entries.

Whilst the architecture of the EPP suggests the existence of a centralised and reliable dataset, responsibility for the data entered into the system remains shared amongst multiple stakeholders. The burden of verifying and updating registration records falls on the member associations. Despite this, they rely on the information provided by the clubs, particularly in the context of international transfers processed via the TMS.⁴⁵ Clubs, for their part, are subject to specific data entry requirements, but still have a vested interest in ensuring the long-term accuracy of the data once the

⁴⁴ FCHR, art. 4.4, 4.5 and 4.8.

⁴⁵ FIFA, *Commentary on the Regulations on the Status and Transfer of Players*, p. 591.

transfer has been finalised. FIFA's role is not to carry out a thorough verification of every piece of data entered; rather, it will focus primarily on the governance of the system and the oversight of procedures. Consequently, the validation process functions less as an independent control mechanism and more as a formal confirmation of information previously submitted.⁴⁶ Because responsibility is split between FIFA, associations, and clubs, it is often unclear who bears the consequences of inaccurate or incomplete EPP data.⁴⁷

The reliability of the EPP system depends not only on formal obligations, but also on the incentives that shape the behaviour of the parties involved. The obligation to provide accurate and complete data, as explained in the previous paragraph, is not applied uniformly across the different stages of a player's registration history. In particular, once a transfer has been finalised and validated in TMS, clubs have little incentive to review or correct historical registration data, especially where no immediate financial consequences arise. This imbalance is even more pronounced for smaller clubs, which often lack the administrative resources needed to monitor and verify the accuracy of data recorded at national or international level.

By contrast, compliance is effectively enforced at the time of the transfer itself, where incorrect or incomplete data may prevent the transaction from being completed in TMS⁴⁸, with immediate financial implications. This creates a temporal imbalance in data reliability: information relating to recent transfers is generally more accurate, whereas earlier registration periods may remain incomplete or inconsistent. The EPP may therefore incorporate data whose reliability has not been independently verified, thereby reproducing, or even amplifying, earlier inaccuracies. The problem becomes more serious once the EPP review process has already begun, or once the EPP has become final. A member association that did not request participation during the inspection period may then be excluded from the review phase unless the FIFA general secretariat asks it to participate. Complex cases may still be referred to the DRC, but that depends on FIFA recognising the legal or factual complexity of the matter. In practice, this means that inaccuracies affecting earlier registration periods may remain

⁴⁶ FIFA, *Explanatory Notes on the FIFA Clearing House Regulations*, Sections 5f and 5k.

⁴⁷ FIFA, *Explanatory Notes on the FIFA Clearing House Regulations*, Sections 3 and 5.

⁴⁸ FIFA, *International Player Transfer Guide*, p. 1095.

difficult to correct, even when they continue to shape the final EPP and the allocation based on it.⁴⁹

Any inaccuracies in the EPP have concrete legal consequences affecting both the recognition and the allocation of training rewards. Given that the EPP serves as the basis for the allocation statement issued under the FCH, any errors in the data may directly impact the identification of eligible clubs, the duration of the relevant training periods and, consequently, the amounts due.⁵⁰ In this sense, the system does not merely reflect pre-existing rights⁵¹, but actively participates in their determination, thereby raising the question of whether the resulting allocation should be regarded as a mere administrative outcome or as a decision producing legal effects.⁵²

Determinations based on the EPP and the corresponding allocation statements may be subject to appeal and review.⁵³ In such cases, disputes do not arise from the absence of data, but from its content, reliability and interpretation. This shifts the focus of the dispute from reconstructing a player's training history to contesting a centrally generated dataset. Whilst this may alleviate certain evidentiary burdens, it simultaneously introduces new challenges, as clubs must be able to access, understand and effectively challenge the data on which the allocation is based.⁵⁴

B. Auditability, traceability, and transparency

For the EPP system to be truly effective, its usefulness depends not only on the accuracy of the data it contains but also on the ability of the relevant clubs to verify that data and understand how it is produced. While the EPP provides a consolidated record of a player's registration history, it does not necessarily offer full visibility into

⁴⁹ FIFA, *Explanatory Notes on the FIFA Clearing House Regulations*, Sections 5r and 5s.

⁵⁰ FCHR, art. 11.

⁵¹ AL, p. 43; CAS 2024/A/10718, paras. 5–6.

⁵² FCHR, art. 10.5 let. b; CAS 2023/A/9775, para. 116.

⁵³ FCHR, art. 10.5 let. b and d; CAS 2023/A/9775, para. 116.

⁵⁴ FCHR, arts. 8 and 9.

the upstream data chain, particularly as regards how data is entered, validated, or subsequently modified by member associations.⁵⁵

This development raises a practical concern regarding auditability, in particular whether clubs are able to identify the origin of specific data entries and assess their reliability within the centralised system.

In the absence of such traceability, the EPP risks functioning as a system whose outputs are accessible, but whose internal mechanisms and data structure remain partially opaque. Due to these transparency limitations, the clubs concerned may have access to the final EPP output but not to the full dataset or the process by which it was consolidated.⁵⁶

This limited transparency has direct procedural implications and gives rise to concerns about procedural fairness. On the one hand, where a club seeks to challenge an allocation, its ability to do so effectively depends on access to sufficient information to identify potential errors and substantiate its claim. In the absence of such access, meeting the applicable evidentiary requirements⁵⁷ may prove difficult in practice. On the other hand, whilst the clubs concerned formally retain the right to challenge a distribution decision before FIFA bodies and the CAS, the exercise of these rights depends on their ability to access and understand the information on which the distribution is based. Where such access is limited, an information imbalance may arise between the system operator and the clubs concerned.

This imbalance may also have legal implications. It becomes difficult to expect clubs to defend their case effectively where the relevant data cannot be meaningfully accessed or verified, thereby undermining the principle of equality of arms between the parties.⁵⁸ The real question is whether those remedies can be exercised under conditions of genuine procedural fairness.

⁵⁵ FCHR, art. 4.

⁵⁶ FCHR, arts. 8 to 10.

⁵⁷ FIFA, *Procedural Rules Governing the Football Tribunal*, art. 13 para. 5; FIFA, *FIFA Disciplinary Code*, art. 41.

⁵⁸ The principle of equality of arms requires that each party be afforded a reasonable opportunity to present its case under conditions that do not place it at a substantial disadvantage; see *Oxford Reference*, “Equality of arms”, in *A Dictionary of Law* (online ed.).

C. Correction mechanisms and legal consequences of errors

The issue of data accuracy becomes particularly significant when errors in the EPP are identified and require correction. Given that the allocation of training rewards is based on the EPP, any modification to the data may have direct consequences for both the identification of the clubs concerned and the amounts allocated.⁵⁹ In this respect, correcting an error is not merely a technical adjustment, but may alter the legal and financial position of the parties concerned.⁶⁰ The issue is therefore not limited to whether a correction is possible, but also concerns the stage at which it may be made and the effects it produces within the system.

Before the payment is processed, correcting errors may seem simpler at this stage, since the allocation has been determined but not yet implemented, suggesting that inaccuracies could still be identified and corrected, hence without immediate financial consequences. That possibility nevertheless depends on clubs being able to detect errors in time and obtain the information needed to support a request for correction. Where access to that information is limited, or the time available to respond is too short, correcting inaccuracies before payment may remain more theoretical than real.

Consequently, even at this preliminary stage, the effectiveness of correction mechanisms is closely linked to the transparency and accessibility of the underlying data, which form the basis of the EPP and the subsequent allocation process.⁶¹

The situation becomes even more complicated once the EPP containing an error has been validated and a distribution statement has been issued. At that point, the system is no longer simply verifying data, but effectively moves into an execution phase,

⁵⁹ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 7.

⁶⁰ RSTP, arts. 20 and 21.

⁶¹ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 25 and 26: During the EPP review phase, clubs and associations may inspect the registration data, propose amendments and submit supporting documentation within a limited review period (generally 10–15 days), after which FIFA validates the information and may request additional clarification.

where entitlements are formalised and payments are processed through the FCH.⁶² This gives the distribution statement something close to a decision-making role⁶³, since it determines both which clubs are recognised as beneficiaries and the amounts they are to receive.⁶⁴

Once a claim has been submitted for payment, correcting an error may require revisiting entitlements that have already been processed within the system. At that stage, the situation becomes more delicate, as a clear tension emerges between the need for finality and the need for accuracy. On the one hand, the system is designed to operate in an efficient and largely automated manner. On the other, it remains uncertain how errors identified after validation should be handled in practice, and to what extent payments can be revisited without undermining legal certainty.

This uncertainty is particularly problematic given that the allocation of training rewards is rooted in the regulatory framework of the RSTP, which defines both the entitlement to such rewards and the mechanisms for their implementation.⁶⁵ In this context, the issue is not only whether a correction remains possible, but whether the procedural framework provides an effective remedy once the financial consequences have already materialised.⁶⁶

D. Data disputes as governance disputes

This issue must be understood within the broader framework of the FIFA regulatory system. Under this system, training compensation is not merely a payment left to the discretion of the parties involved, but a genuine right governed by the RSTP.⁶⁷

⁶² FCHR, arts. 9 to 14; FIFA, *FIFA Clearing House: The first 24 Months* (2024), pp. 20, 21 and 39; CAS 2023/A/9730, para. 70.

⁶³ FCHR, art. 12; CAS 2024/A/10718, paras. 5–6; CAS 2023/A/9730, para. 70.

⁶⁴ FCHR, arts. 10 and 12; CAS 2024/A/10718, para. 5.

⁶⁵ RSTP, arts. 20 and 21; FCHR, art. 1.

⁶⁶ FCHR, art. 10.5; CAS 2023/A/9730, para. 70.

⁶⁷ RSTP, art. 20 and Annex 4; CAS 2012/A/2908, para. 1.

These rules define not only the existence of this right, but also the mechanisms through which it is implemented, notably through increasingly centralised tools such as the EPP.⁶⁸ In this context, the reliability of registration data becomes essential⁶⁹, as it directly determines both the identification of beneficiary clubs and the calculation of the amounts due.⁷⁰

Moreover, as reflected in FIFA's own operational reports, the creation of an EPP and the issuance of an allocation statement rely on data provided by member associations and processed through automated workflows. This evolution alters the legal significance of such information: it no longer serves merely as evidence but constitutes the basis upon which entitlements are recognised and quantified.⁷¹ Consequently, it becomes even more important to ensure that this data can be effectively accessed, verified, and, where necessary, challenged by the parties concerned.

In this context, disputes relating to EPP data cannot be viewed as simple disagreements over the accuracy of the information registered. Given their direct impact on the allocation of training rewards, they actually affect the very functioning of the regulatory system.⁷² Indeed, the EPP does not merely apply the rules of the RSTP: it has a tangible influence on how rights are recognised and implemented. Consequently, an error or omission in the data does not merely pose a problem of proof but may even deprive a club of its right to compensation⁷³, as training compensation constitutes a regulatory entitlement.

This profoundly changes the nature of those disputes. They no longer concern issues between clubs alone, but also call into question the reliability, transparency, and accountability of the system itself.⁷⁴ In other words, these are increasingly governance

⁶⁸ FCHR, arts. 9–14; FIFA, *FIFA Clearing House: The first 24 Months* (2024), pp. 4 and 20–21.

⁶⁹ FIFA, *FIFA Clearing House: The first 24 Months* (2024), p. 21; CAS 2012/A/2908, headnote 1.

⁷⁰ FCHR, arts. 10 and 12; CAS 2024/A/10718, para. 5.

⁷¹ FIFA, *FIFA Clearing House: The first 24 Months* (2024), pp. 20–21; FCHR, arts. 10 and 12; CAS 2023/A/9730, para. 70.

⁷² LASKOWSKI, pp. 150 and 151.

⁷³ CAS 2023/A/9730, para. 70; RSTP, art. 20 and Annex 4.

⁷⁴ FIFA, *FIFA Clearing House: The first 24 Months* (2024), p. 4 and 20–21; FCHR, arts. 9 to 14.

disputes, which challenge not only the facts, but also the procedural safeguards and the role of the governing bodies within FIFA's regulatory framework. This characterisation is further reinforced by the operational design of the FCH system, in which EPPs are generated on the basis of data provided by member associations and processed through automated workflows⁷⁵, ultimately leading to allocation statements determining the amounts due.

This development has important consequences. It affects the legal value of EPP data, the way evidence must be presented, and the ability of clubs to challenge effectively the decisions produced by the system. More specifically, it raises questions about how the burden of proof should be allocated and about the procedural safeguards available to clubs in FIFA proceedings, where parties are in principle required to substantiate the facts on which they rely.

V. EVIDENTIARY BURDENS AND STANDARDS OF PROOF IN CONTESTED EPP SITUATIONS

A. The evidentiary value of EPP records

The EPP now occupies a central place in the FCH architecture. It is an electronic document that brings together a player's registration history from the year of the player's twelfth birthday, including the associations involved, the player's status, the type of registration, and the clubs with which the player has been registered.⁷⁶ In the current framework, FIFA uses that record to identify the relevant training periods and to determine the corresponding allocation of training rewards.⁷⁷ What matters,

⁷⁵ FIFA, *FIFA Clearing House: The first 24 Months* (2024), pp. 20–21.

⁷⁶ RSTP, definition n° 34 or FCHR, definition EPP.

⁷⁷ FCHR, arts. 10.4 and 12.3, FCHR, definition EPP.

therefore, is not simply that the EPP records information, but that it forms part of the process ending in FIFA's determination and the Allocation Statement.⁷⁸

That centrality does not, however, settle the question of evidentiary value. Important as the EPP may be within the FCH process, it cannot simply be treated as conclusive proof of a player's training history. Under the FCHR, the EPP is generated from registration data made available through FIFA systems⁷⁹ and then reviewed before FIFA issues its final determination.⁸⁰ The more a document rests on records that may be incomplete, inaccurate or open to correction⁸¹, the harder it becomes to justify treating it as definitive proof. The sounder view is that the EPP should be treated as a strong evidentiary starting point, while remaining open to challenge, and potentially leading to sanctions.⁸²

In practical terms, the evidential value of the EPP depends less on its formal status than on the conditions under which it is generated and reviewed. That includes the participation of clubs and member associations in the review phase, as well as the subsequent validation by the FIFA general secretariat or, where necessary, by the Dispute Resolution Chamber.⁸³

Three aspects matter in particular: transparency, traceability and the possibility of effectively challenging it. These requirements are closely linked to the way evidence is assessed in FIFA proceedings, especially regarding the burden of proof and the capacity of a party to contest the material relied upon.⁸⁴

It is difficult to justify that a club has to accept the accuracy of the EPP if it cannot see with sufficient clarity where the relevant registration data comes from, how differences have been handled, or why certain periods have been included while others have been excluded. The less transparent that process is, the harder it becomes for a

⁷⁸ FCHR, arts. 10.3 and 10.5; CAS 2023/A/9730, para. 70.

⁷⁹ FCHR, arts. 4.1, 4.8 and 8.1.

⁸⁰ FCHR, arts. 8.2, 9.3 and 9.4.

⁸¹ FCHR, arts. 4.1 and 17.3.

⁸² FCHR, arts. 8–10.

⁸³ FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 25; CAS 2024/A/10718, para. 5.

⁸⁴ FIFA, *FIFA Disciplinary Code*, arts. 39–41.

club to test the reliability of the EPP in any meaningful way. Put differently, the more transparent the process, the more reliable and contestable the FCH becomes.

This is more significant because the club challenging the EPP does not usually control the registration trail reflected in it. That asymmetry places FIFA and the association concerned in a stronger evidential position from the outset.⁸⁵ A club may suspect that part of a player's history is missing or incorrectly recorded yet still be unable to reconstruct the full registration history on its own. The difficulty is thus structural. It flows from the way the system is organised.

For that reason, the EPP should not be regarded as conclusive evidence of a player's training history, even though the system may involve verification by multiple actors. Its central role in the FCH process does not remove the need for scrutiny, on the contrary, it makes it more necessary. A document may carry considerable procedural weight while remaining open to challenge when its reliability depends on records that the club concerned cannot verify in their entirety. It is therefore preferable to regard the EPP as a presumptive starting point that remains open to challenge. It may justify an initial allocation, but it should not prevent further inquiry once a club raises credible objections as to its accuracy.

B. Burden of proof allocation and rebuttable presumptions

The real difficulty arises when the EPP is contested. A club may argue that the record is inaccurate yet still be expected to prove why.⁸⁶ That expectation is harder to justify where the record has been generated through a process beyond the club's control and one that it may not be able to retrace in full. What matters here is whether the general rule on the burden of proof can operate in the same way in this context. The imbalance becomes more pronounced if the challenging club is expected to disprove the record, while the party relying on it can, at least initially, rest on the presumption created by the EPP.⁸⁷

⁸⁵ RSTP, art. 7 para. 4; FIFA, *FIFA Clearing House: The first 24 months* (2024), p. 25.

⁸⁶ FIFA, *Procedural Rules Governing the Football Tribunal*, art. 13 para. 5.

⁸⁷ FCHR, art. 10.6.

This is why the EPP is better understood as a rebuttable presumption⁸⁸ rather than a definitive document that the challenging club must disprove on its own. The EPP can serve as initial evidence supporting the allocation adopted by FIFA and still holds significant evidential weight.⁸⁹ However, once the record's accuracy is challenged on credible grounds, that weight should not remain unchanged. If a club points out an omission, an inconsistency, or a specific error, the burden of proof cannot simply remain where it was at the outset. At that stage, it should shift, at least partly, to the party relying on the EPP and to the actor in a position to explain how the record was generated and reviewed.

This approach remains consistent with the general principles governing proof in FIFA and CAS proceedings.⁹⁰ The rule remains that the party asserting a fact must prove it.⁹¹ What changes in the EPP context is not the existence of that rule, but the conditions in which it operates. Where the disputed record has been generated and reviewed through a process that the challenging club does not control, a strict and static allocation of the burden becomes harder to justify.

This issue becomes particularly problematic when the parties involved do not have equal access to the relevant information.⁹² For example, a club may identify an error in the EPP without necessarily being in a position to reconstruct the complete registration trail or explain how the contested entry remained unchanged throughout the review process. In such circumstances, requiring the challenging club to bear the entire burden would place an undue burden on a party with only partial access to the record.

The position of the player may complicate matters further. While the player may possess relevant information or documents relating to his registration history, his cooperation cannot be assumed. His interests may diverge from those of the challenging club, particularly where his involvement could expose his current or prospective club

⁸⁸ RIGOZZI/QUINN, pp. 17 and 18.

⁸⁹ FCHR, art. 10.5 let. b.

⁹⁰ RIGOZZI/QUINN, p.14; CAS 2007/A/1380, para. 25.

⁹¹ FIFA, *Procedural Rules Governing the Football Tribunal*, art. 13 para. 5; CAS 2007/A/1380, para. 27; CAS 2021/A/7630, paras. 85 and 88 – 89.

⁹² RIGOZZI/QUINN, p. 4.

to financial consequences. This further limits the practical accessibility of evidence in EPP-related disputes. A more balanced approach would be to require clubs to raise specific and credible objections, while also requiring the party relying on the EPP, as well as those in a position to clarify its origin, to respond with adequate precision.

None of this means that the general rule on the burden of proof ceases to apply in disputes concerning the EPP. A club challenging a record must do more than just raise a vague suspicion.⁹³ It must identify a specific element of the EPP that is said to be flawed. This may include a missing period, a chronological inconsistency, an error in status, or another clear irregularity in the registration history. Once that threshold is crossed, however, the burden of proof shifts from where it originally stood. It is fairer to align the allocation of proof with the distribution of information, particularly where the explanation for the contested entry is beyond the club's immediate control.

This point is particularly important for smaller youth clubs with limited resources. They are often not well enough equipped to maintain complete records of a player's registration history. Yet, they may be the most exposed to the consequences of an omission or error in the EPP. A large club or a football association is usually in a better position, in terms of resources, knowledge, institutional access and administrative capacity, to retrieve records, contact the relevant registration authorities, or explain how a disputed registration came to appear in the first place. A smaller youth club, by contrast, may be able to see that the record is incomplete without being able to prove that incompleteness entirely on its own. If the burden of proof rests entirely with that club, the rebuttable nature of the EPP risks becoming more theoretical than real.

The goal, therefore, is not to relieve the challenging club of any burden of proof, but to ensure that this burden does not become unrealistic where the club has only limited access to the information on which the allocation is based. The EPP may justify an initial allocation and create a starting presumption in favour of the record. Once a clear and credible challenge is raised, however, procedural fairness requires more than passive reliance on that document. FIFA, and, where relevant, the association, should then be expected to explain the record on which the allocation rests.

⁹³ See, for example, REF TMS 12187, where the respondent relied on police reports and conflicting player passports to support its objection.

C. Standard of proof and practical evidentiary access

The standard of proof cannot be assessed separately from access to evidence.⁹⁴ Even where the burden of proof is allocated more equitably, that adjustment may prove of little practical value if the evidential threshold remains too demanding for the party expected to meet it. In disputes concerning the EPP, the problem is hard to ignore. For instance, if a club must challenge the record without having full access to the material needed to test it properly, the standard of proof directly affects whether the right to contest the EPP is genuinely meaningful.

A strict standard of proof may therefore be difficult to reconcile with the realities of EPP disputes. In FIFA proceedings, the applicable standard is “comfortable satisfaction”⁹⁵, a threshold that is also consistently applied in CAS case law.⁹⁶ That standard may be appropriate where the parties have broadly comparable access to the relevant evidence. It is harder to justify where the club challenging the EPP lacks full access to registration data, association records, or the audit trail needed to verify the contested entry. In that setting, a high standard of proof risks turning evidential caution into procedural unfairness.

More importantly, that does not mean that the standard of proof itself should be changed. The more important point is the way in which it is applied in practice.

A standard based on “comfortable satisfaction” may remain appropriate, provided that decision-makers stay attentive to the limits of the evidence realistically available to the parties. It becomes much harder to justify if it is employed as if both parties possess equal access to the records and the same ability to understand them. In disputes involving the EPP, fairness does not require lowering the standard of proof. It requires a more context-sensitive assessment of the evidence that the club could reasonably obtain and review.

⁹⁴ See footnote 58 above.

⁹⁵ FIFA, *FIFA Disciplinary Code*, art. 39 para. 3.

⁹⁶ CAS 2021/A/7630, paras. 90–92.

Understanding the importance of a complete record can be especially helpful in resolving disputes about the EPP. Just because the club does not have full access to all registration data does not automatically mean their objection is invalid. Sometimes, the relevant information might be stored elsewhere, recorded imperfectly, or simply not easily accessible to the club raising concerns. That alone should not be enough to dismiss the objection. A more balanced approach is to consider all the available evidence and assess whether, given what the club could reasonably access, the objection is clear and sufficiently supported.

D. CAS guidance to consult on evidence and proof

The preceding sections have examined the evidential role of the EPP in FIFA proceedings. It is now useful to examine what guidance can be drawn from CAS case law on evidence and to what extent those principles can be transposed to the context of the FCH. This does not suggest that CAS has yet established a comprehensive body of case law specifically for disputes related to the EPP. It has not. What CAS case law does provide, however, is a set of more general principles concerning the treatment of documentary evidence, the allocation of the burden of proof, and the assessment of incomplete or conflicting records. Those principles remain directly relevant where entitlement depends on a centrally generated record and where the parties are not on an equal footing in their access to the evidence on which that record rests.

A first point concerns the scope of CAS review. In principle, CAS exercises *de novo* review and is not bound by the reasoning adopted at first instance.⁹⁷ That matters because it means that disputes concerning the EPP are not, at least in theory, immune from full reconsideration on appeal. Even so, the practical reach of *de novo* review may be narrower where the dispute turns on a centrally generated record, technical workflows, or data that the panel cannot reconstruct on its own without substantial assistance from FIFA and the association concerned. This limitation is confirmed by CAS jurisprudence, noting that the “Sole Arbitrator must ultimately consider and decide, despite his *de novo* power of review, whether the Appealed Decision (EPP +

⁹⁷ CAS Code, art. R57.

Allocation Statement) is correct in accordance with the information given by the Parties during the relevant EPP administrative process”.⁹⁸ In that setting, full review in law may still coexist with a degree of practical deference on matters of fact.⁹⁹

If that is so, access to the relevant material becomes a necessary condition of effective review. A *de novo* power of review has limited practical value if neither the panel nor the parties can examine, with sufficient clarity, the data on which the contested allocation rests or the steps through which that data was reviewed. In disputes concerning the EPP, the right to be heard cannot be reduced to the formal possibility of making submissions. It also requires a genuine opportunity to understand the record on which the decision is based, identify possible defects in it, and respond in an informed way. The same is true of equality of arms. Where one party enjoys materially better access to the record and its explanation, procedural equality is weakened even if the formal avenues of appeal remain open.¹⁰⁰

Because the dispute is based on a centralised record over which the party does not necessarily have control, the duty to give reasons becomes more important than in a more conventional case. When a decision is based on a record compiled at central level, it is not enough simply to state the outcome of the review process. The decision-maker must explain why the disputed entry was accepted, why competing evidence was rejected, and on what basis the record was deemed sufficiently reliable to support the allocation. The decision must be reasoned, and this is not merely a formal requirement, as it is an integral part of what enables effective review, both before FIFA and on appeal to CAS.

Taken together, these principles show that the difficulties raised by the EPP are not purely technical. They concern the conditions under which evidence is produced, challenged and reviewed within a system that gives decisive weight to a record generated outside the parties’ control. CAS case law does not yet provide a complete framework specifically designed for disputes concerning the EPP. It nevertheless offers enough guidance to support a more demanding approach to transparency, access to the relevant

⁹⁸ CAS 2023/A/10010, para. 45.

⁹⁹ CAS 2017/A/5103, paras. 43–45.

¹⁰⁰ CAS 2021/A/7630, paras. 94 to 108.

material, and reasoned decision-making. Without those safeguards, review risks remain more formal than effective.

VI. PROCEDURAL FAIRNESS BEFORE AND AFTER PAYMENT

A. Minimum due process requirements in an infrastructure model

Once training rewards are processed through the FCH, procedural fairness can no longer be analysed as if the dispute still involved only two clubs and a payment claim.¹⁰¹ The system now plays a role in identifying entitlement, determining the amount due and triggering payment. In that setting, the right to be heard, access to the relevant records and data, reasoned decisions, and an effective route of review are no longer secondary safeguards. They are minimum requirements for the legitimacy of a model in which payment results from a centrally managed process rather than from a traditional claim brought and proved by one club against another.

This change matters because the key elements of the allocation are often fixed before any formal dispute begins. In a traditional claim-based model, procedural safeguards are usually triggered once a claim is filed, and the parties exchange arguments and evidence. The FCH operates differently. The EPP review process and the FIFA decision may already affect the clubs' legal and financial positions even before an actual adversarial phase takes place. Procedural fairness should be assessed not only during formal review but throughout the entire process leading to the allocation and payment of training rewards. That is the practical consequence of shifting from adjudication to infrastructure.

At this point, the safeguards themselves are not especially difficult to identify. We broadly know what procedural fairness requires: providing notice, offering a genuine opportunity to be heard, giving access to the relevant records, making decisions with

¹⁰¹ COCCIA, p. 69.

clear reasoning, and having some way to review the process.¹⁰² The harder question is whether those safeguards still have the same practical meaning once entitlement is determined through the FCH process.

The difficulty, though, is that these safeguards may survive on paper and lose their effectiveness in practice. A club may be notified, but too late to respond in any meaningful way. It may be given the chance to comment, but without enough information to understand what is really at stake. It may still have access to a form of review, but against a record whose internal logic is difficult to retrace. The real issue, then, is whether procedural rights can still be exercised in a way that is genuine, informed, and capable of affecting the outcome.

A further difficulty arises from the way the factual record is formed. In an ordinary dispute, that record is usually assembled by the parties themselves through the documents and arguments they choose to put forward. The FCH changes that dynamic. By the time a club decides to challenge an allocation, part of the relevant record has already been produced and validated within FIFA's own workflow, across several layers. Later review still matters, of course, but it cannot be the only place where procedural fairness is tested.

Those rights are meaningful only if they remain effective once the key stages of the process occur within a centralised workflow built around the EPP, FIFA's determination and the allocation statement. If procedural fairness is assessed only after allocation, part of the issue is missed. The key question at this stage is to determine whether the system offers clubs a genuine opportunity to respond before payment is made, or whether the pre-payment phase merely offers formal rather than substantive participation.

B. Pre-payment procedures and contestation windows

Even before payment is made, the issue is already procedural. What matters is whether clubs are actually able to assert their rights within the time limits set by the

¹⁰² Aceris Law LLC, "Fair Trial and Arbitration Under the ECHR", online.

system. Under the FCHR, the provisional EPP is made available for inspection for ten days¹⁰³, during which clubs and member associations may request inclusion, seek amendments, and submit supporting documentation before the process moves into the EPP review phase¹⁰⁴ and then to FIFA's determination.¹⁰⁵ This framework suggests that some form of pre-payment participation exists. The harder question is whether the notice given, access to relevant material, and the time available are sufficient to enable a club to respond in a way that may still affect the outcome.

A further difficulty is that pre-payment participation is not structured in the same way for every club. The FCHR does not place all clubs in the same procedural position. Some clubs already appear in the provisional EPP, while others do not, even though they consider that they should be included. In that situation, a club cannot intervene directly on its own, but must instead act through its member association, which is responsible for requesting its inclusion in the review process and providing the relevant registration data.¹⁰⁶ That is not merely an administrative detail. It has direct consequences for the practical exercise of procedural rights. Even where a club reacts in time and with due diligence during the inspection period¹⁰⁷, effective participation may still depend on the speed, cooperation, and accuracy of the association through which it must proceed. If that intermediary step is delayed, uncooperative, contains errors, or is incomplete, the opportunity for pre-payment participation may remain available in theory, while leaving the club with only limited control over whether its position is actually considered before FIFA's determination is made.¹⁰⁸

The time available adds another layer to the problem. Under the FCHR, clubs are first given a ten-day inspection period¹⁰⁹ following the generation of the provisional

¹⁰³ FCHR, art. 8.2.

¹⁰⁴ FCHR, art. 9.

¹⁰⁵ FCHR, art. 10.

¹⁰⁶ FCHR, art. 8.3 para. b.

¹⁰⁷ FCHR, art. 8.2.

¹⁰⁸ FCHR, art. 8.3 and 8.4.

¹⁰⁹ FCHR, art. 8.2.

EPP, after which the EPP review process itself is limited to fifteen days.¹¹⁰ While this framework formally provides an opportunity to participate, the combined timeframe remains relatively short, particularly where clubs must recover historical registration data, coordinate with their member association, and gather supporting documentation that may not be readily accessible. Although the FIFA general secretariat may exceptionally extend the duration of the review process, such extensions remain discretionary¹¹¹ and cannot be relied upon by clubs when preparing their response. As a result, even where a club is notified and formally allowed to participate, it may still be unable to act effectively within the time available. This difficulty is likely to affect clubs unevenly. For smaller training clubs in particular, the pre-payment window may remain more theoretical than practical.

A final issue concerns notice. In a system that gives clubs only a limited period to react before payment is set in motion, it is not enough that a notification is formally sent through the proper channels. What matters is whether the notice is clear enough, and arrives early enough, for the club to understand that its legal and financial position may be affected and that immediate action may be required. *CAS 2023/A/10010* indicates that notification of the provisional EPP may be made through TMS and by email, which at least points to an organised method of communication.¹¹²

Even so, the existence of a communication channel does not resolve the procedural issue. A club still needs to understand what the provisional EPP means in practice, whether a training period has been omitted or attributed elsewhere, and what steps must be taken within the available time to challenge the record before FIFA's determination is made. If the notice does not make that practical significance sufficiently clear, or if it reaches the club at a point when gathering the relevant material is already difficult, the opportunity to participate before payment risks remaining formal. In that event, the ten days provided by the art. 8.2 FCHR may prove inadequate in practice.¹¹³

¹¹⁰ FCHR, art. 9.2.

¹¹¹ FCHR, art. 9.2.

¹¹² CAS 2023/A/10010, paras. 10–11 and 13–14.

¹¹³ CAS 2025/A/11285, paras. 133–138.

Taken together, these points show that the pre-payment phase cannot be assessed simply by pointing to an inspection period or a formal right to comment. What matters is whether clubs can use that phase in a real and informed way, with enough time to influence the allocation before payment is made. The FCHR sets out a structured sequence of notification, inspection, review, and determination, but the practical value of that sequence depends on factors that are not equally available to all clubs. Access to the relevant material, the time needed to gather it, and, where necessary, the cooperation of the member association may all shape how useful that phase is in practice. Thus, participation before payment may remain insufficient to provide effective protection.¹¹⁴

C. Post-payment disputes and remedial architecture

Once payment has been made, the procedural focus changes. Before payment, the main issue is whether the club can still influence the allocation. After payment, attention turns to the possibility of correcting an allocation that has already produced financial effects. The need for accuracy remains, but it now comes into more direct tension with the requirement for finality.

That tension is built into a system designed to centralise and automate the distribution of training rewards. The FCHR recognises disputes relating to the EPP and the allocation process, and recent CAS awards confirm that EPP determinations and allocation statements may produce legal effects.¹¹⁵ Post-payment review is therefore possible in principle. The harder issue is remedial. Challenging an allocation after payment is not the same as preventing an error before it takes effect. Once funds have moved through the Clearing House and may have reached other parties, a successful challenge may require repayment, reallocation, or other financial adjustments between parties whose positions have already changed. Post-payment review addresses legal correctness and, more concretely, the question of whether the system can still reverse or repair the effects of its own operation.

¹¹⁴ FCHR, arts. 8–10; CAS 2023/A/10010; CAS 2023/A/10041; CAS 2025/A/11285.

¹¹⁵ FCHR, arts. 10 and 18; CAS 2023/A/10041, paras. 86–91.

That is where the remedial architecture becomes decisive.

In a conventional dispute, payment usually follows the determination of the dispute. Under the FCH model, payment may already have been executed by the time a challenge is fully developed.¹¹⁶ The sequence is reversed. That reversal makes the burden heavier for the club, both legally and practically, because it may now be trying to undo an error that has already produced concrete effects.¹¹⁷ This may involve tracing funds that have already been distributed, dealing with recipients who may have received the money in good faith, and balancing the correction of error against the system's broader interest in stability.

For that reason, the fairness of post-payment procedures depends not only on the formal availability of an appeal, but also on whether the available remedies are capable of restoring the club's position in a realistic way. In the context of training rewards, where entitlement is determined by the RSTP rather than left solely to contractual discretion, the system needs a credible way to correct material errors even after execution. The challenge is to preserve legal certainty without allowing post-payment review to become empty in practice.

D. CAS themes to consult on due process

CAS has not yet developed a complete due process framework specifically for FIFA Clearing House disputes, mainly because the system is still recent and the case law remains limited. Even so, a number of procedural principles already emerge clearly enough from the existing awards. One is that a procedural defect at first instance may, at least in principle, be cured on appeal where CAS has full power to review both the facts and the law under Article R57 of the CAS Code. Another is that not every FIFA communication amounts to an appealable decision. CAS instead looks on substance, examining if the act contains a genuine ruling and produces bindings effects on the legal position of its addressee.¹¹⁸

¹¹⁶ CAS 2023/A/10041, paras. 17–19.

¹¹⁷ CAS 2025/A/11285, paras. 156–162.

¹¹⁸ CAS 2025/A/11285, paras. 100–104.

CAS is not conceived as a human rights court, but as a body primarily tasked with applying and interpreting the regulatory framework of international sports governing bodies¹¹⁹. Within this structure, it has consistently held that procedural shortcomings at first instance may be cured on appeal, provided that the reviewing body exercises full jurisdiction.¹²⁰

These points are directly relevant here. They help explain why FCH disputes cannot be treated as purely technical disagreements over data handling. Once a FIFA act affects a club's financial position, procedural fairness and reviewability move to the foreground. The award *Da Nang FC v. Banik Prievidza FC & FIFA* is also instructive in this respect. Even though it did not concern the Clearing House itself, it shows that a streamlined FIFA procedure may still satisfy the right to be heard where the club was properly notified, given a defined period to respond, and not placed at any concrete procedural disadvantage.¹²¹

Applied to the FCH model, those principles point in a fairly clear direction. CAS *C.D. Tenerife SAD v. Waa Banjul FC & Banjul Football Academy & FIFA* and CAS *KAA Gent v. FIFA* both treat the EPP determination and the Allocation Statement as acts capable of producing legal effects for the clubs concerned.¹²² That is an important step. It supports the view that these instruments are not merely internal administrative outputs, but reviewable acts with procedural consequences.

From there, the central difficulty becomes clearer. If an EPP determination and an Allocation Statement can bind a club financially, the club must be able to understand what it is being asked to pay, on what basis, and through which avenue it can respond. However, the effectiveness of procedural safeguards in proceedings before CAS ultimately depends on the practical accessibility of the underlying information and on the parties' ability to examine in depth the evidence on which the decision is based.¹²³

¹¹⁹ DUVAL, p. 132.

¹²⁰ *Idem*, p. 139.

¹²¹ CAS 2021/A/7630, paras. 99–100.

¹²² CAS 2023/A/9775; CAS 2024/A/10718.

¹²³ DUVAL, p. 133–134.

Even so, those principles do not resolve the issue entirely. In a system where the decisive record is generated upstream and reviewed within a centralised workflow, the practical value of CAS review will still depend on whether the club has meaningful access to the relevant material and whether the decision is reasoned in a way that makes later review effective in practice.

If procedural fairness relates to the conditions under which clubs can contest the distribution of training rewards, the next chapter turns to how the system responds once payment obligations are enforced and subsequently reviewed.

VII. ENFORCEMENT, COMPLIANCE, AND REVIEW INTENSITY

A. Compliance levers and fairness implications

That difficulty becomes clearer when the FCH model is compared with a more conventional payment dispute. In an ordinary claim, enforcement usually follows a decision reached after the parties have had an opportunity to present their case and the debt has been clearly fixed. In the FCH system, by contrast, compliance pressure may attach to an obligation derived from an EPP-based determination that the club still considers incomplete, inaccurate, or procedurally flawed. The fairness issue is therefore not limited to the severity of the enforcement mechanism itself. It also concerns the timing of that mechanism and the degree of certainty that properly exists as to the obligation being enforced.¹²⁴

In practical terms, the issue of fairness is all the more pressing because failure to meet obligations carries consequences that go beyond the mere existence of a debt. Under FIFA's regulatory framework, payment obligations do not rely entirely on voluntary compliance. They may be followed by enforcement measures or other forms of regulatory pressure to ensure payment within a short timeframe and to preserve the

¹²⁴ CAS 2011/A/2652, paras. 8.30–8.31.

effectiveness of the training compensation system.¹²⁵ This logic is fairly straightforward: training compensation and solidarity payments are intended to function as genuine financial rights, rather than as claims that remain dependent on the goodwill of the debtor club.¹²⁶

At the same time, assessing the use of pressure to ensure compliance with the rules becomes more difficult when the club's position is not simply that it wishes to delay payment, but that the obligation itself rests on disputed data, a disputed allocation, or a decision marred by procedural irregularities. In such a situation, the fairness of enforcement cannot be judged solely on the basis of the legitimacy of the objective pursued. It also depends on whether the system allows sufficient scope for a genuine challenge before non-compliance begins to entail further consequences.¹²⁷

Not every case of non-payment reflects the same type of conduct. Sometimes a club simply refuses to comply. In other cases, it is resisting payment because it considers the underlying allocation unreliable. The fairness of the response should not ignore that difference. Where the underlying obligation remains seriously contested, immediate regulatory pressure may be harder to justify in the same terms as in a case of straightforward non-compliance.¹²⁸

Escalation matters as well. A system may be entitled to demand payment quickly and still move too fast where the obligation itself remains seriously disputed. That is especially so where the disagreement concerns the data, the EPP, or the legal basis of the allocation rather than a short delay in payment. A rigid response can flatten those differences. A club that simply refuses to pay is not in the same position as one that is still contesting the reliability of the record behind the payment request. The real question is how much room remains for that challenge before the system moves to stronger consequences.

¹²⁵ RSTP, arts. 24 and 25; FCHR, arts. 13.4, 13.5, 15 and 17.

¹²⁶ RSTP, arts. 20, 21, 24, and 25; FCHR, art. 1.1 and 1.3.

¹²⁷ FIFA, FIFA Clearing House: *The First 24 Months* (2024), pp. 8, 32–33; FCHR, arts. 10.5, 12.5, 13 to 17; CAS 2023/A/10010, paras. 15, 18 and 19.

¹²⁸ FIFA, FIFA Clearing House: *The First 24 Months* (2024), p. 8; FCHR, arts. 15–17; CAS 2023/A/9775, paras. 89–93.

Beyond the individual club's position, the credibility of the system is also at stake. If compliance pressure is applied with the same intensity, regardless of the nature of the dispute, the process may start to look as though enforcement matters more than verification. This is especially sensitive in a framework built on centralised data, where a club may accept the principle of training rewards yet question the reliability of the record used to calculate them. Confidence in the system depends not only on the ability to secure payment but also on whether the route to payment appears sufficiently careful and transparent, and still capable of correcting mistakes. A model that moves too rigidly may gain speed but lose trust.

Having strong compliance mechanisms is necessary because without them, training rewards can lose much of their practical value. The real difficulty arises when these mechanisms are invoked, while there is still a lot of debate over whether the obligation is still seriously contested. That is the point at which the intensity of CAS review and the remedies that remain available become especially important.

B. Review intensity and remedies at CAS

Once a dispute reaches CAS, review becomes especially important. By that stage, an EPP determination or an Allocation Statement may already have affected the club's financial position, and compliance measures may already be underway. In principle, CAS has the power to review both facts and law from the beginning, which gives the panel the chance to carefully examine the record, the procedures followed, and the outcomes that resulted. The practical difficulty lies elsewhere. These disputes often rely on data collected early in a centralised workflow, on deadlines that have already passed, and on evidence gaps that can be difficult to fill on appeal. For that reason, the breadth of CAS review does not always translate into the same practical depth of review in every case.

Under the CAS Code, CAS has full power to examine both the facts and the law¹²⁹, and procedural defects at an earlier stage may, in principle, be cured on appeal. That is especially relevant in FIFA Clearing House disputes. An appeal against an EPP

¹²⁹ CAS Code, art. 57.

determination or an Allocation Statement is not reduced to narrow administrative oversight. However, the difficulty lies in the way these cases reach CAS. For example, in *FK Liepaja v. FIFA*, CAS illustrates that the final EPP and Allocation Statement are created through a detailed process involving notification, inspection, review, and strict deadlines.¹³⁰ By the time an appeal is filed, much of the record has already been established. In that setting, a full review may become harder where the dispute turns on documents that should have been submitted earlier or on procedural stages the panel did not itself control.

A broad power of review does not mean that CAS will seek to reconstruct the whole process from the beginning. Clearing House cases usually reach the panel after a structured administrative phase has already taken place, with strict deadlines, centralised data, and a sequence designed to end in a final EPP and Allocation Statement. That context matters. In *FK Liepaja v. FIFA*, FIFA argued that material that could and should have been filed during the EPP review process should not simply be introduced first on appeal.¹³¹ The concern was easy enough to understand: if the record is reopened too freely, the structure of the process starts to lose some of its force. CAS still has the legal authority to review the dispute in depth, but the exercise of that power may be more cautious in this setting.

CAS case law points in a fairly consistent direction, even if the outcomes are not always identical. The starting point remains the position set out in CAS 2006/A/1177: CAS has *de novo* power, and defects at first instance may, in principle, be cured on appeal. In the Clearing House context, that broad power can still support a genuine review of the merits, as illustrated by CAS *C.D. Tenerife SAD v. Waa Banjul FC & Banjul Football Academy & FIFA*, where the Sole Arbitrator did not regard the structure of the FCHR as, on its own, a sufficient reason to adopt a restrictive approach to material not submitted during the EPP process. At the same time, the CAS award *KAA Gent v. FIFA* shows that the practical depth of review may still be shaped by procedural limits, especially where the outcome would directly affect training clubs that were not joined and whose right to be heard could not be disregarded. The overall picture is relatively clear: CAS review remains broad in legal terms, but its practical

¹³⁰ CAS 2023/A/10010, paras. 11 and 52.

¹³¹ CAS 2023/A/10010, para. 45 and pp. 17–20.

reach still depends on the procedural posture in which the dispute comes before the panel.

CAS may review the dispute broadly, but that does not mean every remedy will be equally useful in practice. A panel may confirm the challenged decision, set it aside, or remit the matter, yet much depends on how far the process has progressed. Once an EPP determination has produced an Allocation Statement and payment or compliance measures have begun, the dispute is no longer confined to the initial question of entitlement. Financial and procedural effects may already have taken hold. Review still matters, but it may no longer be easy to restore the club to the position it was in before the contested decision.

An appeal provides an important level of protection. According to the FCHR, “a valid and timely appeal to CAS shall suspend the legal effects of an EPP and of the corresponding Allocation Statement for the duration of the respective proceedings before CAS”.¹³² This is significant because it prevents the contested decision from becoming fully effective while the dispute is under review. Nonetheless, suspension does not eliminate all difficulties. By the time the appeal is lodged, the club may have had to respond to the allocation, organise its position under considerable time pressure, and prepare for the consequences inherent in the system itself. Suspension offers protection, but it does not alter the basic structure of the dispute: the case reaches CAS only after a centralised process has already shaped the record and the payment logic.

Review by CAS is an essential part of the Clearing House system, helping to ensure safeguards remain available. However, it does not completely take over the importance of fairness earlier in the process. A panel can carefully review and, in some situations, correct issues, but the scope for doing so becomes narrower once the process has advanced. That is why having a strong and fair pre-appeal procedure matters just as much as the appeal itself.

¹³² FCHR, art. 10.5 let. d.

VIII. POLICY RECOMMENDATIONS AND CONCLUSION

A. Data governance reforms

The regulatory framework should identify a primary responsibility for the accuracy and corroboration of registration data at the level of the member association, while also recognising that FIFA bears responsibility for the usability, clarity, and completeness of the system through which that data is processed. The conduct of the club should remain relevant, especially when it fails to react within the applicable time limits. However, the consequences of such failure should not be assessed in the same way in cases of bad faith and in cases of genuine structural disadvantage.

Access to the final output is not enough on its own to make participation in the EPP process meaningful. Clubs should be able to identify the source of the relevant data, the association that supplied or validated it, the basic history of any material amendments, the essential elements of the calculation, and, where the allocation may be affected, the grounds on which a requested correction was refused. These elements are certainly not secondary. They determine whether a club can understand how the allocation was produced, where a possible error may lie, and which actor must be approached in order to challenge it in time. The system does not need to disclose every technical layer of its operation, but it should provide sufficient traceability in relation to the data fields and procedural steps that are decisive for entitlement. Only with a minimum degree of transparency can the right to challenge an allocation be truly effective.

Correction procedures should be more clearly structured according to the stage already reached in the process. A system that has already generated an Allocation Statement, triggered administrative steps, or processed payment cannot treat a correction in the same way as it would before validation. The framework should therefore distinguish more clearly between corrections raised before validation, corrections raised after the final EPP but before payment, and those raised after payment has been executed. At the same time, the system should preserve a simpler, more accessible route for reporting manifest errors, such as obvious chronological

inconsistencies, calculation errors, or verifiable omissions. Finality remains important, but it should not prevent the correction of errors that are both material and readily demonstrable. The aim is not to allow parties to reopen the process too easily, but to ensure that reliability is not sacrificed to procedural speed.

Reform should not rely on deadlines alone. If the Clearing House framework is to remain efficient, clubs and associations must also be placed in a position to use it properly. That calls for clearer procedural guidance, simpler corrective pathways, and practical training for the actors responsible for uploading, reviewing, and challenging EPP data. In this regard, a more sophisticated design and better support can contribute as much to reliability as longer deadlines.

The limits of reform should be defined by proportionality. Greater transparency makes responsibility easier to identify, and any credible system must preserve a real possibility of correction, since errors may arise at different points in the data chain without necessarily reflecting bad faith. Correction must remain possible, but the FCH should not be treated as a procedural game in which outcomes are reopened too easily or contested without clear limits. Disclosure therefore need not be unlimited, and re-opening should not be automatic. What matters is that clubs have access to the information necessary to understand and challenge a disputed allocation, have sufficiently clear reasons when a correction has been refused, and have timelines that remain coherent with the nature of the request. In that way, the Clearing House can remain efficient without allowing finality to become a shield for avoidable error.

B. Procedural reforms and evidentiary standards

For pre-payment contestation to be relevant, it is not necessarily essential to provide much longer time limits in all cases. What is required above all is a notification that is sufficiently clear, precise, and intelligible to enable the club to understand how its position is affected, what exactly is in dispute, what information is missing, what it must provide, and by when. In the absence of these elements, even a formally set deadline for raising an objection may prove difficult to apply in practice. The framework should therefore ensure not only that a response window exists, but that it can be used in an informed and realistic manner.

Procedural access to the underlying data should reflect the position of the club concerned. A club required to pay should not be expected to reconstruct, on its own, the full chain of entitlement in order to determine which clubs are due to receive training rewards, since that would amount to performing a task assigned elsewhere in the system. It should, however, receive enough information to understand why payment is claimed, to whom it is due, and on what basis. Conversely, a club seeking to receive training rewards may properly bear the initial burden of proving its entitlement, but that burden can only be exercised meaningfully if the club receives timely notification and access to the data necessary to assess whether the player's relevant period of registration or training has been correctly taken into account. Before payment is made, the EPP process should therefore allow the affected clubs to identify the proposed allocation, indicate disagreement where necessary, and, in cases of justified contestation, obtain a brief but realistic opportunity to produce the material needed to support or resist the claim. That is easier and more coherent before payment than after it, but it should remain subject to clear limits so that the system is not turned into an open-ended mechanism for delay.

Even with proper notification and access to the relevant data, some disputes will remain. Where a point remains contested, the club must also be able to understand why a particular outcome has been reached. The current framework already provides a structured review process in TMS, identifying the parties invited to participate, the amendments that may be requested, the supporting material that may be submitted, and the possibility for the FIFA general secretariat to request further information.¹³³ That approach is understandable up to a point. In a centralised framework intended to process a significant number of cases, it is understandable that a fully reasoned decision will not be required in every instance. Still, where a contested issue may materially affect the allocation, the affected club should receive reasons that are sufficiently clear and specific to make the result intelligible and, if necessary, challengeable.

A clearer evidentiary framework is also needed. The EPP should benefit from a rebuttable presumption of accuracy, since a centralised system cannot function properly if its core record is treated as inherently unstable. At the same time, that presumption should remain no more than a starting point. An affected club should not be required

¹³³ FCHR, art. 9.

to disprove the EPP conclusively at the outset. It should be sufficient, at the first stage, to raise a serious and substantiated doubt supported by credible contradictory material. Once that threshold is reached, the burden should shift to the actor that supplied, validated, or relies on the disputed data to explain and support its accuracy. Such a framework would preserve the evidentiary value of the EPP without turning it into conclusive proof. It would also avoid the opposite risk, namely a system in which any weak allegation is enough to unsettle the allocation.

C. Conclusion and future outlook

The central argument of this thesis has not been that the FIFA Clearing House should be viewed with suspicion as such. On the contrary, it is an important reform, because it addresses a real weakness in the previous operation of training rewards. Too often, those sums were lost, overlooked, or too easily avoided. The FCH aims to correct that by centralising and securing the payment process. But the thesis has also shown that the system does more than organise payments. It reshapes the way in which rights are identified, proved, challenged, and enforced. For that reason, the fairness of the framework depends not only on the underlying rules, but also on the design of the infrastructure through which those rules are made effective.

The importance of the FCH is likely to grow in the coming years. In a football economy marked by ever-rising transfer values¹³⁴, a centralised and data-based system offers a credible way to manage training rewards and reduce the losses that previously affected many clubs. The framework is still recent, and it is not yet free from difficulty. It remains new, sometimes technical, and not always easy for all actors to use consistently. But that does not weaken the value of the project. It instead shows that its full significance will emerge over time, once clubs, associations, and practitioners become more familiar with the system and better equipped to work within it. If that development takes place alongside stronger procedural safeguards, the Clearing House may well become one of the most consequential reforms in the modern regulation of football transfers.

¹³⁴ Eurosport and ESPN: 10,96Bn of Euros or £9,49 billion for the 2025 summer transfer window.

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