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Balogun Case: can FIFA suspend an automatic ban imposed after a referee's decision?

The decision of the FIFA Disciplinary Committee to suspend, pursuant to Article 27 of the FIFA Disciplinary Code, the execution of the automatic disqualification imposed on US striker Folarin Balogun represents a unique precedent in international sports justice. This measure raises significant concerns regarding the correct application of Article 27 in relation to the system of automatic disqualifications governed by the FIFA Disciplinary Code and the FIFA World Cup 2026 Regulations, as well as compliance with the so-called “Field of Play” doctrine, a cardinal principle in the Court of Arbitration for Sport case law.

The facts

On 3 July 2026, during the match between the United States and Bosnia and Herzegovina, valid for the round of 32 of the FIFA World Cup 2026, the American striker Folarin Balogun was sent off in the 64th minute for a foul on Bosnian footballer Tarik Muharemović. The referee did not initially

show the red card, but after VAR review decided on direct expulsion, qualifying the intervention as serious foul or violent conduct. The United States won the match 2-0 and advanced to the round of 16, where they will face Belgium.

A red card results in automatic disqualification for the team's next match in accordance with Article 66(4) of the FIFA Disciplinary Code and Article 10.5 of the Regulations for the FIFA World Cup 2026.

On 5 July 2026, FIFA published an official statement entitled “USA's Balogun available for Belgium”, announcing that the Disciplinary Committee had ordered the suspension of the execution of the automatic disqualification. The wording used is unequivocal: “Pursuant to Article 27 of the FDC, the application of automatic disqualification for U.S. footballer Folarin Balogun is suspended for a period of one (1) year.”

The reference articles in the FIFA Disciplinary Code and the Regulations for the FIFA World Cup 2026

The *FIFA Disciplinary Code 2026* (hereinafter, the “FDC”), adopted by the FIFA Council on 28 April 2026 and entered into force on 1 May 2026, regulates in Article 27, entitled “*Suspension of implementation of disciplinary measures*”, the mechanism for the conditional suspension of disciplinary measures. The rule grants the judicial body the power to suspend, in whole or in part, the implementation of a disciplinary measure. Upon suspension, the sanctioned person is subject to a probationary period of between one and four years; if during this period the same person commits a further offence of similar nature and gravi-

ty, the suspension is revoked and the original sanction is enforced, without prejudice to any further sanctions arising from the new offence. The rule expressly excludes measures relating to match manipulation from the possibility of suspension.

The institution of “probation”, as configured by Article 27, therefore operates as a conditional suspension of enforcement: the sanction exists and is not annulled, but its execution is deferred and subject to the condition of not committing a new infringement. If the probationary period passes without infringements, the penalty is never enforced; if a new violation occurs, the original sanction is revived and is cumulative with the new one.

The central legal question is whether Article 27 can apply to automatic disqualifications resulting from expulsion, as governed by Article 66.4 of the FDC and Article 10.5 of the *Regulations for the FIFA World Cup 2026* (hereinafter, the “Regulations”).

Article 66.4 states that expulsion automatically results in suspension from the next match and that FIFA bodies may impose further disqualifications and disciplinary measures. Article 66.5 confirms that automatic disqualification and any further match suspension must be served even if the match in which the expulsion took place was subsequently abandoned, annulled, forfeited or replayed.

Article 10.5 of the Regulations specifies that, in the event of a red card or double yellow card, the player is automatically suspended from his team's next match. The adjective “automatic”, repeated in all relevant rules, appears to indicate a necessary and non-discretionary consequence, beyond the case-by-case assessment of the judicial body.

However, Article 27 does not make an express distinction between discretionary disciplinary measures and automatic measures: the text speaks generically of disciplinary measures and automatic disqualification from expulsion is, to all intents and purposes, a disciplinary measure. The only exception expressed concerns *match manipulation*. It is therefore necessary to determine whether the automatic disqualification of Article 66.4, although qualified as “automatic”, falls within the category of disciplinary measures susceptible to

suspension under Article 27, or whether its nature as a necessary consequence of expulsion removes it from the discretion of the judicial body.

Article 25 of the FDC, which gives the decision-making body the power to determine the type and extent of the sanction taking into account objective and subjective, aggravating and mitigating elements, suggests a wide margin of discretion, but refers to the determination of the sanction, not to its conditional suspension.

A systematic reading of the rules suggests that the FIFA legislator intended the automatism of disqualification as a minimum and mandatory guarantee: those who are sent off miss the next match, always and without exception, as a direct and unchangeable effect of the referee's decision. Allowing the suspension of such automatism amounts to emptying the rule of its normative content and transforming an automatic consequence into a discretionary one.

The reactions: the Trump-Infantino phone call, the Belgian protest and the UEFA statement

The decision of the *Disciplinary Committee* immediately generated opposing reactions. A few hours after the FIFA statement, the New York Times and The Athletic reported a phone call between US President Donald Trump and FIFA President Gianni Infantino, in which Trump allegedly asked FIFA to review Balogun's red card.

Trump later wrote on the Truth Social platform: “Thank you to FIFA for doing what was right, and reversing a great injustice!”. FIFA sources stated that the phone call had not influenced the disciplinary panel's decision, which had been taken independently.

The Belgian Football Federation (RBFA) published a statement entitled “*RBFA Statement Regarding Folarin Balogun*” on 5 July 2026, in which it declared itself “*astonished*” by FIFA's decision to declare Balogun eligible for USA-Belgium. The RBFA noted that FIFA based its decision on Article 27 of the FDC, but that Article 66.4 of the same Code clearly states that a red card automatically results in disqualification for the next match, as had been the case for all previous red cards in this World

Cup. The RBFA also referred to Article 10.5 of the Regulations, Circular No. 16 FIFA World Cup 2026 of 12 May 2026, as well as *Match Coordination Meetings* and *workshop presentations*. The statement concluded with the announcement that the RBFA “*will evaluate all options to protect the rights of the teams and fair play*”.

UEFA also intervened on the case with a harsh statement in which it attacked FIFA's decision, arguing that the rule of automatic disqualification is “*a principle rooted in the regulations, which cannot be subject to exceptions, much less in the middle of a tournament in which several other players have found themselves in the same situation and have regularly served their disqualification*”. Therefore, UEFA expressed its disbelief in the face of an “*unprecedented, incomprehensible and unjustifiable*” decision that “*creates a precedent in the current tournament, where similar situations will now require equal treatment, to the detriment of the competition*”.

On 6 July, the RBFA published a second press release to clarify a few points. Upon learning of FIFA's decision to lift the suspension of the American player, the RBFA reportedly sent a letter to FIFA requesting a copy of the decision, an explanation of the procedure followed, and setting out its position on the applicable regulations. As its only response, FIFA allegedly sent a letter stating that it considered this correspondence to be an appeal, informing the federation that a judge had been appointed and that it had only a few hours to complete the appeal. In its second press release, the RBFA pointed out that, for an appeal to be admissible, FIFA's own regulations require that the reasoned decision must first be communicated to the appellant. While the RBFA was merely requesting legitimate clarification, FIFA reportedly unilaterally characterised the correspondence as an appeal, immediately ensuring that it was declared inadmissible.

The RBFA also denounced that, during the match coordination meeting, FIFA had deliberately removed the section concerning the automatic suspension of players from its presentation, despite this topic having been addressed in all similar meetings held before the previous four matches. The RBFA stated that it had questioned FIFA, both orally and in writing, about the reasons for this change, but had never received a response.

In the second press release, the RBFA stated that it had not yet received any decision or explanation from FIFA regarding the matter and therefore had no alternative but to challenge the player's eligibility for the scheduled match. Regardless of the sporting outcome of the match, the RBFA announced its intention to continue fighting in the hours, days and months ahead in defence of the fundamental principles of ethics, fair play and the interests of football as a whole.

The Field of Play doctrine and the case law of the Court of Arbitration for Sport

The doctrine of Field of Play is a well-established principle in the case law of the Court of Arbitration for Sport (hereinafter, the “CAS”), according to which decisions taken on the field by referees and match officials, in the exercise of their powers relating to the laws of the game, are not subject to review on the merits by courts or disciplinary bodies, except in exceptional circumstances such as bad faith, bias, arbitrariness, corruption or a fundamental error of law. The *rationale* of the principle lies in the finality and certainty of sporting results, in the authority and technical competence of the referee, in the need to avoid *ex post* rewriting of competition outcomes, and in the risk of opening the floodgates to appeals. In CAS Award 2015/A/4208, the CAS stated that “Field of Play” decisions enjoy qualified immunity: it is not sufficient that they are erroneous or that a reasonable person would have decided otherwise; fraud, bad faith, bias, arbitrariness or corruption must be proven. In CAS Award 2008/A/1641, the CAS reiterated that a field decision cannot be challenged merely because one disagrees with the judgment expressed. In CAS OG Awards 20/010 and 20/011, it was reaffirmed that direct evidence of bad faith, bias, corruption or arbitrariness is required to challenge a Field of Play decision, and in CAS OG Award 24/18 it was confirmed that review of the merits of procedures directly related to a field decision, when taken on the field and limited to the competition, is precluded.

The recent award concerning the disqualification, later overturned, of Italian rower Giacomo Perini during the Paris 2024 Paralympics (CAS 2024/A/10882) deserves separate mention. In that case, the Italian rower had been disqualified from the Paralympic final for alleged use of communication equipment during the race. The CAS held

that the doctrine of the Field of Play did not preclude review of the decision, since the central dispute concerned the correct interpretation of the International Rowing Federation's regulations, not the specific decision of the competition judge. The CAS concluded that the rule did not clearly prohibit mere possession and overturned the decision.

The Balogun case occupies a grey area with respect to the traditional application of the doctrine of the Field of Play. FIFA, in its statement, does not claim to be reviewing referee Claus's decision. The red card remains valid, the expulsion is not annulled, and the classification of the intervention as a serious foul is not questioned. What is suspended is only the execution of the automatic consequence: disqualification. However, it is precisely this formal distinction that is problematic: if automatic disqualification is an integral and inseparable part of the red card, as suggested by Articles 66.4 FDC and 10.5 of the Regulations, then suspending its execution is equivalent to neutralizing, in substance, the concrete effect of the referee's decision. The player who is sent off is treated, for the purposes of the next match, as if the expulsion had never occurred.

The risk is that the distinction between "suspension of the disciplinary measure" and "review of the arbitration decision" becomes purely nominalistic. If the substantial reason for the suspension is the excessive severity of the red card, then the decision ends up being an indirect review of the merits of the referee's evaluation, contrary to the doctrine of the Field of Play.

Moreover, Article 9.6 of the Regulations expressly states that no protests may be lodged against referee decisions on facts related to the game and that such decisions are final and not subject to appeal.

Relevant precedents

The application of Article 27 of the FDC to red card disqualifications is not unprecedented, but the Balogun case differs from all known precedents in one decisive respect: the suspension occurred before the automatic disqualification for the immediately following match had been served, and during the final phase of the World Cup.

In November 2025, Cristiano Ronaldo was sent off during the Portugal-Ireland World Cup qualifying match for elbowing Dara O'Shea, conduct classified as violent. FIFA imposed a three-match ban; Ronaldo served one match against Armenia, and the remaining two were suspended for one year under Article 27 FDC. Unlike the Balogun case, Ronaldo still served the automatic disqualification (the first match), while the suspension only concerned the additional matches imposed by the disciplinary body.

In the Otamendi and Caicedo cases, FIFA deferred pending suspensions from qualifying matches, allowing the players to be available for their World Cup debut. These measures fall within the amendment to Article 10.2 of the Regulations, which provides that certain disqualifications arising from yellow cards, indirect red cards, DOGSO or serious fouls committed in the preliminary stages do not carry over to the final tournament. The rationale is to allow federations to field their strongest teams, balancing disciplinary integrity with tournament quality.

In the Danny Vukovic v. FIFA case (CAS Award 2008/A/1590), the Australian goalkeeper, expelled for aggressive contact with a referee, had benefited from an interruption of the disqualification ordered by the Australian federation to allow him to participate in the Olympics. FIFA appealed this measure and the CAS upheld FIFA's decision to extend the disqualification on a global scale without interruption, stating that the interruption of a sanction must have a clear legal basis and that, if the sole purpose is to allow participation in a specific competition, the measure appears tailor-made and lacks regulatory foundation.

Finally, also in CAS 2013/A/3360, CAS OG 24/14 and CAS 2014/A/3665, 3666 and 3667, the CAS reached similar conclusions by confirming the disqualifications.

The possibility of appeal against the decision and the appeal of Belgium

The FDC provides for the possibility of appealing to the FIFA Appeal Committee, an internal judicial body within FIFA responsible for deciding appeals against decisions of the Disciplinary Committee in cases where the Statute and the FDC do not qua-

lify them as final. However, pursuant to Article 61 of the FDC, an appeal cannot be lodged against decisions concerning measures that do not exceed certain thresholds, including suspensions of up to two matches or two months. Nonetheless, according to the press, FIFA recognized that Belgium had the possibility of appealing to the FIFA Appeal Committee against the decision to suspend the automatic disqualification of the American striker, provided the appeal was lodged within 12 hours prior to the start of the match between Belgium and the United States. In light of the RBFA's second press release, it would appear that FIFA treated the letter of clarification sent by the RBFA to FIFA itself as an "appeal". A few hours before the match, the RBFA published a third press release announcing that it had received the decision of the FIFA Appeal Committee declaring the appeal inadmissible and confirming the decision to allow the American player to participate in the round of 16.

To safeguard the independence of the system, the possibility of recourse to the CAS remains available once internal FIFA remedies have been exhausted. Article 50 of the FIFA Statutes provides for appeals to the CAS within 21 days against final FIFA decisions but excludes disputes relating to violations of the Laws of the Game and, in general, suspensions of up to four matches or three months. For the FIFA World Cup 2026, the CAS established a specific ad hoc division, operating remotely for the duration of the competition, to ensure rapid resolution of disputes arising during the tournament. The Arbitration Rules for the FIFA World Cup 26 Final Competition provide in Article 11 that applications must be submitted within the time limit set out in Article 50 of the FIFA Statutes and only after exhaustion of internal remedies, while Article 19 requires the Panel to render its decision within 48 hours of the filing of the application, unless an exceptional extension is ordered by the President of the ad hoc division.

Once the match has been played, the issue would likely become moot, unless Belgium were to request, in a purely theoretical scenario, the annulment of the result on grounds of irregular line-up—a hypothesis that appears to border on the limits of applicable sports law.

Conclusions: a problematic precedent

The Balogun case rests on the interpretation of Article 27 of the FDC and is unique in World Cup history for several reasons. It is the first time that probation has been applied to automatic disqualification from expulsion before it has been served. Moreover, the decision was made during the final phase of the tournament, and the beneficiary is a footballer from the co-host country.

Ronaldo, Otamendi and Caicedo precedents confirm a FIFA tendency, particularly accentuated in the 2026 edition, to prevent prior suspensions from affecting player participation in the final phase of the tournament. The amendment to Article 10.2 of the Regulations, adopted by the Bureau of the Council on 8 May 2026, is the express regulatory manifestation of this approach. However, the Balogun case crosses that line: it does not concern a disqualification carried over from the qualifying phase, but the automatic and immediate consequence of an expulsion that occurred in the final phase itself, decided by the referee with VAR assistance, for a factual matter whose evaluation is traditionally reserved to the match official.

The Vukovic case teaches that the suspension or interruption of the sanction must have a clear legal basis and cannot appear as an ad hoc measure aimed at allowing participation in a specific competition.

The decision creates a real risk of unequal treatment. The absence of explicit ex ante criteria transforms discretionary power into arbitrariness and feeds the perception that treatment varies based on extra-sporting considerations.

For these reasons, regulatory clarification appears necessary. If FIFA intends Article 27 to legitimately suspend the automatic match ban provided for in Article 66.4 of the FDC and Article 10.5 of the Regulations, it should expressly state this, define objective conditions for application, and ensure uniform and transparent application to all teams, regardless of the host country. In the absence of such criteria, the certainty of automatic disqualifications—a fundamental safeguard of the Field of Play doctrine and competitive integrity—is significantly weakened, and the Balogun precedent risks becoming a discre-

tionary instrument devoid of predictability and, above all, legitimacy.

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