

# Disciplinary Committee

**FIFA**<sup>®</sup>

Date: 20 August 2021

Sent to:  
Saudi Arabian Football Federation  
info@saff.com.sa

## Notification of the grounds of the Decision

Ref FDD-8465

Dear Sirs,

Please find attached the grounds of the decision passed in the aforementioned case by a member of the FIFA Disciplinary Committee on 01 July 2021.

We would appreciate your taking due note of this decision and ensuring its implementation.

Yours faithfully,

**FIFA**



Carlos Schneider  
Director of the FIFA Judicial Bodies

Fédération Internationale de Football Association

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# Decision of the FIFA Disciplinary Committee

passed on 01 July 2021

## COMPOSITION:

**Mr. Francisco Schertel Mendes, Brazil**

## RESPONDENT:

**Saudi Arabian Football Federation**

**(Decision FDD-8465)**

## REGARDING:

Art. 12 par. 5 of the FDC – Misconduct of players and officials (2019 ed.)

## I. FACTS OF THE CASE

1. The following summary of the facts does not purport to include every single contention put forth by the actors at these proceedings. However, the member of the FIFA Disciplinary Committee (hereinafter also referred to as: *'the Single Judge'*) has thoroughly considered in his discussion and deliberations any and all evidence and arguments submitted, even if no specific or detailed reference has been made to those arguments in the following outline of its position and in the ensuing discussion on the merits.
2. On 15 June 2021, in the context of the Preliminary Competition of the FIFA World Cup Qatar 2022™, Asian Zone, a match was played between the representative teams of Saudi Arabia and Uzbekistan in Riyadh (Saudi Arabia).
3. In this context, according to the Referee's Report, the Saudi Arabian team received five (5) yellow cards within said match as follows: -

Shirt No.	Player	Min.	Offence Type	Reason
14	ABDULLAH IBRAHIM Y OTAYF	41	B	Dissent
7	SALMAN MOHAMMED M ALFARAJ	67	A	Unsporting
19	FHAD MOSAED M ALMUWALLAD	90+2	D	Delay the Restart
12	SAUD ABDULLAH S ABDULHAMID	90+4	D	Delay the Restart
2	SULTAN ABDULLAH S ALGHANNAM	90+5	D	Delay the Restart

4. On 16 June 2021, in view of the foregoing, disciplinary proceedings were opened against the Saudi Arabian Football Federation (hereinafter also referred to as: *'the Respondent'*) with respect to the potential breach of art. 12 par. 5 of the FIFA Disciplinary Code (FDC). In particular, the Respondent was provided with the match reports, which included the aforementioned Referee's Report, and was granted a six-day deadline within which to provide the Secretariat to the FIFA Disciplinary Committee (hereinafter also referred to as *'the Secretariat'*) with its position.

## II. RESPONDENT'S POSITION

5. On 22 June 2021, following the opening of disciplinary proceedings, the Respondent provided the Secretariat with its position which can be summarized as follows:
  - The Respondent offers an unconditional apology for the cautions (the "Incidents"), and stipulated that *"as a steadfast proponent of fair play, good sportsmanship and respect, SAFF takes its obligations under the FIFA Statutes and the FIFA Disciplinary Code ("FDC") extremely seriously"*.

- The Respondent considers all its national team players – including and especially those of its Senior Men’s National Team (“SMNT”) - to be international ambassadors not only for SAFF but for the kingdom of Saudi Arabia and as such, never fails to impress upon its players the importance of respect for the referee, fair play and good conduct in line with both the FIFA regulations and the broader principles of good sportsmanship.
- Where the Respondent’s players fall short of these standards, the Respondent of course understands and shares FIFA’s concern. The Respondent therefore offers FIFA its sincere apology without reservation.
- Notwithstanding its unconditional apology above, the Respondent respectfully wishes to submit the following explanatory details surrounding the Incidents. The Respondent presents these details for the kind consideration of the Committee so that its deliberations may be fully informed with all material facts and can take due account of the full context to each Incident.
- Having reviewed the video evidence and made the necessary internal enquiries, the Respondent came to the conclusion that sufficient mitigating circumstances exist as to permit the FIFA Disciplinary Committee to decline to impose disciplinary measures against the Respondent in line with its discretion under art. 12 par. 5 of the FDC.
- The Respondent therefore requests that no disciplinary sanction be imposed against SAFF for the incidents concerning the three following players:
  - Abdullah Ibrahim Y Otayf;
  - Fhad Mosaed M Almuwallad; and
  - Saud Abdullah S Abdulhamid.
- As the final match in Group D, with Uzbekistan only two points behind Saudi Arabia, and an automatic qualification spot for the third qualification round at stake for the winner (and potential elimination for the loser), the game was of immense significance and carried with it a correspondingly higher level of tension than normal.
- Whilst the high-stakes, once-off nature of the match may not excuse the Incidents, the Respondent respectfully states that it does help to explain them. The Respondent therefore requests that the Disciplinary Committee kindly keeps the unique significance of this match (and correspondingly high tension and stress levels for the SMNT players involved) in mind at all times during its considerations.
- In order to assist the Disciplinary Committee in its deliberations, the Respondent provided TV footage clips of the relevant incidents available under the following link: <https://cargo.fifa.org/620fb2ac0fdeb48831b2f5c5fde2a36945384a7440971edadc>

- With regards to the incident involving the Player Abdullah Ibrahim Y Otayf at minute 41', the TV footage clearly shows the Uzbek number 7 ('Otabek') using his right arm to pull at the left arm of the Saudi number 14 ('Otayf'), causing him to fall to the ground. The referee did not stop play for this apparent foul. Otabek then advanced on goal and in a one-on-one situation with the SMNT goalkeeper, took a shot which went narrowly wide.
- The match was approaching half-time and, with the score at 2-0, the Respondent submits that it is reasonable to conclude that a goal for Uzbekistan at this juncture would have drastically altered the course of the game. Whilst the Respondent does not seek to overturn the referee's decision that dissent had occurred, the Respondent respectfully submits that Otayf's response to the referee's decision to allow play to continue was nonetheless founded in an objectively reasonable reaction of disagreement in light of what he sincerely and reasonably felt to be foul play by Otabek.
- Furthermore, the Respondent wished to stress that this incident took place in an extremely dangerous part of the pitch (the SMNT penalty area) at a particularly influential time in the match (four minutes before the half-time break) and which, if it had led to a goal (as could reasonably be expected in a one-on-one situation), would have put Uzbekistan back in contention by reducing the SMNT's lead to one goal going into the second half.
- Together with the high-stakes, unusually pressured and once-off nature of the match as referred to above, the Respondent respectfully submits to the Disciplinary Committee that the cumulative circumstances at play in this Incident are such that the Disciplinary Committee is justified in exercising its discretion under Art. 12.5 FDC to refrain from imposing any sanction against the Respondent.
- With regards to the incident involving the Player Fhad Mosaed M Almuwallad at minute 90+2', the Respondent respectfully submits that the referee acted with undue harshness in imposing a caution against the SMNT no.19 ('Almuwallad').
- The Respondent firstly refers to the *actus reus* of the Incident, and highlights Almuwallad did not kick the ball out of play, pick up the ball or otherwise intentionally cause any delay to the restart. On the contrary, he in fact returned the ball in the direction of the Uzbek team, with what any reasonable assessment must conclude as being a gentle back-heel. This is evidenced by the short distance which the ball travelled.
- With regards to the *mens rea* of the incident, in returning the ball to the opposition, Almuwallad could not have intended to cause any delay in the restart. In fact, as the video evidence demonstrates, Almuwallad actually returned the ball towards the exact spot where - according to his last sight of the Uzbek no. 3 ("KhoJiakbar") prior

to Almuwallad turning his back - the opposing player Khojiakbar had in fact been positioned.

- The Respondent submits that it is therefore clear from the evidence, that the intention of Almuwallad was to return the ball towards the spot where he reasonably and justifiably believed Khojiakbar to be located, given that this was where Almuwallad had last seen Khojiakbar positioned a brief moment before. The fact that Khojiakbar took up a different position in the subsequent second(s) does not point to an intention to delay the restart on the part of Almuwallad, given that - as the video evidence clearly shows - he did not have Khojiakbar's new position within his line of sight (i) at the time when Khojiakbar changed position and (ii) at the time when Almuwallad played the ball.
- The Respondent draws the Disciplinary Committee's attention to the fact that there was no reasonable motive for any SMNT player – including Almuwallad - to attempt to delay the restart of the match. The Respondent submits that such delays are, logically, typically reserved for matches whose result would be decided by a single goal. However, this was not the case in this match. In this case, SMNT was leading 3-0, with the match in the 92nd minute and therefore the result required to ensure top spot for the SMNT in the qualification group (i.e. a win or a draw) was all but assured
- For the above stated reasons, the Respondent submits that there is no reasonable basis to conclude that Almuwallad could seek to intentionally delay the restart in such circumstances, and that therefore the decision of the referee to impose a caution in this Instance was unduly and excessively harsh.
- The Respondent therefore respectfully requests that the Disciplinary Committee exercises its discretion under Art. 12.5 of the FDC and refrains from imposing any sanction against the Respondent.
- With regards to the incident involving the Player Saud Abdullah S Abdulhamid at minute 90+4', the Respondent refers to the 'cautions' section on page 3 of the referee's match report, in which the referee provided the following information in support of his decision to impose a caution against the SMNT no. 12 ("Abdulhamid"):
  - Offence Type: D (i.e. 'delaying the restart of play', as per the abbreviations regarding articles 46 and 47 FDC on page 5 of the referee's match report);
  - Reason: 'Delay the Restart'.
- The Respondent rejects this decision in the strongest possible terms and respectfully refers the FIFA Disciplinary Committee to the TV footage. The Respondent trusts that the Disciplinary Committee will agree that, based on this footage, there was (and is) no evidence whatsoever of the SMNT player Abdulhamid delaying the restart of the game in any way, shape or form.

- Accordingly, the Respondent submits the following:
    - a) The referee made a clear error of judgment in imposing this caution, as there is no evidence of any delay to the restart of the game by Abdulhamid in this Incident;
    - b) The caution of Abdulhamid for the offence of 'delaying the restart' was therefore incorrect and devoid of any factual basis; and
    - c) In the interests of justice, the invalid caution which was wrongly imposed should be discarded for the purposes of the Disciplinary Committee's deliberations regarding a potential breach by the Respondent of Art. 12.5 FDC.
  - The proper discarding of the invalid caution wrongly imposed in this Incident effectively reduces the number of cautions imposed against the SMNT from five (5) to four (4) which, in turn, would remove the legal basis for consideration of the Respondent's potential violation of Art. 12.5 FDC.
  - The Respondent therefore respectfully requests that the Disciplinary Committee discards the caution incorrectly imposed against Abdulhamid and closes the current proceedings for the reasons stated above or;
  - The Disciplinary Committee exercises its discretion under Art. 12.5 of the FDC and, acting in full justification based on the clear errors highlighted above, refrains from imposing any sanction against the Respondent.
  - Without prejudice to the Respondent's requests to the Disciplinary Committee detailed above, the Respondent wishes to assure FIFA that (following receipt of the letter of 16th June, which received the Respondent's full attention) the Respondent is finalising a formal communication to be sent to all of its SMNT players to remind and warn them in the clearest possible terms of their obligations under the FDC and the broader principles of good sportsmanship. The Respondent trusts in FIFA's understanding that the Respondent takes its obligations in this regard very seriously and that this formal communication to its players serves as further evidence of its dedication and commitment in this regard.
6. The Single Judge once again reiterated that he had considered all the facts, allegations, legal arguments and evidence provided by the Respondent and in the present decision has only referred to those observations and evidence for which he considers necessary to explain his reasoning.

### **III. CONSIDERATIONS OF THE DISCIPLINARY COMMITTEE**

1. In view of the circumstances of the present matter, the Single Judge decided to first address the procedural aspects, namely, his jurisdiction and the applicable law, before entering into the substance of the matter and assessing the possible breaches committed, as well as the potential sanctions, if applicable, resulting therefrom.

## A. Jurisdiction of the FIFA Disciplinary Committee

2. First of all, the Single Judge noted that at no point during the present proceedings did the Respondent challenge his jurisdiction or the applicability of the FIFA Disciplinary Code (FDC).
3. Notwithstanding the above and for the sake of good order, the Single found it worthwhile to emphasise that, on the basis of arts. 2 and 53 of the FDC, he is competent to evaluate the present case and to impose sanctions in case of corresponding violations.
4. Moreover, in line with art. 54 of the FDC, the present case can be decided by one member of the FIFA Disciplinary Committee acting as a single judge.

## B. Applicable law

5. With respect to the applicable regulations, the Single Judge first emphasized that, in accordance with art. 12 par.5 of the FDC:

*“5. If a national or club team conducts itself improperly (for example, if individual disciplinary sanctions are imposed by the referee on five or more players – three or more in the case of futsal – during a match), disciplinary measures may also be taken against the association or club concerned.”*

6. In continuation, the Single Judge recalled that in accordance with art. 9 of the FDC:

*“1. Decisions taken by the referee on the field of play are final and may not be reviewed by the FIFA judicial bodies.*

*2. In cases where a decision by the referee involves an obvious error (such as mistaking the identity of the person penalised), the FIFA judicial bodies may only review the disciplinary consequences of that decision. In cases of mistaken identity, disciplinary proceedings may, in accordance with this Code, be opened only against the person who was actually at fault.*

*3. A protest against a caution or a sending-off from the field of play after two cautions is admissible only if the referee’s error was to mistake the identity of the player (...)”*

7. Finally, for the sake of completeness, the Single Judge also referred to art. 40 of the FDC, pursuant to which:

*“Facts contained in match officials’ reports and in any additional reports or correspondence submitted by the match officials are presumed to be accurate. Proof of their inaccuracy may be provided.”*



## C. Merits of the dispute

### I. Analysis of the potential violations of the FDC

8. The relevant provisions having been recalled, and the above having been established, the Single Judge acknowledged that the present matter is related to the match played on 15 June 2021 in Riyadh (Saudi Arabia) between the representative teams of Saudi Arabia and Uzbekistan in context of the Preliminary Competition of the FIFA World Cup Qatar 2022™, Asian zone (hereinafter also referred to as: '*the Match*').
9. In particular, the Single Judge observed from the Referee's report, that the players of the Saudi Arabian team; Abdullah Ibrahim Y Otayf, Salman Mohammed M Alfaraj, Fhad Mosaed M Almuwallad, Saud Abdullah S Abdulhamid and Sultan Abdullah S Alghannam (hereinafter also referred to as: '*the Players*'), each received a caution in the context of the Match, for the Offence type(s) and Reason(s) as denoted above.
10. Having considered the foregoing, the Single Judge subsequently proceeded to analyse the evidence at his disposal, namely the report provided by the Referee and the report provided by the Match Commissioner, as well as the position provided by the Respondent, in the light of the applicable regulations.

#### i) The decisions of the referee

11. As a preliminary remark, and as outlined above, the Single Judge first wished to recall that in accordance with art. 40 of the FDC, the facts contained in the match officials' reports and in any additional reports of correspondence submitted by the match officials are presumed to be accurate, however, proof of their inaccuracy may be provided.
12. In this regard, the Single Judge acknowledged the submissions of the Respondent concerning the cumulative circumstances at play with respect to the caution imposed by the Referee against the player Abdullah Ibrahim Y Otayf at minute 41', the apparent undue harshness of the Referee in imposing a caution against the player Fhad Mosaed M Almuwallad at minute 90+2, and the alleged lack of evidence "*whatsoever*" pertaining to the delaying of the restart of play by the player Saud Abdullah S Abdulhamid, which resulted in the latter receiving a caution at minute 90+4.
13. In continuation, the Single Judge additionally acknowledged the video footage provided by the Respondent in this regard, and, in particular, with respect to the caution received by the player Saud Abdullah S Abdulhamid, the Respondent's submissions that the "*referee made a clear error of judgement*" in imposing said caution, that the imposed caution was "*incorrect and devoid of any factual basis*" and that this caution should thereby be discarded for the purposes of the Single Judge's deliberations, thus effectively reducing the number of cautions imposed against the Saudi Arabian representative team in the context of the Match from five (5) to four (4) - which would, in turn, remove the legal basis for consideration of the Respondent's potential violation of art. 12 par. 5 of the FDC.

14. Taking into account the foregoing, the Single Judge recalled that in accordance with art. 9 par. 1 of the FDC “*decisions taken by the referee on the field of play are final and may not be reviewed by the FIFA judicial bodies*”. Furthermore, in line with art. 9 pars. 2 and 3 of the FDC, the Single Judge noted that in cases where a decision by the referee involves an “*obvious error (such as mistaking the identity of the person penalised)*” the FIFA judicial bodies “*may only review the disciplinary consequences of that decision*” and that further, a protest against a caution is only admissible “*if the referee’s error was to mistake the identity of the player*”.
15. In this sense, the Single Judge emphasised that by virtue of the foregoing provisions of the FDC, the Single Judge is prevented from reviewing the decisions taken by the referee on the field of play, which are considered as final, and may only review a decision of the referee with regards to the disciplinary consequences of said decision, and where such decision involves an obvious error such as mistaking the identity of the person penalised. In continuation, the Single Judge also wished to highlight that, in accordance with art. 9 par. 3 of the FDC, a protest against a caution is only admissible if the error of the referee was with regards to mistaking the identity of the player cautioned.
16. Applied to the present circumstances, the Single Judge, whilst acknowledging the position of the Respondent, pointed out that the cautions imposed by the Referee on the Players in the context of the Match do not involve a mistake of the referee with regards to the identity of the player cautioned, the foregoing neither having been indicated by the Respondent nor by the case file.
17. In this sense, the Single Judge therefore concluded, in light of the foregoing, that he was not in a position to review the decisions taken by the referee on the field of play with regards to the cautions imposed on the Players in the context of the Match, as the aforesaid decisions are final and are not subject to review by the FIFA Disciplinary Committee.

**ii) Art. 12 par. 5 FDC - Team misconduct**

18. With the above in mind, the Single Judge recalled once more that pursuant to art. 12 par. 5 of the FDC, if a national of club team conducts itself improperly (for example, if individual disciplinary sanctions such as cautions are imposed by the referee on five or more players during a match) “*disciplinary measures may also be taken against the association or club concerned*”.
19. In this context, the Single Judge observed that in the context of the Match, five (5) individual disciplinary sanctions were imposed by the referee on the Players of the representative team of the Respondent as outlined *supra*.
20. Therefore, in view of the foregoing, the Single Judge had no other option but to conclude that the Respondent’s representative team had conducted itself improperly, and that the Respondent was therefore in breach of art. 12 par. 5 of the FDC.

## II. Summary

21. In view of the foregoing, the Single Judge concluded that the Respondent, by its conduct as described above, had violated art. 12 par. 5 of the FDC and had to be sanctioned accordingly.

## III. The determination of the sanction

22. With regard to the applicable sanctions, the Single Judge observed in the first place that the Respondent is a legal person, and as such could be subject to the sanctions described under art. 6 par. 1 and 3 of the FDC.

23. For the sake of good order, the Single Judge underlined that he is responsible to determine the type and extent of the disciplinary measures to be imposed in accordance with the objective and subjective elements of the offence, taking into account both aggravating and mitigating circumstances (art. 24 par. 1 of the FDC).

24. Furthermore, the Single Judge recalled the jurisprudence of CAS, according to which a decision-making body fixing the level of pecuniary sanctions should, amongst others, take into consideration the following elements: (a) the nature of the offence; (b) the seriousness of the loss or damage caused; (c) the level of culpability; (d) the offender's previous and subsequent conduct in terms of rectifying and/or preventing similar situations; (f) the applicable case law and (g) other relevant circumstances<sup>1</sup>.

25. As it was established above, the Respondent is found responsible for having infringed art. 12 par. 5 of the FDC.

26. In light of the foregoing, the Single Judge examined all the circumstances belonging to the case at stake.

27. First, the Single Judge took note of the file of the Respondent, and took into account that the Respondent does not have any similar precedent.

28. Following this, the Single Judge likewise acknowledged that the Respondent had offered its sincere apologies with regards to the conduct of its Players, which it considered to fall short of the expected standards of fair play, good conduct and the broader principles of good sportsmanship.

29. Therefore, taking into account the facts described in the present case, the Single Judge considered that the appropriate sanction to be imposed on the Respondent in relation to the violation of the above mentioned provision of the FDC would be a fine.

30. With regard to the fine, according to art. 6 par. 4 of the FDC, the Single Judge noted that it may not be lower than CHF 100 and greater than CHF 1,000,000.

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<sup>1</sup> CAS 2014/A/3813

31. Taking into account all the circumstances of the case, the Single Judge considered a fine of CHF 5,000 to be adequate and proportionate to the offence. This amount complies with the Disciplinary Committee's established practice, namely to the fines imposed in similar cases.

#### **IV. DECISION**

- 1. The Saudi Arabian Football Federation is found responsible for the infringement of the relevant provisions of the FIFA Disciplinary Code related to Misconduct of players and officials in the match played on 15 June 2021 between the representative teams of Saudi Arabia and Uzbekistan within the frame of the Preliminary Competition for the FIFA World Cup Qatar 2022™.**
- 2. The Saudi Arabian Football Federation is ordered to pay a fine to the amount of CHF 5,000.**
- 3. The above fine is to be paid within thirty (30) days of notification of the present decision.**

FÉDÉRATION INTERNATIONALE  
DE FOOTBALL ASSOCIATION



**Francisco Schertel Mendes**

Member of the Disciplinary Committee

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**NOTE RELATING TO THE LEGAL ACTION:**

According to art. 64 par. 5 of the FDC and art. 58 par. 1 of the FIFA Statutes, this decision may be appealed against before the Court of Arbitration for Sport (CAS). The statement of appeal must be sent to the CAS directly within 21 days of receipt of notification of this decision. Within another 10 days following the expiry of the time limit for filing the statement of appeal, the appellant shall file a brief stating the facts and legal arguments giving rise to the appeal with the CAS.

**NOTE RELATING TO THE PAYMENT OF THE FINE:**

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