# **Disciplinary Committee**



Date: 05 April 2022

Sent to: Brazilian Football Association cbf@cbf.com.br; secretariageral@cbf.com.br Cc: CONMEBOL

Notification of the grounds of the Decision Ref FDD-10190

Dear Madam, Dear Sir,

Please find attached the grounds of the decision passed in the aforementioned case by a member of the FIFA Disciplinary Committee on 24 February 2022.

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

Yours faithfully,

**FIFA** 

L. J.

Carlos Schneider Director of the FIFA Judicial Bodies

Fédération Internationale de Football Association

FIFA-Strasse 20 P.O. Box 8044 Zurich Switzerland Tel: +41 43/222 7777 - Email: disciplinary@fifa.org



# Decision of the FIFA Disciplinary Committee

passed on 24 February 2022

**DECISION BY:** 

# Arnaud DUMONT (France), Member

**ON THE CASE OF:** 

# **Brazilian Football Association**

(Decision FDD-10190)

**REGARDING:** 

FIFA Disciplinary Code, Article 16 - Order and security at matches (FDC 2019)



### I. FACTS

- 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 (the Committee) has thoroughly considered any and all evidence and arguments submitted, even if no specific or detailed reference has been made to those arguments in the following outline of its position and in the ensuing discussion on the merits.
- 2. On 1 February 2022, a match was played between the representative teams of Brazil and Paraguay in Belo Horizonte (Brazil– Attendance 32,344spectators – Final score 4-0) in the context of the Preliminary Competition of the FIFA World Cup Qatar 2022<sup>™</sup>, South American Zone (**the Match**).
- 3. After the Match, the referee reported the following in his report (**the Referee Report**):

"Al finalizar al partido, ingreso una persona al campo de juego en direccio a los jugadores de la seleccion de Brasil, el cual fue interceptado y retira del campo por la policia sin ningun tipo de inconveniente"<sup>1</sup>

4. In addition, the match commissioner of the Match mentioned the following incidents in his report (**the MC Report**):

"Un vez finalizado el partido, una persona que tenia un chaleco de produccion de TV y acto seguido intenta ingresar al campo de juego en direccion a los jugadores del equipo de Brasil. La policia lo intercepto y retiro inmediatement del campo de juego

(...)

3. En el minuto 12 se observo, en la Tribuna Sur del Estadio, a una pelea entre hinchas de la seleccion de Brasil que duro aproximadamente min y finalmente siendo disuelta por la policia local. Luego, por Informe del Oficial de Seguridad se pudo conocer que: Un grupo de aficionados logro ingresar al estadio provocando un choque con los aficionados ya presentes. En total fueron capturados 30 personas y un aficionado fue atendido por los servicios de salud del estadio. Esta situacion no altero en ningun momento el normal desarrollo del juego."<sup>2</sup>

5. In view of the foregoing, on 2 February 2022, disciplinary proceedings were opened against the Brazilian Football Association (the Respondent) with respect to a potential breach of art. 16 of the FIFA Disciplinary Code (FDC). In particular, the latter was provided with the Referee Report and the MC Report (together the Match Reports) and was granted a six-day deadline to provide the Secretariat to the FIFA Disciplinary Committee (the Secretariat) with its position.

<sup>&</sup>lt;sup>1</sup> <u>Free English translation</u>: "At the end of the match, a person entered the field of play in the direction of the players of the Brazilian national team, who was intercepted and removed from the field by the police without any inconvenience."

<sup>&</sup>lt;sup>2</sup> <u>Free English translation</u>: "After the end of the match, a person wearing a TV production waistcoat immediately tried to enter the field of play in the direction of the Brazilian players. The police intercepted him and immediately removed him from the pitch.

<sup>(...)</sup> 

<sup>3.</sup> In the 12th minute, a fight between fans of the Brazil team was observed in the South Stand of the stadium, which lasted approximately one minute and was finally broken up by the local police. Afterwards, according to the Security Officer's report, it was found that: A group of fans managed to enter the stadium causing a clash with the fans already present. A total of 30 people were arrested and one fan was treated by the stadium health services. This situation did not affect the normal course of the game at any time."



# **II. RESPONDENT'S POSITION**

- 6. On 8 February 2022, the Respondent provided its position, which can be summarised as follows:
  - With respect to the invasion of the field of play (Incident 1):
    - The perpetrator was not identified as a supporter of the Brazilian representative team in the Match reports and neither was his behaviour sufficient to lead a reasonable and objective observer to conclude that he is a supporter of Brazil, resulting in the incident having to be assessed under art. 16 (1) FDC;
    - The Respondent considers that is has provided sufficient documentary evidence to corroborate the fact that it acted with all due diligence in preparing the Match, and therefore was not negligent in any way in its organisation of the Match;
    - An innocuous pitch invasion "*does not seem sufficient*" to constitute a relevant offense to the legal interest protected by the rule, given the miniscule degree of the alleged offence associated to the Respondent;
    - Therefore, in line with art. 16 (1) FDC, the Respondent requests that no disciplinary measure is imposed in relation to the invasion of the field of play;
  - With respect to the fight in the stands (Incident 2):
    - As stated by the FIFA Disciplinary Committee in past cases, although art. 16 (2) FDC provides for a strict liability rule, it also leaves a certain margin of appreciation to the jurisdictional body, as the provision does not provide that in all cases of misconduct of its spectators, the association or club must be sanctioned. This discretionary power is reflected by the terms *"may be subject to disciplinary measures"*;
    - In particular, the Court of Arbitration for Sport (CAS) pointed out that "the FDC draftsman left space granting the FIFA DC with discretion not to sanction an association or to impose sanctions at its own discretion depending on the particular facts and elements of each case, such as how serious the violation was, the way the association handled the incident, and whether the overall circumstances of the incident should justify the sanctioning of the association in question" (CAS 2014/A/3578);
    - In this sense, the Respondent deemed that the evidence it provided with respect to the preparation of the Match (including safety and security measures) demonstrate that it was not negligent in the organization of the Match;
    - The spectators involved in the fight were duly arrested by the police;
    - The incident was of a lesser magnitude, as it involved a limited number of spectators, did not disrupt the Match at any time and no major injuries were caused to spectators not involved in the fight;
    - With regards to "*the way the association handled the incident*", the Respondent stipulates that the Match reports and the supporting evidence provided by the former duly demonstrate that the security personnel provided by the Respondent quickly intervened and controlled the situation immediately, and that all perpetrators were duly identified and arrested.
    - Consequently, despite the Respondent not contesting that the fight occurred between Brazilian supporters in the Match, the overall circumstances of the incident show that the Respondent took all the necessary measures in the sense of both preventing and restraining the incident effectively;



- Therefore, the Respondent requests that no disciplinary measure is imposed in relation to the fight in the stands;
- Alternatively, in case the Disciplinary Committee considers that the elements and evidence presented by the Respondent are not sufficient to surpass the strict liability rule provided by art. 16 (2) FDC, the Respondent understands that such elements and evidence constitute mitigating factors that should be considered by the Disciplinary Committee in the analysis of the case, as permitted by art. 24 FDC;
- In this sense, the Respondent requests that the sanction eventually imposed in relation to said incident is limited to a warning or a fine.
- Requests for relief:
  - in relation to Incident 1: that the present proceedings are closed and that no disciplinary sanctions are imposed upon the Respondent;
  - in relation to Incident 2: that the present proceedings are closed and that no disciplinary measures are imposed upon the Respondent. Alternatively, if the Disciplinary Committee considers that a sanction must be imposed, the Respondent requests the limitation of the sanction to a warning or a fine for the reasons it has outlined above.
- 7. The Committee, once again, reiterated that it has considered all the facts, allegations, legal arguments and evidence provided by the Respondent, and in the present decision had only referred to those observations and evidence regarded as necessary to explain its reasoning.

# III. CONSIDERATIONS OF THE COMMITTEE

8. In view of the circumstances of the present case, the Committee decided to first address the procedural aspects of the case, *i.e.* its jurisdiction and the applicable regulatory framework, before proceeding to the merits of the case and determining the possible infringements as well as the possible resulting sanctions.

#### A. Jurisdiction of the FIFA Disciplinary Committee

- 9. First of all, the Committee noted that at no point during the present proceedings did the Respondent challenge its jurisdiction or the applicability of the FDC.
- 10. Notwithstanding the above and for the sake of good order, the Committee found it worthwhile to emphasise that, on the basis of art. 2 (1) FDC read together with arts. 53 and 54 FDC, it was competent to evaluate the present case and to impose sanctions in case of corresponding violations.

#### B. Applicable law

11. In order to duly assess the matter, the Committee firstly began by recalling the content and the scope of the relevant provisions of the 2019 edition of the FDC, which was, in its view, the edition applicable to the



present issue. In particular, the Committee considered that both the merits and the procedural aspects of the present case should be covered by the 2019 edition of the FDC.

12. To begin with, the Committee referred to art. 16 FDC which reads as follows:

#### Art. 16 of the FDC – Order and security at matches

1. Host clubs and associations are responsible for order and security both in and around the stadium before, during and after matches. They are liable for incidents of any kind and may be subject to disciplinary measures and directives unless they can prove that they have not been negligent in any way in the organisation of the match. In particular, associations, clubs and licensed match agents who organise matches shall:

a) assess the degree of risk posed by the match and notify the FIFA bodies of those that are especially high-risk;

b) comply with and implement existing safety rules (FIFA regulations, national laws, international agreements) and take every safety precaution demanded by the circumstances in and around the stadium before, during and after the match and if incidents occur;

*c)* ensure the safety of the match officials and the players and officials of the visiting team during their stay;

*d)* keep local authorities informed and collaborate with them actively and effectively;

*e) ensure that law and order are maintained in and around the stadiums and that matches are organised properly.* 

2. All associations and clubs are liable for inappropriate behaviour on the part of one or more of their supporters as stated below and may be subject to disciplinary measures and directives even if they can prove the absence of any negligence in relation to the organisation of the match:

a) the invasion or attempted invasion of the field of play;
(...)
h) any other lack of order or discipline observed in or around the stadium.

- 13. It is clear from the wording of this provision that its main purpose is to ensure that matches are properly organised so that no incident can occur and disrupt any football match. In particular, the home association/club shall be held responsible for any incidents in and around the stadium, but may be released from any disciplinary measures if it can prove that all necessary measures have been taken, *i.e.* that it was not negligent in the organisation of the match (art. 16 (1) FDC).
- 14. In contrast to the first paragraph, the second paragraph contains a strict liability rule according to which an association, whether home or visiting, is responsible for the behaviour of its own spectators. In this regard, the Committee recalled that according to CAS jurisprudence, the term "supporter" is an open concept, which must be assessed from the perspective of a reasonable and objective observer<sup>3</sup>. This means that the behaviour of the person may lead a reasonable and objective observer to conclude that

<sup>&</sup>lt;sup>3</sup> CAS 2015/A/3874.



the latter is a supporter of that particular club/association. Moreover, CAS specified that the behaviour of individuals and their location in and around the stadium are important criteria in determining the team they support<sup>4</sup>.

#### C. Standard of proof

- 15. Firstly, the Committee recalled that the burden of proof lies with FIFA, which is required to prove the infringement under art. 36 (1) FDC.
- 16. Secondly, the Committee pointed out that, according to art. 35 (3) FDC, the standard of "*comfortable satisfaction*" is applicable in disciplinary proceedings. According to this standard of proof, the onus is on the sanctioning authority to establish the disciplinary violation to the comfortable satisfaction of the judging body, taking into account the seriousness of the allegation.
- 17. Finally, the Committee referred to art. 40 FDC, according to which the facts contained in the match officials' reports, as well as in the supplementary reports or correspondence submitted by the match officials, are presumed to be accurate, bearing in mind that proof of their inaccuracy may be provided.
- 18. Having clarified the foregoing, the Committee proceeded to consider the merits of the case.

#### D. Merits of the case

#### 1. Issue of review

- 19. The Committee started to analyse the evidence at its disposal, in particular the documentation and information provided in the scope of the present disciplinary proceeding to determine the potential violations of the FDC.
- 20. As a preliminary remark, the Committee wished to recall that, according to art. 40 FDC, the facts stated in the reports or records of the match officials are presumed to be correct, although it is possible to prove the contrary.
- 21. In this context, the Committee acknowledged from the Match Reports that two incidents occurred during the Match, namely:
  - i. Incident 1, *i.e.* the invasion of the field of play by one individual at the end of the Match (such incident being reported by both the Referee and the Match Commissioner); and
  - ii. Incident 2, *i.e.* spectators forcing their way to and entering the stadium, ultimately causing a fight amongst spectators (such incident being reported by the Match Commissioner).
- 22. With those elements in mind, the Committee acknowledged that the Respondent did not contest the occurrence of these incidents, rather emphasising the following elements:

<sup>&</sup>lt;sup>4</sup> CAS 2007/A/1217.



- i. with respect to Incident 1: the perpetrator cannot be considered a Brazilian spectator (in the sense of art. 16 (2) FDC) and, the Respondent was not negligent in the organisation of the Match (in the context of art. 16 (1) FDC);
- ii. with respect to Incident 2: the incident was of a lesser magnitude and smoothly handled by the Respondent, which took all the necessary measures in the sense of both preventing and restraining the incident effectively.
- 23. Against this background, the Committee decided to address those incidents separately in order to assess whether any provisions of the FDC had been breached. To this end, the Committee first focused on the invasion of the field of play before considering the other incident, namely the intrusion in the Stadium followed by a fight in the stands.

#### 2. Analysis of the incidents

#### a) Incident 1

- 24. To begin with, the Committee acknowledged that both the Referee and the Match Commissioner reported such incident, without however identifying its perpetrator, *i.e.* without specifying whether the latter was a supporter of the representative team of Brazil or of that of Paraguay (the visiting team). In particular, the Committee observed from the Match Reports that the perpetrator of such incident wore a "*TV production waistcoat*" and went in the direction of the Brazilian players.
- 25. The Committee then turned its attention to the video footage submitted by the Respondent, which confirmed the content of the Match Reports: an individual wearing a yellow waistcoat, jumped over the fences and ran in the direction of the Brazilian players before being caught by a security steward.
- 26. Based on the evidence at its disposal, the Committee concurred with the Respondent in so far that it could not be comfortably satisfied that the incident at stake was committed by a home supporter.
- 27. Therefore, the Committee considered that this incident could not be assessed under art. 16 (2) FDC (which requires a clear identification of the perpetrator as being a supporter of one of the teams), but should rather be analysed under art. 16 (1) FDC which provides for the general liability of the host association *in casu* the Respondent for any incident in and around the stadium.
- 28. To that end, the Committee noted that the Respondent argued that, given that the perpetrator was wearing a "TV production vest", it was "*most likely to deceive security and facilitate his approach to the field of play*". In addition, the Respondent deemed that it was not negligent in the organisation of the Match in so far that (i) it acted with all due diligence in preparing the Match, as it thoroughly organized all structural aspects of the Match beforehand, including the implementation of safety precautions and security plans, (ii) it conducted in-person inspections and security meetings at the Match venue on the day prior to the Match with representatives of the police, health authorities, firefighters, private security, local government, among others, (iii) it kept local authorities informed and collaborated with them actively and effectively, as to ensure that law and order would be maintained in and around the stadium and that the Match would be organized properly, and (iv) it hired a consequent number of private security officers in addition to the police officers to ensure the safety of the Match.



- 29. In reply thereto, the Committee underlined that, as per art. 16 (1) FDC, the Respondent, as the host association, was *inter alia* required to *"comply with and implement existing safety rules"*, including those of the FIFA Stadium Safety and Security Regulations (**FSSSR**) and more specifically:
  - i. Art. 16 FSSSR: "The stewards' basic duties should be to enforce the stadium's safety and security policy and the stadium regulations. These duties include: (...) Preventing unauthorised access to restricted areas by any person who does not have the correct accreditation and authorisation to do so and in particular from gaining access to zones 1 and 2 as defined hereinafter (...) Protecting players and officials when entering, leaving or on the field of play.";
  - ii. Art. 25 (5) FSSSR: "Where restricted access zones have been established (for example, players' areas, the field of play, the media, hospitality, etc.), stewards or other appropriate security staff must be in place to enforce and control access in accordance with the established accreditation and stadium zoning plan.";
  - iii. Art. 27 FSSSR: "The permits shall restrict access to specific, clearly marked areas and specified stadiums";
  - iv. Art. 29 FSSSR: "Security checks shall be carried out on persons and vehicles at the entry points of the outer and inner perimeters, as well as at entry points to areas that are not open to the general public. These security checks shall verify the following: (...) That the person has access rights to any restricted areas or controlled zones";
  - v. Art. 32 (2) FSSSR: "The field of play must be protected against intrusion by unauthorised persons. Where unauthorised access cannot be controlled by stewards and/or police officers, stadium management may erect a fence, a suitable moat that prevents intrusion, or a combination of the two (...)";
  - vi. Art. 59 (4) (a) FSSSR: "*Regardless of role and location, all media and TV personnel must be properly accredited*".
- 30. Summarising the above, the Committee emphasised that the Respondent was required to protect the field of play from any intrusion and/or access of unauthorised/unaccredited person.
- 31. As such, the Committee was satisfied that, given the particular circumstances of the case at stake and despite the various documents provided by the Respondent, the latter could not be considered as having complied with the relevant provisions of the FSSSF. Indeed, the fact that the perpetrator was wearing a yellow jacket similar to those of media representatives cannot be used as an excuse in so far that his access to the pitch should have been prevented in the absence of a valid accreditation (this even more, when considering that the person in question entered the field of play while holding a poster which clearly demonstrated that he was actually not a media representative).
- 32. By way of consequence, the Committee was satisfied that the Respondent failed to implement the existing (and required) safety rules, especially those aiming at protecting the most sensitive area of the stadium (*i.e.* the field of play), and, as such, was negligent in the organisation of the Match. In so doing, the Respondent is to be found in breach of art. 16 (1) FDC with respect to Incident 1.



#### b) Incident 2

- 33. Upon analysis of the MC Report, the Committee emphasised the following sequence of events in relation to Incident 2:
  - i. a group of individuals forced their way in the stadium and managed to access the stands;
  - ii. said intrusion caused "a clash with the fans already present";
  - iii. a fight could therefore be observed "*in the South Stand of the stadium*" for approximately one minute;
  - iv. the local police then intervened to end said incident;
  - v. "A total of 30 people were arrested and one fan was treated by the stadium health services".
- 34. To begin with, the Committee stressed that it had no doubt that the above facts occurred in the way they were described by the Match Commissioner, the Respondent not disputing those events, and even providing evidence of the intervention of the police to end the fight.
- 35. In light of the foregoing, the Committee was satisfied that such incident can be divided in two separate incidents, namely (i) the spectators having forced their way to the stands, and (ii) the subsequent fight.
- 36. With respect to the first point, the Committee recalled that, according to the FSSSR, the Respondent, as host association was responsible to ensure that "[o]n match days, only persons in possession of a valid permit shall be granted entry to the stadium. Valid permits include: Match tickets; Accreditations; (...) Other permits (...)"<sup>5</sup>. In particular, "[i]f a person cannot produce a valid permit, he shall be refused entry or escorted from the stadium"<sup>6</sup>, keeping in mind that "[i]t is the responsibility of all stewards, stadium safety and security management staff and police officers to ensure that only those persons with authority to be inside the stadium, including members of the public, officials and staff, are permitted into the stadium"<sup>7</sup>.
- 37. From the description of the reported facts and the position of the Respondent, the Committee was satisfied that the individuals that forced their way into the stadium in the context of Incident 2 were neither ticket holders (as defined by art. 26 FSSSR), nor accredited to enter the stadium (in the sense of art. 27 FSSSR).
- 38. As such, given that those individuals managed to enter the stadium, it can only be concluded that the Respondent failed to implement the existing (and required) safety rules preventing any unauthorised access to the stadium.
- 39. In those circumstances, and despite the documentary evidence submitted by the Respondent, the Committee could not conclude that the Respondent had not been negligent, as it should have implemented proper security measures that would have prevented such incident from happening.

<sup>&</sup>lt;sup>5</sup> Art. 25 (1) FSSSR

<sup>&</sup>lt;sup>6</sup> Art. 25 (3) FSSSR

<sup>7</sup> Art. 25 (4) FSSSR



- 40. With respect to the second point, the Committee was convinced that a fight (even of a lesser magnitude *quod non*) is undoubtedly to be considered a lack of law and order in a stadium as per art. 16 (1) (e) FDC.
- 41. In this regard, the Committee recalled that the Respondent, as the host association, was responsible to ensure order and security in the stadium during the Match.
- 42. Given the occurrence of the fight, the Committee deemed that the Respondent could, at first sight, not be considered to have ensured that the Match took place in a proper manner, in breach of art. 16 (1) FDC. In other words, it shall be held liable for such incident unless it can prove that it has not been negligent in any way in the organisation of the Match.
- 43. In this respect, the Committee acknowledged that the Respondent claimed (i) that it acted with all due diligence in the match organisation (cf. also para. 28 *supra*) and (ii) that it reacted swiftly to put an end to the fight.
- 44. In these circumstances, the Committee acknowledged the various efforts of the Respondent as to the preparation and organisation of the Match, specifically with respect to the implementation of any safety rule/precaution and/or security plans, but was left with no other option nut to conclude that such fight ultimately resulted from the Respondent's deficiencies as previously described (*i.e.* those having led to unauthorised spectators accessing the stadium and clashing with the spectators already present).
- 45. Consequently, the Committee was satisfied that the Respondent failed to prove or establish that it was not negligent in any way in the organisation of the Match, so that it remained liable for Incident 2. As previously emphasised, it failed to ensure that law and order was maintained in the stadium during the Match and its responsibility for the non-compliance with the aforementioned provisions could not be excluded.

#### c) Summary

- 46. Summarising the above considerations, the Committee stressed that, upon analysis of Incidents 1 and 2, the Respondent failed to (i) comply with and implement existing safety rules and (ii) to ensure that law and order were maintained in the stadium during the Match.
- 47. Having determined that it could not be ascertained that the Respondent had not been negligent in any way, the latter should be liable for the breaches of art. 16 (1) FDC and had to be sanctioned accordingly.
  - 3. Determination of the sanction
- 48. The Committee observed in the first place that the Respondent was a legal person, and as such was subject to the sanctions described under art. 6 (1) and (3) FDC.
- 49. For the sake of good order, the Committee underlined that it is responsible to determine the type and extent of the disciplinary measures to be imposed in accordance with the objective and subjective elements of the offence, taking into account both aggravating and mitigating circumstances (art. 24 (1) FDC).



- 50. As established above, the Respondent was found liable for a breach of art. 16 (1) FDC.
- 51. With those elements in mind, the Committee went on to analyse the various circumstances of the case at stake, namely to define the potential aggravating and/or mitigating factors to be taken into account when deciding upon potential sanctions to be imposed upon the Respondent.
- 52. To begin with Incident 1, the Committee took note of the Respondent's arguments that (i) only one individual invaded the field of play, (ii) the perpetrator had the sole intention to promote himself as digital content creator and did not directly interact with any of the players on the pitch, and (iii) the pitch invasion did not involve any acts of violence, aggression, hostility or even animosity towards players or officials, nor any other person involved in the Match.
- 53. In reply thereto, the Committee decided to endorse the conclusions of CAS which considered that "*it is* not a mitigating factor that the field invasion was committed by only one supporter (...) and that it was never the intention of that supporter to attack anybody", in so far that "[a] field invasion is in any case unacceptable and is not conditional on violent intentions to constitute a violation which justifies disciplinary action"<sup>8</sup>.
- 54. In continuation, the Committee stressed that, in the context of the Preliminary Competition to the FIFA World Cup Qatar 2022<sup>™</sup>, the Respondent had already been sanctioned by the Committee (with a fine of CHF 10,000) for an invasion of the field of play that occurred during the match Brazil v. Colombia which took place on 11 November 2021 (Decision under reference FDD-9589).
- 55. This being said, the Committee also conceded that, as advanced by the Respondent, the security services reacted quickly to remove the perpetrator from the field of play.
- 56. With respect to Incident 2, as emphasised by the Match Commissioner (and confirmed by the Respondent), thirty (30) people were arrested and one person was injured, requiring medical treatment in the stadium. As such, the Committee highlighted that it could not adhere with the Respondent's contention that the incident was of a lesser magnitude.
- 57. In any event, the Committee pointed out that any kind of violent act, such as a fight, has no place in a football stadium, and should be sanctioned accordingly. In addition, the Committee was particularly concerned by the fact that such incident could have been avoided should the Respondent had implemented proper security measures to prevent unauthorised accesses to the stadium.
- 58. This being said, and upon a careful analysis of the evidence at its disposal, the Committee underlined that it could not be ignored once again that the security services reacted quickly to put this incident to an end and to avoid it from spreading and involving more spectators.
- 59. With those considerations in mind, the Committee underlined that the sanction to be imposed on the Respondent shall reflect all aforementioned elements.
- 60. Given the above, the Committee considered that, among the range of sanctions available under art. 6 FDC, a fine was an appropriate measure to sanction the Respondent for the incident that occurred in the match at stake.

<sup>&</sup>lt;sup>8</sup> CAS 2014/A/3944 Galatasaray Sportif Sinai A.S. v. UEFA



- 61. As such, the Committee recalled that such fine, in accordance with art. 6 (4) FDC, may not be lower than CHF 100 and greater than CHF 1,000,000.
- 62. As a result, the Committee held that a fine amounting to CHF 20,000 is to be considered appropriate and proportionate. In particular, the Committee was satisfied that such amount would serve the necessary deterrent effect, while encouraging the Respondent to implement the necessary measures to prevent such incidents to happen again.

### IV. DECISION OF THE DISCIPLINARY COMMITTEE

- The Brazilian Football Association is ordered to pay a fine to the amount of CHF 20,000 for incidents related to order and security (invasion of the field of play, failure to comply with and implement existing safety rules, failure to ensure that law and order are maintained in and around the stadium) in connection with the match *Brazil vs. Paraguay* played on 01 February 2022 in the scope of the Preliminary Competition for the FIFA World Cup Qatar 2022<sup>™</sup>, South American Zone.
- 2. The fine is to be paid within 30 days of notification of the present decision.

FÉDÉRATION INTERNATIONALE DE FOOTBALL ASSOCIATION

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Arnaud DUMONT Member of the FIFA Disciplinary Committee



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

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

#### NOTE RELATING TO THE LEGAL ACTION:

This decision can be contested before the FIFA Appeal Committee (art. 57 FDC). Any party intending to appeal must announce its intention to do so in writing within three (3) days of notification of the grounds of the decision. Reasons for the appeal must then be given in writing within a further time limit of five (5) days, commencing upon expiry of the first time limit of three (3) days (art. 56 (4) FDC). The appeal fee of CHF 1,000 shall be transferred to the aforementioned bank account on the date of the expiry of the time limit of five days for submitting the reasons for appeal at the latest (art. 56 (6) FDC).