

Disciplinary Committee

FIFA[®]

Date: 30 July 2024

Sent to:
Ms. Mayra Ramirez
Via Colombian Football Association

Cc:
Colombian Football Association

Notification of the terms of the Decision Ref. no. FDD-18984

Dear Madam, Dear Sir,

Please find attached the terms of the decision passed in the aforementioned case by a member of the FIFA Disciplinary Committee on 29 July 2024.

The Colombian Football Association (in copy) is kindly requested to forward this decision to Ms. Mayra Ramirez.

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 29 July 2024

DECISION BY:

Thomas HOLLERER (Austria), Member

ON THE CASE OF:

Ms Mayra Ramirez

(Decision FDD-18984)

REGARDING:

Article 14 - *Misconduct of players and officials (FDC_23)*

I. FACTS

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 (**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 and in the ensuing discussion on the merits.
2. On 25 July 2024, a match was played between the representative teams of Colombia and France (**the Match**) in the context of the Women's Olympic Football Tournaments - Games of the XXXIII Olympiad Paris 2024™- Final Competition (**OFT**).
3. In this context, the Referee indicated in his report (**the Referee Report**) that one of the players of the representative team of Colombia, Ms Mayra Ramirez (**the Player** or **the Respondent**), had been sent-off in the 86th minute of the Match for an offense type "H" (i.e. Serious foul play).
4. Based on the above, on 26 July 2024, the Secretariat to the FIFA Disciplinary Committee (**the Secretariat**) *inter alia* informed the Respondent that the aforementioned incident would constitute a potential breach of art. 14(1)(e) of the FIFA Disciplinary Code (**FDC**). In this respect, the Secretariat proposed the following sanction to the Respondent in accordance with art. 58 FDC as read in conjunction with Annexe 1 FDC:

"The Respondent, Ms Mayra Ramirez, is suspended for two (2) matches, including the automatic match suspension which will be served during the match New Zealand v. Colombia played on 28 July 2024. The remaining suspension will be served during the next official match(es) of the representative team of the [Colombian Football Association] in the scope of the Women's Olympic Football Tournament Paris 2024 (i.e. Colombia v. Canada to be played on 31 July 2024)".

5. On 26 July 2024 (i.e., within the 2 days deadline granted by the Secretariat), the Respondent rejected the aforementioned proposed sanction and requested regular disciplinary proceedings to be conducted.
6. On 29 July 2024, the Committee notified the terms of the present decision to the Respondent.
7. Later that same day, the Respondent requested the grounds of the decision.

II. Respondent's position

8. The Respondent's position submitted on 29 July 2024 can be summarised as follows:

- Based on the FIFA Laws of the Game (LG) the foul committed by the Respondent does not constitute a “serious foul play”, but rather an “unsporting behaviour”.
- Although the play is unfortunate and there is contact with the opposing player, the Respondent had no intention to harm her or to endanger her safety. The Respondent always had eyes on the ball and was trying to dispute the ball legally. In the end, the tackle did not hurt or endanger the safety of the opponent, as she was able to continue playing without the assistance of medical staff.
- The referee herself, who was very close to the play, initially judged that the offense did not involve excessive force or an intent to endanger the integrity of the opponent and, therefore, only cautioned the Respondent with a yellow. The assistant referee, for her part, did not consider the infraction to be serious enough to inform the head referee that the Respondent should be sent off. It was only after the VAR was called and the play was carefully reviewed that the decision was changed to a red card.
- Although it is understood that the referee's decisions cannot be modified or reviewed by FIFA's judicial bodies (art. 9(1) FDC), the sanction imposed should only be an automatic one-day suspension, because even though the foul was recorded in the Referee Report as “serious foul play” it actually constitutes an “unsporting behaviour”.
- As a mitigating circumstance, the Committee should consider that the Respondent has comported herself properly throughout her professional career as is evident from the fact that this is the first time that she has been expelled from a match. Furthermore, she acted in the spirit of fair play and healthy competition by respectfully accepting the referee's decision and leaving the field of play without issue once she received the red card.
- A two-match suspension would be disproportionate as it would result in the Respondent missing the rest of the competition.

III. CONSIDERATIONS OF THE DISCIPLINARY COMMITTEE

9. In view of the circumstances of the present matter, the Committee decided to first address the procedural aspects, namely, its 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

10. 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.

11. Notwithstanding the above and for the sake of good order, the Committee found it worthwhile to emphasize that, on the basis of art. 2.1 FDC read together with arts. 55 and 56 FDC, it was competent to decide on the present matter.
12. In addition, the Committee recalled that, in line with art. 58 FDC, where a party rejects the proposed sanction from the Secretariat, the matter shall be referred to it for a formal decision to be rendered.
13. Moreover, in line with art. 57(1)(a) FDC, the Committee found that a member of the Committee can rule on the matter alone as a single judge.
14. In view of the above, the Committee confirmed that it was competent to evaluate the present case and to impose sanctions in case of corresponding violation(s).

B. Applicable law

15. In continuation, the Chairperson deemed that the substance of the matter should be analysed under the 2023 edition of the FDC, which was the edition in force at the time of the incident in question, i.e. the foul committed by the Respondent at the Match.
16. The Committee made special attention to art. 14 FDC ("*Misconduct of players and officials*") as being of relevance in assessing the current matter, which reads:

"1. Players and officials shall be suspended for misconduct as specified below and may be fined accordingly:

(...)

e) at least two matches for serious foul play;

(...)".

17. This being recounted, the Committee underlined that art. 14.1 FDC provides for the (minimum) disciplinary sanction(s) to be imposed on players or officials in case of misconduct during a match.
18. Indeed, and in line with art. 14.6 FDC, the competent FIFA judicial body may decide to impose additional disciplinary measures on the player or official concerned (on top of the minimum (sporting) sanction(s) to be imposed for a specific offence as per art. 14.1 FDC).

C. Standard of proof

19. The above being recounted, the Committee recalled that the burden of proof lies with FIFA, which is required to prove the infringement under art. 41.1 FDC.
20. Secondly, the Committee pointed out that, according to art. 39.3 FDC, the standard of proof to be applied in FIFA disciplinary proceedings is that of "comfortable satisfaction". In other

words, 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(s).

21. Finally, the Committee referred to art. 40 FDC, according to which the facts contained in the match officials' reports and in any additional reports or correspondence submitted by them are presumed to be accurate, bearing in mind that proof of their inaccuracy may be provided.
22. Having clarified the foregoing, the Committee proceeded to consider the merits of the case.

D. Merits of the dispute

I. Issue of review

23. The Committee started to analyse the evidence at its disposal, specifically the Referee Report and the images and videos of the foul at issue, to determine the potential violations of the FDC.
24. In this context, the Committee acknowledged from the Referee Report that the Respondent had been sent off in the 86th minute of the Match for an offense type "H", which, according to the same report, corresponds to a "serious foul play".
25. With this in mind, after looking at the images and videos of the incident at its disposal, the Committee noted that the Respondent made a tackle from behind, with cleats up and directly landing on the ankle of the opposing player, who had retaken possession of the loose ball.
26. Against such background, the Committee acknowledged that the Respondent challenged the qualification of the incident as made by the referee, explaining that (i) she had no intention to harm the opposing player or endanger her safety, and (ii) the tackle did not result in an actual injury to the opponent, so that the foul at hand should be qualified as "unsporting behaviour towards an opponent" as per art. 14(1)(b) FDC, and not a "serious foul play".
27. In these circumstances, after careful analysis of the images and videos of the incident, the Committee saw no legitimate reason to depart from the assessment made by the referee of a serious foul play and could not agree with the Respondent's submission that the incident at hand had to be seen as an unsporting behaviour. Contrary to what Respondent suggests, the LG does not require intentionality or an actual injury for a foul to qualify as a "serious foul play". The LG defines a "serious foul play" as "*a tackle or challenge that endangers the safety of an opponent or uses excessive force or brutality*".

28. Notwithstanding the above and for the sake of good order, the Committee wished to recall that, in accordance with art. 9.1 FDC, the decisions taken by the referee on the field of play are final and may not be reviewed by the FIFA Judicial Bodies.
29. Therefore, the Committee considered that, in any event and as a general rule, it was bound by the assessment made by the referee as transposed in his report.
30. Consequently, the Committee was comfortably satisfied to conclude that the incident at stake fell within the scope of art. 14(1)(e) FDC and should be sanctioned accordingly.

II. The determination of the sanction

31. In this context, the Committee observed in the first place that the Respondent was a natural person, and as such was subject to the sanctions described under arts. 6.1 and 6.2 FDC.
32. As established above, the Respondent was sent off by the referee for a serious foul play, meaning that her misconduct should be sanctioned in accordance with art. 14(1)(e) FDC, which provides for a minimum suspension of two matches for such an offence. Moreover, the Committee pointed out that it is bound by the minimum sanctions foreseen under this provision.
33. This being established, the Committee recalled that in line with art. 14(6) FDC, additional disciplinary measures may be imposed on top of said sporting sanction.
34. Against such background, 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. 25(1) FDC).
35. This being said, the Committee acknowledged the Respondent's statements that she had no prior red cards in her professional career and that she had no intention to harm her opponent.
36. In view of this, and after a careful analysis of the images and video footage of the incident, the Committee considered the minimum sanction under the applicable provision, namely a suspension of two (2) matches, to be appropriate and proportionate to the offence committed.

Decision

- 1. The Respondent, Ms Mayra Ramirez, is suspended for two (2) matches, including the automatic match suspension which has been served during the match *New Zealand v. Colombia* played on 28 July 2024. The remaining suspension will be served during the next official match(es) of the representative team of the Colombian Football Association in the scope of the Women's Olympic Football Tournament Paris 2024 (i.e. *Colombia v. Canada* to be played on 31 July 2024).**

FÉDÉRATION INTERNATIONALE
DE FOOTBALL ASSOCIATION



Thomas Hollerer (Austria)
Member of the FIFA Disciplinary Committee

NOTE RELATING TO THE TERMS OF THE DECISION:

According to art. 61(1)(c) of the FDC, read together with arts. 47(2) and 50(3) of the FIFA Statutes, this decision is final and binding and may not be appealed to the FIFA Appeal Committee or the Court of Arbitration for Sport (CAS).