

Decision
of the
FIFA Disciplinary Committee

Mr Anin Yeboah [GHA], chairman;
Ms Theresa Pitcairn [CAY], member;
Mr Leonardo Stagg [ECU], member

on 7 November 2019

to discuss the case of:

Bangladesh Football Federation

(Decision 190721)

regarding:

Incidents during the match played between the representative teams of
Bangladesh and Qatar on 10 October 2019 for the FIFA World Cup Qatar
2022™ Preliminary Competition – Asian Zone

(Art. 16 of the FIFA Disciplinary Code [2019 edition])

I. Having noted that

1. On 10 October 2019, in the context of the Preliminary Competition of the FIFA World Cup Qatar 2022™, Asian Zone, a match was played in Dhaka, Bangladesh, between the representative teams of Bangladesh and Qatar.
2. In this context, according to the Match Commissioner report, the following incidents occurred:

“A number of spectators climbed fence to enter media center and tribune area. Security was called to monitor but some were able to remain” and “a number of spectators were sitting on railings (...).”

In this sense, some pictures showing the incidents reported by the Match Commissioner were provided along with the report.

3. On 11 October 2019, disciplinary proceedings were opened against the Bangladesh Football Federation (hereinafter: *the Bangladesh FA*) with respect to the potential breach of article 16 of the FIFA Disciplinary Code (FDC). In particular, the Bangladesh FA was provided with the aforementioned match report (along with the relevant pictures provided by the Match Commissioner) and was given a six-days deadline to provide the Secretariat to the FIFA Disciplinary Committee (hereinafter: *the Secretariat*) with its position.
4. On 16 October 2019, the Bangladesh FA provided its position which can be summarised as follows¹:
 - i. The spectators were very excited because Bangladesh was facing one of the leading teams in Asia. This led them to climb the fence that separates the spectator’s gallery and the Media Tribune. One of the BFF Competitions officer immediately took action and retried some of the spectators.

¹ The summary does not purport to include every single contention put forth by the Bahrain FA. However, the FIFA Disciplinary Committee has thoroughly considered in its 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.

- ii. After the match, the Bangladesh FA had a meeting with the Bangladesh Police Department in order to implement measures to improve the security coordination for future matches.

II. and considered

1. In assessing the case, the FIFA Disciplinary Committee (hereinafter also referred to as *the Committee*) decided to first assess its competence (A), before entering into the substance of the case, while analysing the possible violations committed (B) and the potential sanctions resulting therefrom (C).

A) Jurisdiction of the FIFA Disciplinary Committee

2. First of all, the Committee noted that at no point during the present proceedings did the Bangladesh FA challenge its jurisdiction nor the applicability of the FDC.
3. Notwithstanding the above and for the sake of good order, the Committee found it worthwhile to emphasise that, on the basis of arts. 2 and 53 of the FDC, it is competent to evaluate the present case and to impose sanctions in case of corresponding violations.

B) Analysis of the possible violations of the FDC

4. The above having been established, the Committee then acknowledged that the present matter is related to the match played on 10 October 2019 between the representative teams of Bangladesh and Qatar in the context of the Preliminary Competition of the FIFA World Cup Qatar 2022™.
5. The Committee subsequently turned its attention to the evidence at its disposal, namely the report from the Match Commissioner as well as the pictures provided by the latter.
6. As a preliminary remark, the Committee wanted to recall that the facts contained in the match officials' reports and in any additional reports or correspondence submitted by the match officials are presumed to be accurate (art. 40 of the FDC). For the sake of good order, the Committee underlined

that at no point did the Bangladesh FA contest the information and facts reported by the Match Commissioner.

7. Against such background, the Committee acknowledged that, as reported by the Match Commissioner and evidenced by the pictures provided by the latter, some spectators climbed the fence to enter the media centre and the tribune area while others were sitting in the railings.
8. In these circumstances, the Committee recalled that "*Hosts (...) associations are responsible for order and security both in and around the stadium before, during and after matches*" (art. 16 par. 1 of the FDC).
9. With respect to the case at hand, the Committee noted that the match was played in Bangladesh and that therefore, the Bangladesh FA was to be considered the host association. As a result, in line with the aforementioned developments, the latter was responsible to ensure the order and security surrounding the match at stake.
10. Bearing this in mind, the Committee deemed that, in the light of the aforementioned article, the fact that there were spectators climbing the fence and moving from their seats to the tribune and the media centre, which is considered to be a restricted area, jeopardized the security and safety of those spectators themselves as well as of the rest of spectators, in particular, those standing in the tribune.
11. In this sense, the Committee noted that this situation clearly showed that the Bangladesh FA had failed to implement the relevant measures to ensure safety and security in the stadium, namely, the provisions established in the FIFA Stadium Safety and Security Regulations.
12. Notwithstanding the above, the Committee is aware that the Bangladesh FA explained that "*the spectators were excited for the said match because Bangladesh National Team was going to face one of the leading team of Asia*".
13. To this respect, the Committee pointed out that the emotions and feelings of the spectators cannot justify their behaviour and that even so, that would not explain why some spectators were sitting in the railings instead of using the seats intended for that purpose. Furthermore, the Committee would like to under light that, in any case, the behaviour and the security of the spectators is the responsibility of the host association, as stated in art 16 par. 1 of the FDC

and that therefore, the Bangladesh FA is the sole responsible of ensuring that such incident does not happen.

14. Furthermore, the Committee observed from the pictures provided by the Match Commissioner that, due to the high number of spectators sitting on the railings, moving from their seats and climbing the fence during the game, during some points of the match, the exit and stairways of the stadium were not completely freed and therefore, not totally accessible.
15. As a result, the Committee considered that by allowing or not preventing the exit and stairways to be blocked by the spectators, the Bangladesh FA failed to duly *"comply with and implement existing safety rules and take every safety precaution demanded by the circumstances (...) during and after the match"*.
16. Consistently with the above, and particularly considering that the Bangladesh FA did not demonstrate that it has not been negligent in organising the match, the Committee concluded that the Bangladesh FA had to be held liable for the above-described incidents.
17. In view of the foregoing, the Committee concluded that the Bangladesh FA is to be held liable for the incidents described above and, as such, violated article 16 of the FDC.
18. Therefore, the Committee considered that the Bangladesh FA had to be sanctioned for the aforementioned violation.

C) Determination of the sanction

19. As far as the sanctions applicable in this case are concerned, the Committee observed in the first place that Bangladesh FA is a legal person, and as such can be subject to the sanctions described under art. 6 pars. 1 and 3 of the FDC.
20. 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 par. 1 of the FDC).

21. In these circumstances, the Committee considered that climbing the fences and blocking the stairways and/or exits of a stadium represent a serious threat to the safety and security of all persons present in the stadium, and, as such, cannot be tolerated by any means.
22. In addition, the Committee took note that the Bangladesh FA had previously been sanctioned in relation to a similar incident occurred during a match between the representative team of Bangladesh and the representative team of Australia in the scope of the Preliminary Competition of the FIFA World Cup Russia 2018™ (Case ref. 150884).
23. Taking into account the relevant principles and conclusions set out above, the Committee considered that a fine would be the appropriate sanction in the case at hand.
24. As to the amount of the fine, according to the provisions of art. 6 par. 4 of the FDC, the Committee stressed that it may not be lower than CHF 100 and greater than CHF 1,000,000.
25. Taking into account all the circumstances of the case, while keeping in mind the deterrent effect that the sanction must have on the reprehensible behaviour, the Committee considers a fine of CHF 15,000 to be adequate and proportionate to the offence.
26. In addition, a warning is also issued on the Bangladesh FA pursuant to art. 6 par. 1 lit. a) of the FDC. In particular, the latter is ordered to undertake all appropriate measures in order to guarantee that the FIFA regulations (in particular the FDC and all relevant safety and security provisions) are strictly complied with. In this sense, the Committee acknowledges that, apparently, the Bangladesh FA has already taken measures to ensure that this type of incidents do not occur again in the future. However, should this be the case, and in case that incidents occur in the future, the Committee would be left with no other option than to impose harsher sanctions on the Bangladesh FA.

III. therefore decided

1. The FIFA Disciplinary Committee found the Bangladesh Football Federation responsible for the infringement of the relevant provisions of the FIFA Disciplinary Code related to order and security at matches (art. 16).
2. The FIFA Disciplinary Committee orders the Bangladesh Football Federation to pay a fine to the amount of CHF 15,000.
3. In application of art. 6 par. 1 a) of the FIFA Disciplinary Code, the Bangladesh Football Federation is warned on its future conduct.
4. The above fine is to be paid within thirty (30) days of notification of the present decision.

FÉDÉRATION INTERNATIONALE
DE FOOTBALL ASSOCIATION



Anin Yeboah
Chairman 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

According to art. 49, together with art. 57 par. 1 of the FDC, 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.

The full address and contact numbers of the CAS are the following:

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