

Decision

of the

FIFA Disciplinary Committee

Mr Anin Yeboah [GHA], Chairman;
Mr Leonardo Stagg [ECU], Member;
Ms Theresa Pitcairn [CAY], Member.

on 7 November 2019,

to discuss the case of:

Jordan Football Association

(Decision 190723)

regarding:

Incidents during the match played between the representative teams of Jordan and Kuwait on 10 October 2019 in the context of the Preliminary Competition of the FIFA World Cup Qatar 2022™

(Article 16 of the FIFA Disciplinary Code)

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 Amman, Jordan, between the representative teams of Jordan and Kuwait.
2. In this context, according to the match officials' reports, the following incidents occurred:

Report of the Referee:

"27min, one spectator entered the field of play."

Report of the Match Commissioner:

"There are 3 firecrackers happen during the match 2 in the first half and the 2nd in the second half, from Jordanian supporters in the CAT 2 stand. One of the firecrackers thrown on the track behind the board, and the other one in the grandstand CAT 1 tribune all were in celebratory manner with no injuries person. Some pictures and video been taken of the incident will attached with this report¹.

On the first half mints 27 one of Jordanian supporter enter the FOP pitch invasion jumping from the stand behind the security and run in celebratory manner where he was finally catch by securities captured and escorted taken out of the venue. Some pics attached².

To word end of the match in mints 93 another Jordanian supporter jumped from the stand in the left side of the vip area where he was catch by security personal in the area behind the track and taken out of the stadium.

(...)

Jordanian supporters were singing in a political song with a name of previous president of Iraq Saddam Hussain, they sing on the previous president Saddam Hussain which annoy all Kuwaiti people in the stadium or in the Kuwait city³.

After end of the match head of delegation of Kuwait sheikh Ahmed with his friends around 6people enter the FOP to receive the players from the tunnel check hand with them then went to dressing room, and the crown Prince of Jordan with his

¹ Pictures of said incident were provided to FIFA by the Match Commissioner.

² Pictures of said incident were provided to FIFA by the Match Commissioner.

³ Videos of said incident were provided to FIFA by the Match Commissioner.

partners around 4 people also entered the FOP then went to dressing room of Jordan team."

3. On 14 October 2019, disciplinary proceedings were opened against the Jordan Football Association (hereinafter, "*the Jordan FA*") with respect to the potential breach of art. 16 of the FIFA Disciplinary Code [ed. 2019] (FDC). In particular, the Jordan FA was provided with the aforementioned match reports (along with the relevant videos and pictures provided by the Match Commissioner) and was given a six-day deadline to submit its position to the Secretariat to the FIFA Disciplinary Committee (hereinafter, "*the Secretariat*").
4. On 20 October 2019, the Jordan FA filed its position which can be summarised as follows⁴:
 - i. With regard to the firecrackers, the Jordan FA explained that all spectators were physically checked and all prohibited items confiscated. In addition, it pointed out that when "*the firecrackers occurred, [the] security interfered immediately and stopped it, and as the match commissioner mentioned no one was struck*".
 - ii. In what concerns the pitch invasion of 27th minute, the Jordan FA stressed that the security caught the fan and took him out of the stadium. Following this incident, the security personnel was increased to prevent similar incident, "*which proved to be successful since it managed to prevent the same incident from happening on the 93rd minute (...) when another supporter jumped from the stand.*"
 - iii. With respect to the chant "*Saddam Hussein*" performed by the Jordanian fans, the Jordan FA recalled that it is neutral in matters of politics and religion and discriminations of any kind are strictly forbidden. The Jordan FA added that the Court of State Security legally prosecuted three fans that sang this chant.
 - iv. Finally, the Jordan FA emphasized that the all-aforementioned incidents were quickly solved by the security. Furthermore, the Jordan FA considered that those incidents do not reflect any negligence in organizing the match, since prior to each match, a security meeting is held to assess the security risk.

⁴ The summary does not purport to include every single contention put forth by the Jordan 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. 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 Jordan 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 Jordan and Kuwait 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 reports from the match officials as well as the videos and pictures provided by the Match Commissioner.
6. As a preliminary remark, the Committee wanted to recall that the facts contained in the match officials' reports and in any additional report(s) or correspondence(s) 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 Jordan FA contest the information and facts reported by the match officials.
7. Against such background, the Committee acknowledged that several incidents occurred during the aforementioned match, and in particular:
 - a. Invasion of the field of play;
 - b. Fans lighting firecrackers;
 - c. Unauthorised access to dressing rooms;
 - d. Fans chanting the name of "Saddam Hussein".

8. Having determined the above, the Committee decided to analyse the invasion of the field of play and the lighting of firecrackers together, while the other incidents will be discussed separately.

a. Invasion of the field of play and lighting of firecrackers

9. First of all, the Committee acknowledged that, as reported by the match officials, one spectator entered the field of play in the 27th minute, and another one jumped from the stand in the 93rd minute and *"was catch by security personal in the area behind the track"*. In particular, the Committee underlined that the first pitch invasion was even corroborated by pictures provided by the Match Commissioner.

10. The Committee subsequently observed that the Match Commissioner indicated that 3 *"firecrackers"* were ignited by Jordanian fans during the match, two in the first half and one in the second. In this respect, the Committee highlighted that the aforementioned observations were clear and further supported by pictures.

11. In addition, the Committee emphasised that the Jordan FA did not contest the occurrence of both aforementioned incidents, namely the pitch invasions and the lighting of firecrackers.

12. Against such background, the Committee referred to art. 16 par. 1 of the FDC, which establishes the host association's responsibility *"for order and security both in and around the stadium before, during and after matches. There 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."*

13. With respect to the case at hand, the Committee noted that the match was played in Jordan and that the Jordan FA was therefore to be considered the host association. As a result and in line with the aforementioned developments, the latter was responsible to ensure the order and security in the stadium during the match at stake.

14. In this regard, the Committee found that the Jordan FA obviously failed to take every safety precaution demanded by the circumstances since i) one pitch invasion and one attempt occurred during the match in question as well as ii) three firecrackers were lighted during that match. Moreover, the Committee considered that the Jordan FA did not provide any evidence showing that it has not been negligent in organising the match at stake. As a result, the Committee concluded that the Jordan FA has breached the aforementioned provision as it did not ensure the order and security in the stadium (art. 16 par. 1 of the FDC).

15. In continuation, the Committee observed that in light of the Match Commissioner's report, the perpetrators of the incidents outlined above were Jordanian fans, a fact that the Jordan FA did not dispute.
16. In this respect, the Committee would like to recall the content of art. 16 par. 2 of the FDC which states that "*[a]ll associations and clubs are liable for inappropriate behaviour on the part of one or more of their supporters (...) 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*". In particular, "*invasion or attempted invasion of the field of play*" (lit. a) and "*lighting of fireworks or any other object*" (lit. c) are defined as an inappropriate behaviour in light of this article.
17. Consequently, the Committee considered that it had no other choice but to conclude that the Jordan FA is to be held liable for the misconduct of its supporters, which invaded and attempted to invade the field of play as well as lighted firecrackers during the match.

b. Unauthorised access to dressing rooms

18. The Committee then noted that the Match Commissioner reported that several unauthorized persons from the Kuwaiti and Jordanian delegations entered the dressing rooms after the match. In this regard, the Committee further observed that the Jordan FA did not provide any position with respect to this incident.
19. In this context, the Committee recalled that the Jordan FA was the host association for the match at stake and was therefore responsible for order and security during and after the match in accordance with art. 16 par. 1 of the FDC. In this connection, the Committee pointed out that one of the duties of the Jordan FA was to "*comply with and implement existing safety rules (FIFA regulations, national laws, international agreements) (...)*" (lit. b).
20. In these circumstances, the Committee stressed that part of the existing safety rules are contained in the FIFA Stadium Safety and Security Regulations. According to art. 1 par. 1 of the said Regulations, the host association shall apply these Regulations when organising a FIFA event, including qualifying matches such as the one at hand. In particular, the Committee drew its attention to art. 25 par. 5 of the aforementioned Regulations which states that "*[w]here 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*".

21. In addition, the Committee also noticed that, pursuant to Annexe D of the FIFA Stadium Safety and Security Regulations, dressing rooms are restricted areas and only persons with the correct accreditation showing the zone number may enter that zone.

22. In light of the above, the Committee concluded that the Jordan FA neglected to control access to restricted areas, such as the dressing rooms, as unauthorised persons entered the dressing rooms of the representative teams of Kuwait and Jordan after the match. As a result, the Committee considered that the Jordan FA has failed to comply with and to implement existing safety rules and thus infringed art. 16 par. 1 of the FDC.

c. Fans chanting the name of "Saddam Hussein"

23. Finally, the Committee noted that, according to the Match Commissioner, Jordanian fans were chanting a song with the name of previous president of Iraq "Saddam Hussein".

24. The Committee also carefully watched the videos provided by the Match Commissioner and emphasised that it could clearly and undoubtedly hear Jordanian fans chanting "Saddam Hussein". In this regard, the Committee recalled that Saddam Hussein is the ex-Iraqi president who invaded Kuwait back in 1990.

25. In these circumstances, the Committee pointed out that *"the use of gestures, words (...) [by supporters] to transmit a message that is not appropriate for a sports event, particularly messages that are of a political, ideological, religious or offensive nature"* is listed as an inappropriate behaviour for which an association is to be held liable (art. 16 par. 2 let. e) of the FDC).

26. Having in mind that the match in question involved the representative teams of Jordan and Kuwait, the Committee is of the opinion that this chant consisting of shouting "Saddam Hussein" is undoubtedly not appropriate for a sports event. In particular, conscious of the consequences, such as the war and the tragedies resulting from Saddam Hussein's invasion of Kuwait, the Committee condemned this song and expressed the view that it could be perceived as offensive, especially from the Kuwaiti side.

27. As a result and in line with art. 16 par. 2 of the FDC, the Jordan FA is found liable for the inappropriate behaviour of its supporters in relation to the aforementioned chants.

d. Summary

28. In view of the foregoing, the Committee concluded that the Jordan FA is to be held liable for the incidents described above and, as such, violated art. 16 pars. 1 and 2 of the FDC.
29. Therefore, the Committee considered that the Jordan FA had to be sanctioned for the aforementioned violations.

C. Determination of the sanction

30. As far as the sanctions applicable in this case are concerned, the Committee observed in the first place that the Jordan 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.
31. 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).
32. In these circumstances, the Committee wanted to address two incidents in particular.
33. As a matter of fact, the Committee considered that the lighting fireworks in stadium represents a serious threat to the safety and security of all persons present in the stadium, and, as such, cannot be tolerated by any means. In particular, the Committee found it worth to recall that the use of incendiary devices, such as firecrackers, during a match and within a stadium are extremely dangerous and generate a high risk of hazardous fires. Furthermore, they may cause considerable threats to people's physical integrity and health by causing serious injuries. Finally, the use of such devices creates a large amount of smoke, possibly impeding the normal viewing of a match, thus obstructing the view of others, including players and match officials, and therefore further endangering the smooth progress of the game.
34. Nevertheless, the Committee acknowledged that no one was injured or hurt as a result of this incident.
35. In continuation, and as far as the chant is concerned, the Committee wanted to emphasise that it strongly condemned such conduct which it deemed entirely intolerable in light of FIFA's objective to promote the game globally in light of its unifying, educational, cultural and humanitarian values as stated in art. 2 of the FIFA Statutes. Chanting or using words that offends another nation, such as Kuwait in the present case, was a direct violation of these principles as well as of the relevant provisions of the FDC, which, once again, cannot be tolerated

36. Having said that, the Committee also acknowledged that the Jordan FA recalled that it is neutral in matters of politics and religion and that discriminations of any kind are strictly forbidden. With regard to the incidents related to security, namely the pitch invasions and the lighting of fireworks, the Committee deemed that it should also take into consideration the fact that the security quickly intervened to end these incidents and that no one was injured.
37. Bearing in mind the relevant principles and conclusions set out above, the Committee considered that a fine would be the appropriate sanction in the case at hand.
38. 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.
39. 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 30,000 to be adequate and proportionate to the offence.
40. In addition, a warning is also issued on the Jordan 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. Should such infringements occur again in the future, the Committee would be left with no other option than to impose harsher sanctions on the Jordan FA.

III. therefore decided

1. The FIFA Disciplinary Committee found the Jordan Football Association 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 Jordan Football Association to pay a fine to the amount of CHF 30,000.
3. In application of art. 6 par. 1 lit. a) of the FIFA Disciplinary Code, the Jordan Football Association is warned on its future conduct.
4. The above-mentioned 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 terms of the decision

This decision can be contested before the FIFA Appeal Committee (art. 57 of the FDC, 2019 edition). 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 par. 2 of the FDC, 2019 edition). 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 par. 6 of the FDC, 2019 edition).