

**Decision**  
of the  
**FIFA Disciplinary Committee**

Mr Anin Yeboah [GHA], chairman;  
Mr Yasser Al Missehal [KSA], member;  
Mr Thomas Hollerer [AUT], member

on 19 December 2019

to discuss the case of:

Player Sayed Baqer, Bahrain

(Decision 191361)

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*regarding:*

Misconduct of players & Discrimination

Art. 12 and 13 of the FIFA Disciplinary Code

Match Hong Kong – Bahrain (14.11.19)

Preliminary Competition of the FIFA World Cup Qatar 2022™

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## I. Having noted that

1. On 14 November 2019, in the context of the Preliminary Competition of the FIFA World Cup Qatar 2022™, Asian Zone, a match was played in Hong Kong between the representative teams of Hong Kong and Bahrain.
2. In this context, according to a report provided by the FARE Network, the following incident occurred:

*"The video footage available shows Bahrain's player number 2 Sayed Baqer pulling his eyes to the side in an attempt to imitate an Asian's physical features as the teams go to the locker rooms after the final whistle."*

3. In this sense, a link to a video showing the incident reported by the FARE Network was provided along with the report.
4. On 19 November 2019, disciplinary proceedings were opened against the player Sayed Baqer (hereinafter: *the Player*) with respect to the potential breach of articles 12 and 13 of the FIFA Disciplinary Code (FDC). In particular, the Player was provided with the aforementioned FARE report (along with the link to the relevant video) and was given a six-days deadline to provide the Secretariat to the FIFA Disciplinary Committee (hereinafter: *the Secretariat*) with his position.
5. On 24 November 2019, the Bahrain Football Association informed the Secretariat that both the association and the Player will convey their apologies to the people and Football Association of Hong Kong.
6. On the same day, the Bahrain Football Association provided the Secretariat with a letter addressed to the Football Association of Hong Kong. In said letter, the Bahrain Football Association apologized for the Player's behaviour and ensured that it will impose sanctions on the Player. In addition, the Bahrain Football Association provided the Secretariat with a letter addressed by the Player to the Football Association of Hong Kong. In this letter, he apologized for his behaviour and explained that he had a weak moment and will not repeat such behaviour in the future.

## **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 Player 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 14 November 2019 between the representative teams of Hong Kong and Bahrain 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 FARE Network.
6. The Committee first observed that the FARE report indicated that Bahrain's player number 2 Sayed Baqer pulled his eyes to the side in an attempt to imitate an Asian's physical features when the teams went to the locker rooms after the final whistle.
7. In view of the foregoing, the Committee drew its attention to the video provided by the FARE Network. After having analysed the video, the Committee was convinced that the above described gesture, namely the Player pulling his eyes to the side, was made by the Bahraini player Sayed Baqer.
8. In this regard, the Committee underlined that neither the Player nor the Bahrain Football Association contested that the former did the abovementioned gesture. To the contrary, both admitted that the

aforementioned incident occurred and the Player provided an apology to the Hong Kong Football Association.

9. Having determined the above, the Committee went on to analyse this gesture in the light of the applicable regulations.
10. In light of the above, the Committee recalled that according to art. 13 of the FDC *"Any person who offends the dignity or integrity of a country, a person or group of people through contemptuous, discriminatory or derogatory words or actions (by any means whatsoever) on account of race, skin, colour, ethnic, national or social origin, gender, disability, sexual orientation, language, religion, political opinion, wealth, birth or any other status or any other reason, shall be sanctioned with a suspension lasting at least ten matches or a specific period, or any other appropriate disciplinary measure"*.
11. In these circumstances, the Committee underlined that the Player's gesture at stake is known as "slant-eyed" gesture, which is recognised as an ethnic slur used to mock and/or refer to Asian people or of Asian descent in a derogatory, disrespectful, pejorative and insulting manner, and, as such, widely known for mocking. Such slur is to be considered extremely disparaging and offensive.
12. Bearing this in mind, the Committee deemed that the Player breached art. 13 of the FDC as his gesture is undoubtedly to be considered a derogatory action on account of race and/or ethnic origin that offends the dignity or integrity of a group of people, namely Asian people or of Asian descent, which FIFA cannot tolerate. Consequently, the Player has to be held liable for a breach of said article and to be sanctioned for his behaviour.
13. Finally and for the sake of good order, the Committee pointed out that the matter at stake may also fall under art. 12 of the FDC which refers to the misconduct of players in general. However, as such behaviour is specifically foreseen under art. 13 of the FDC, the Committee decided to solely analyse the incident under such provision.

### **C) Determination of the sanction**

14. As far as the sanctions applicable in this case are concerned, the Committee observed in the first place that the Player is a natural person, and as such can be subject to the sanctions described under art. 6 pars. 1 and 2 of the FDC.

15. 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).
16. The Committee first and foremost points out that one of the objectives of FIFA is to improve the game of football constantly and promote it globally in light of its unifying, educational, cultural and humanitarian values as stated in art. 2 a) of the FIFA Statutes.
17. In accordance with art. 3 of the FIFA Statutes FIFA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights.
18. In this regard, the Committee refers to the importance of combating all forms of discrimination and offensive conduct during football matches and the measures and actions taken by FIFA bodies to eradicate all forms of racism, discrimination and inappropriate behavior in football.
19. In this line, the FIFA Disciplinary Code was updated in July 2019 with a series of measures under the principle of zero tolerance on racism and any form of discrimination.
20. With this in mind, and referring to the case at hand, the Committee wished to emphasise that the incident occurred during a match of the preliminary competition of the FIFA World Cup Qatar 2022™, leading to football's most prestigious final competition. As such, the match was attended and watched by a considerable number of spectators.
21. Furthermore, the Committee considered that the Player is a professional football player who plays for the representative team of Bahrain. Like every football player at a professional level, he serves as an example for his fans around the world. Each football player has an exemplary duty, on and off the pitch. As a professional player, he cannot afford to make such an intolerable gesture. It should be added that the incident happened in Hong Kong, so any local supporter at the stadium could have been affected by the incident. The Committee believes that such conduct violates FIFA's values and cannot have any room in football.

22. Having said that, the Committee also took into account that the Player does not have any precedents and that he apologized to the Hong Kong Football Association.
23. The Committee recalled that, in accordance with art. 13 of the FDC, any person who violates said article "*shall be sanctioned with a suspension lasting at least ten matches or a specific period (...)*".
24. 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 suspension for ten (10) matches to be appropriate.
25. Furthermore, the Committee considered that the suspension had to be complemented by a fine.
26. 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. In this sense, the Committee considered a fine of CHF 30,000 to be adequate and proportionate to the offence.
27. In addition, a warning is also issued on the Player 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 Player.

### **III. therefore decided**

1. The FIFA Disciplinary Committee found the player Sayed Baqer responsible for the infringement of the relevant provision of the FIFA Disciplinary Code related to discrimination (art. 13).
2. The player Sayed Baqer is suspended for ten (10) matches.
3. The FIFA Disciplinary Committee orders the player Sayed Baqer to pay a fine to the amount of CHF 30,000.

4. In application of art. 6 par. 1 lit. a) of the FIFA Disciplinary Code, the player Sayed Baqer is warned on his future conduct.
5. 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

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### **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 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. 4 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).