

Decision
of the
FIFA Disciplinary Committee

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

on 19 December 2019

to discuss the case of:

Football Association of Indonesia
(Decision 191534)

regarding:

Misconduct of players and officials & Order and security at matches

Art. 12 and 16 of the FIFA Disciplinary Code

Incidents during the match Malaysia – Indonesia (19.11.19)
Preliminary Competition of the FIFA World Cup Qatar 2022™

I. Having noted that

1. On 19 November 2019, in the context of the Preliminary Competition of the FIFA World Cup Qatar 2022™, Asian Zone, a match was played in Kuala Lumpur, Malaysia, between the representative teams of Malaysia and Indonesia.
2. In this context, according to the match officials' reports, the following incidents occurred:

Report of the Match Commissioner:

"Spectators misconduct: on the 32 minute the Indonesian supporters in the designated space (right side of grand stand) reacted negatively towards the celebrations of Malaysian supporters, as such yellow smoke noticed as a result of smoking flare that were thrown in the empty buffer by Indonesian supporters. Malaysian supporters also reacted negatively to this by igniting and throwing red smoke flare towards the Indonesian supporters whom ignited another red smoke flare and throw it again. In addition, during this incident both the supporters were seen throwing water bottles, which f[e]ll in the buffer zone, as well as damaging seats and throwing it towards the buffer zone by Indonesian supporters.

The flare incident repeated again by Indonesian supporters after the final whistle, as well as damaging some seats and throwing it in the empty buffer.

Injuries: (as reported by LOC): minor injuries (bruises) as results of flares for some spectators from both the supporters and all received treatment by LOC medical team, without any serious issues. This matter is also confirmed with LOC medical

Damaged facilities: according to the LOC the number of broken and damaged seats is about 20, and LOC confirmed that no complaints against Indonesia in this regard [...]

Delay in 2nd half: despite the detailed explanation during MCM, and also on match day, the Indonesian players came out late from dressing room, which caused 2 minutes delay in 2nd half. It shall be mentioned that notifications given by MC personally."

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

Report of the Referee:

"Match started on time, but second half started 2 minutes late due to late attendance of Indonesia players".

3. On 26 November 2019, disciplinary proceedings were opened against the Football Association of Indonesia (hereinafter: *Indonesian FA*) with respect to the potential breach of article 16 of the FIFA Disciplinary Code (FDC). In particular, the Indonesian FA was provided with the aforementioned match report (along with the relevant pictures and videos 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. No position was provided by the Indonesian FA.

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 Indonesian 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 19 November 2019

between the representative teams of Malaysia and Indonesia 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 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 Indonesian FA contest the information and facts reported by the Match Commissioner.
7. Against such background, the Committee acknowledged that several incidents were committed by spectators in the scope of the aforementioned match. In particular, smoke flares were ignited and thrown, seats were damaged, water bottles were thrown. In addition, the Committee took note that the kick-off of the second half was delayed.
8. Having determined the above, the Committee decided to first analyse the incidents related to crowd disturbances before analysing the delayed kick-off in the light of the applicable regulations.
 - a) **Crowd disturbance / inappropriate behaviour of the Indonesian supporters**
 - i) *Analysis of the incidents*
9. The Committee first observed that the Match Commissioner indicated that smoke flares *"were thrown in the empty buffer by Indonesian supporters. Malaysian supporters also reacted negatively to this by igniting and throwing red smoke flare towards the Indonesian supporters whom ignited another red smoke flare and throw it again"* as well as *"The flare incident repeated again by Indonesian supporters after the final whistle"*.
10. Furthermore, the Committee also noted that some minor injuries were reported *"as result of flares for some spectators from both the supporters"*.

11. In view of the foregoing, the Committee drew its attention to the videos and pictures provided by the Match Commissioner and confirmed that smoke flares were thrown by supporters of Indonesia towards the supporters of Malaysia and vice versa. The video clearly shows that one flare was thrown towards the Malaysian supporters by the Indonesian fans in the 32nd minute and another one after the match.
12. Subsequently, the Committee noted that the Match Commissioner indicated that the Indonesian fans damaged some seats and threw them in the empty buffer. As a result, *"the number of broken and damaged seats is about 20"*.
13. Finally, the Committee observed that, according to the Match Commissioner's report *"both the supporters were seen throwing water bottles"*.
14. The Committee noted that the videos provided by the Match Commissioner confirmed that seats were thrown in the empty buffer by the Indonesian supporters. In addition, the Committee noticed that some other objects were thrown.
15. After having analysed the Match Commissioner's report and the videos, the Committee was convinced that the above described incidents, namely the smoke flares ignited and thrown, the seats being damaged and the water bottles thrown, were all committed by Indonesian supporters, which has not been contested by the Indonesian FA.

ii) Legal basis and liability

16. In this sense, the Committee referred to art. 16 par. 2 of the FDC which establishes that *"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:*
(...)
b) the throwing of objects;
c) the lighting of fireworks or any other objects;
(...)
f) acts of damage (...)"
17. With this in mind, the Committee held that all the above described incidents are undoubtedly to be considered as inappropriate behaviour in line with art. 16 par. 2 lit. b), c) and f).

18. This having been established, the Committee recalled that all these incidents have been committed by Indonesian supporters (cf. para. II. 15 *supra*).
19. Moreover, the Committee observed that the Indonesian FA did not provide any proof of the absence of any negligence in the organisation of the match. In fact, no position at all was provided by the Indonesian FA.
20. Consequently, as the Indonesian FA is responsible for the inappropriate behaviour of its supporters, but also considering that the latter did not demonstrate that it had not been negligent, the Committee deemed that the Indonesian FA is to be held liable for this behaviour and has breached art. 16 par. 2 lit. b), c) and f) of the FDC.

b) Delayed kick-off

21. Subsequently, the Committee acknowledged that, as reported by both the Referee and the Match Commissioner, the kick off of the second half of the match was delayed for 2 minutes due to the fact that the representative team of Indonesia came out late of the dressing room.
22. In these circumstances, the Committee recalled that "*[i]f a national team (...) conducts itself improperly (...) disciplinary measures may also be taken against the association (...) concerned*" (art. 12 par. 5 of the FDC).
23. In the light of this, the Committee deemed that, in the light of the aforementioned article, causing the delay of a kick-off is *per se* an improper conduct for which disciplinary measures could be taken against the Indonesian FA.
24. In this sense, the Committee noted that the Indonesian FA did not provide any justification for such delay.
25. As a result, the Committee considered that it had no other choice but to conclude that the Indonesian FA has to be held liable for the misconduct of the members of its representative team in accordance with art. 12 par. 5 of the FDC for having caused the delay of the kick-off of the second half of the match.

c) Summary

26. In view of the foregoing, the Committee concluded that the Indonesian FA is to be held liable for the incidents described above and, as such, violated the following provisions of the FDC:

- Art. 16 par. 2 lit. b), c) and f)
- Art. 12 par. 5

27. Therefore, the Committee considered that the Indonesian FA had to be sanctioned for the aforementioned violations.

C) Determination of the sanction

28. As far as the sanctions applicable in this case are concerned, the Committee observed in the first place that the Indonesian 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.

29. 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).

30. As a preliminary remark, the Committee wished to emphasise that, despite the seriousness of the incidents at stake, no position or apology was provided by the Indonesian FA.

31. In these circumstances, the Committee wanted to address two incidents in particular.

32. First of all, and as far as the acts of damage are concerned, the Committee wanted to emphasise that it strongly condemns such conduct. FIFA takes a strong stance against violence of any kind and cannot accept such behaviour by the supporters.

33. In continuation, the Committee considered that the lighting and throwing of smoke flares represents a very serious threat to the safety and security of all persons present in the stadium, and, as such, can also not be tolerated by any means.

34. In particular, the Committee noted that the smoke flares caused some minor injuries and some supporters had to be treated by a medical team. It is completely unacceptable that fireworks are ignited during a match, but above all, thrown into another group of supporters, putting their safety at risk. Luckily, no major injuries were caused by such dangerous and irresponsible behaviour.
35. Having said that, the Committee further noticed that the Indonesian FA had previously already been sanctioned for crowd disturbance incidents, including the lighting of fireworks and the throwing of objects (case ref. 190658 – related to a match of the Preliminary Competition of the FIFA World Cup Qatar 2022™ – and 171153 – related to a friendly match during which a flare had been thrown by spectators, hitting a spectator and causing his death).
36. However, it appears that despite the previous and tragic incidents on the one hand and the fines imposed by the Committee on the other hand, the Indonesian FA has not taken the necessary measures to avoid that such incidents occur again, nor to educate and/or supervise its supporters. The fact that such incidents occur once again, putting other spectators at risk, cannot be tolerated anymore by FIFA and needs to be sanctioned accordingly.
37. Taking into account the relevant principles and conclusions set out above as well as the seriousness of the incidents (namely putting other spectators at risk by throwing flares into groups of supporters, causing injuries) and the precedents, the Committee considered that a sanction more severe than just a fine needed to be imposed. Indeed, the facts have shown that the previous fines imposed on the Indonesian FA were not sufficient to prevent from such conduct to reoccur, and therefore did not have any deterrent effect on the Indonesian FA.
38. Therefore, the Committee decided that any possible fine imposed on the Indonesian FA had to be supplemented by a match played without spectators. The Committee was of the opinion that, at this stage, such sanction was the only one providing the necessary deterrent effect.
39. 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.

40. With the aforementioned developments in mind and taking into account all the circumstances of the case, the Committee decided to sanction the Indonesian FA with one (1) match to be played without spectators and a fine of CHF 200,000. The Committee considered such sanction to be adequate and proportionate to the offence.
41. In addition, a warning is also issued on the Indonesian 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 Indonesian FA.

III. therefore decided

1. The FIFA Disciplinary Committee found the Football Association of Indonesia responsible for the infringement of the relevant provisions of the FIFA Disciplinary Code related to misconduct of players and officials (art. 12) and order and security at matches (art. 16).
2. In application of art. 6 par. 3 lit. b) of the FIFA Disciplinary Code, the FIFA Disciplinary Committee orders the Football Association of Indonesia to play one (1) match without spectators. This sanction is to be served in the next official match played by the representative team of Indonesia.
3. In addition, the FIFA Disciplinary Committee orders the Football Association of Indonesia to pay a fine to the amount of CHF 200,000.
4. In application of art. 6 par. 1 lit. a) of the FIFA Disciplinary Code, the Football Association of Indonesia is warned on its 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

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).