



Sent to

Royal Antwerp FC
Oude Bosuilbaan 54A
2100 DEURNE
Belgium

Decision
of the
Control, Ethics and Disciplinary Body
on

19 September 2019

Chairman: Partl Thomas (AUT)
Vice-Chairman: Hansen Jim Stjerne (DEN)
Members: Antenen Jacques (SUI)
García Caba Miguel María (ESP)
Leal João (POR)
Lorenz Hans (GER)
Řepka Rudolf (CZE)

Disciplinary Case: 32950 - UEL - 2019/20

Incidents: Improper conduct of the team (5 cards or more) – Art. 15 (4) DR
Throwing of objects – Art. 16 (2) (b) DR
Setting off fireworks – Art. 16 (2) (c) DR
Illicit banner – Art. 16 (2) (e) DR
Crowd disturbances – Art. 16 (2) (h) DR
Stairways blocked – Art. 38 Safety and Security Regulations
Insulting / molesting acts (Sinan Bolat) – Art. 15 (1) (d) DR

Competition: UEFA Europa League 2019/2020

Match: Royal Antwerp FC vs. AZ Alkmaar, 29.08.2019

Referee: Anastasios Sidiropoulos (GRE)

I. Facts of the case

1. The elements set out below are a summary of the main relevant facts, as established by the Control, Ethics and Disciplinary Body ("CEDB") on the basis of the official reports, the written submissions, the exhibits filed and the statements produced by Royal Antwerp FC ("the club") in the course of the CEDB proceedings. While the CEDB has considered all the facts, allegations and legal arguments in these proceedings, it refers in the present decision only to the submissions it considers necessary to explain its reasoning.
2. The most relevant facts of this case, as reported by the referee, the UEFA match delegate, the UEFA security officer and the UEFA doping control officer ("UEFA DCO") present at the second leg of the 2019/20 UEFA Europa League Play-Off match between the club and AZ Alkmaar, played on 29 August 2019 ("the match"), are as follows:

Referee

"Royal Antwerp FC; nine (9) cautions for players; one (1) caution for coach, Boloni Laszlo.

[...]

At minute 99, spectators of the home team they throw a smoke bomb on the field of play close to the second assistant area. We stopped the game for 1 minute to inform the Venue Director to make an announcement and we continued the game with no problems.

At minute 113, we stopped the game for 7 minutes and we took the players in their benches because the supporters of home team opened the doors of the tribune and they tried to invade into the pitch. After consulting the match delegate, the security officer and the home team, and when they reassured us that the doors were closed, and all the fans were back on the tribune we continued the game.

After the final whistle just before entering the tunnel of the dressing rooms, spectators of home team throw to us plastic glasses and bottles without any of them hitting us."

UEFA match delegate's report

"At minute 113 the game stopped for 7 minutes because the home supporters on sector D and C at Tribune 3 opened the doors of the tribune and they tried to invade into the pitch. About 20 people entered the racetrack but were pushed back by stewards and police. After a few minutes we could close the gate and ensure that we could continue the match. Together with referees, UEFA Security officer and security officer from the home club, the decision was made to continue the match as the situation calmed down. I also informed UEFA, MCC, about the situation at this time.

A lots of plastic mugs and plastic bottles was thrown down to the pitch during the match. All ended up on the stands or on the running track. Nothing ended up on the pitch. What is reported below is what I have seen.

3 plastic mugs in minute 50 from Tribune 1 sector E

2 plastic mugs in minute 51 from Tribune 1 sector I

5 plastic mugs in minute 52 from Tribune 1 sector I

1 plastic bottle in minute 65 from Tribune 1 sector C

At least 15 plastic mugs in minute 73 from Tribune 1 sector C and I

During the whole extra time, at least 75 plastic mugs and plastic bottles were constantly thrown from the entire Tribune 1.

After the final whistle just before entering the players tunnel, spectators of home team throw plastic bottles and plastic mugs against the referees. None were found but at least 15 items were thrown.

During the whole second half and the extra time home supporters have a banner with the following message. 'UEFA MAFFIA'. The banner hung on sector D/C on Tribune 3.

Supporters blocked the stairways throughout the match on Sector D and C Tribune 3. The stairs were completely blocked.

In the 80th minute a cracker was used in Tribune 4.

In the 99th minute, home supporter throw a red smoke bomb on the pitch close to the second assistant area. We stopped the game for 1 minute to let the smoke bomb burn out and inform the home club to make an announcement and we continue the game. It was thrown from sector D/C in Tribune 3.

In the 100th minute, home supporter throw a red smoke bomb on the running track. It was thrown from sector D/C in Tribune 3.

The Goalkeeper in the home team player nr 1 Sinan Bolat attributed verbally to the doping doctors from UEFA, the UEFA DCO and the UEFA DCO Candidate, after the game with the following words.

- You should tell the referee he is an idiot.

- You from UEFA is shit."

UEFA security officer

Report

"Incident 1: In the 36 minutes after the first red card for the Home player and after one foul in 37 minutes from several sides of the stands, most Stands D and C -Tribune 3, where Home ultras home fans, they flew a large number of plastic cups to the athletic track as expressing dissatisfaction with the referee decisions.

Incident 2: After half time, home Ultras fans put a flag on the fence Tribune-3 Sector D and C with the inscription 'UEFA MAFIA' dimensions about 1 meter wide by half a meter high.

Incident 3: In the 80 minutes, I heard that one of the Home fans in the Tribune 4 threw a strong firecracker.

Incident 4: After AZ scored the second goal (1-2) in 95 minutes, there was a crowd in the D sector-Tribune 1 where the visiting team's Category 1 supporters were accommodated. A few home fans I think were ultras attacked AZ fans. No major incident occurred because of the stewards intervened. I was able to see several domestic ultras in that situation. After that incident, a large number (about 50) of AZ Category 1 ticket holders left the stadium.

Incident 5: During the previous incident, domestic ultras in Sector D and C -Tribuna 3 fired two red smoke bombs (98th and 100th minute). One smoke bomb was dropped on the playground and the other on the athletic track at the end of the burning. I only managed to take one photo because I was in addition to the previous incident but I subsequently received information from officials.

Incident 6: In the 104th minute, Home ultras opened the emergency gate on Stands D and C - Tribune 3. About 20 of them, most of whom were masked with scarves and shirts over their heads, entered the athletic track. When the referee saw the situation he stops the match and all the players retreated near to the tunnel. A large number of stewards of (about 30) intervened, and they succeeded in suppressing the fans and after a few minutes closed the gate. The game resumed after 7 minutes when safe conditions were met. Those fans continued to throw the plastic cups to stewards just like the fans from Tribune 1.

[...]

Throughout the game, the stairways were blocked in the sector between Sectors D and C of Tribune 3, where the Home ultras are located.

[...]

In general, there were a lot of glitches in organising the security system, especially the stewards. Given that the home club was on one way a guest in this stadium, there was plenty to things to prepare before the game. A particular problem was the lack of stewards. This information is not shared with us. There is a lot that needs to be changed in the security field for future matches of this club at this stadium."

Additional report

"Incident 1: When the referees were leaving the pitch and entering the tunnel, a number of Home fans threw plastic glasses and bottles at them, trying to hit them.

Incident 2: When almost all players and the referees entered the tunnel in the stands above the tunnel, there was crush between Home supporters and civilian police. I saw that the police used the metal sticks in this intervention.

[...]

Due to the tense situation, the police decided to hold back the visiting fans about 30 minutes after the match in their stand. They left the stadium with police escorts. I was informed that they had reached the Dutch border safely."

UEFA Doping Control Officer

Report

"One player verbally insulted both DCOs, separate report filed to ADU.

[...]

Difficult game, with difficult spectators, however he came to visit me many times and checked all things and wanted to know what happened since both DCOs were insulted by player number 1 from the home team. Separate report will be sent by the UEFA DCO regarding this.

[...]

A very tough game with a lot of tension between the players and the spectators. We were insulted from one player, not called for doping control."

Additional report

"This game was an evaluation mission where the UEFA DCO Candidate was observed by the UEFA DCO. The UEFA DCO Candidate had an ordinary suit on since it was his evaluation mission and the UEFA DCO had his UEFA suit.

The game that went into overtime involved a lot of emotions among the players and also for the crowd who in parts behaved bad. This part is described thoroughly in the report of the delegate [...].

When we were waiting in the tunnel in order to notify selected players player no 1, the goalie, dressed in green match suit for Royal Antwerp FC, Sina Bolat who was not selected for doping control approached the UEFA DCO Candidate. Mr Bolat started to scream at the UEFA DCO Candidate that he should write a report of the referee who was an idiot and that all UEFA was shit. He did this a couple of times and the UEFA DCO Candidate finally told Mr Bolat that he was not with the referees team but a DCO to conduct doping control. Mr Bolat screamed again that he did not care and that the UEFA DCO Candidate had to write a report against the stupid referee and that UEFA is was shit.

I was at that time standing a couple of meters beside the UEFA DCO Candidate and witnessed this and after Mr Sinat had abused the UEFA DCO Candidate he came up close to my face and stated you are UEFA, since he saw my suit, and then he said you must write a report of the idiot referee, I tried to ignore him but he got even closer to my face and continued to shout many times that UEFA was shit and that the referee was crazy. I told him to stop the insulting but he still continued his verbal abuse. I then look over to his back to confirm it was the goalie no 1 and he then screamed UEFA is shit and something like that I could report him and he did not care. Before he left he screamed again that I and UEFA were all idiots."

II. The club's statements

3. The club in its statement dated 12 September 2019, essentially stated the following:

- First and foremost, the club wishes to point out that it is aware of the seriousness of the events that occurred during the game on the 29th of August. Nevertheless, the club would like to emphasise the exceptional conditions, which (might have) led to these incidents, and elucidate some of the charges.
 - The club was under exceptional conditions for hosting the match. For the 2019-2020 season the club had to move to Brussels, which had the only available stadium that complies with UEFA standards. The King Baudoin Stadium has a capacity of 45,000 people. Therefore, the club is very grateful to the city of Brussels for the game, although everyone is aware of the limitation of the stadium infrastructure.
 - The approved capacity for the games against Plzen and AZ was, after deliberation, respectively 18,000 and 24,000. After the game against Plzen, the club was congratulated by Brussels police, the city of Brussels (VZW Prosport) and the Belgian Football Association, because of the good organisation and good atmosphere at the match. Based on the positive evaluation, it was proposed to increase the capacity to 24,000 (when necessary). Together with the police, the club decided to spread these tickets over three stands.
 - The club was confronted with the restricted infrastructure in the stadium, such as those which the National team also encounters in Brussels. This all came with a lot of strict guidelines, with which the club had to comply with in a rather short timeline. For instance:
 - there is restricted know-how in the city of Brussels (police and stadium itself) to support a club that is organising home games;
 - the club was obliged to use reusable cups in the stadium, this without clear guidelines. This already caused problems during some music concerts which were held at the stadium in July;
 - the club was not allowed to organise any pre-game event in or around the stadium to attract fans to the stadium early;
 - the club could only communicate at a very late time about the ticket sales; tickets had to be sold online and were only available for the fans four hours before kick-off. This resulted in nearly 20,000 fans arriving at the stadium at the same time;
 - at parking area C, which needed to be used by the buses and cars, the parking operator was selling drinks (without approval of the club), resulting in the late arrival of the fans at the stadium. 5,000 fans arrived 15 minutes after kick-off;
 - the type of ticket-selling and time schedule had a serious technical risk, which caused irritations for the fans;
 - the stands in the stadium make segmentation very hard and/or impossible: i.e. the press, tribune of honour, B2B, B2C blend into one another;
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- the club had to make sure 300 stewards were present, who were recruited by the club itself without any help from other stakeholders; the extra stewards were recruited from other teams, which might have caused a certain kind of laxity and a lack of feeling with the fans;
 - extra security people were hired via Protection Unit; and
 - arrangements had to be made with the local police regarding the patrolling around the stadium, as well as for the security checks.
- The club has already taken, and wishes to further take, responsibility for the incidents, but at the same time the club wants to underline that the possibility of these events would have been much more controllable in its home stadium. At this moment, the club is analysing the incidents together with the local police and will act decisively by banning these individuals. Based on the available footage, the club has already summoned six persons.
- As to the specific charges, the club notices that they derive from the report of the UEFA match delegate who observed some offences (which might have been put into words in a slightly exaggerated way because of his own emotions after the game, e.g. *"I have to be honest but everything is about bad losers"*). As stated above, the club has tried to do everything in its power to prevent any kind of incident but stood opposite a big challenge hosting such a game. Therefore, the club requests that the CEDB take the above circumstances into account.
- The fans might have been 'irritated' by how the game itself developed, and some of the actions of the referee. We want to make clear that the club itself did not respond to any factual decisions of the referee. On the other hand, the club did file an official protest, against one action of the referee which was – in the club's opinion – a violation of a rule, which might have affected the outcome of the game. This should not be seen as a lack of respect towards UEFA or the refereeing team. The protest is (at this time) pending and has to be taken into account while deciding on this matter.
- The banner which is subject of the prosecution mentioned "UEFA MAFFIA", a message which the club does not support. Nevertheless, in a recent decision by the Belgian Disciplinary Body dated 03.05.2019, it was ruled as follows: *"The use of the terms 'Voetbalbond maffia' need to be considered as neutral terms, without any harming character and they can be considered as a mere catharsis of the fans to ventilate their emotions about the game. In a strict way, both terms don't have a harming connotation."* The Belgian Disciplinary Body therefore ruled that such a slogan should be covered by freedom of speech. It might have been for this reason that the fans unrolled this banner, thinking that it has been allowed in the past by the Belgian Disciplinary Body.
- As for the acts of Sinan Bolat, the player would like to make the following remarks. He was the first player to try and calm down the supporters as the incidents in the stadium arose. However, his emotions were fuelled by the events around and on the pitch and he ventilated this emotion after the game. The charge withheld against him is "insulting any match official" (Art. 15(1)(d) DR). The basis for this charge seems to
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be a letter from the UEFA DCO, in which it is noted that the player has expressed himself in a rather negative way about the referee. Apart from what was said exactly, it has to be taken into account that the content of this message never reached the official (neither in a direct way nor in an indirect way).

- The referee did not mention the incident in his report. Therefore, it is not the task of the UEFA DCO to report statements of players – which might be placed under freedom of speech and did not reach any member of the referee team. We believe that Article 15(1)(d) DR should only be applied when any insult actually reaches a member of the referee team. For instance, by talking to the referee in a direct way or making a statement in an interview on television. In this case, the referee was not notified about any statement whatsoever and, for this reason, we are of the opinion that there is no reason to suspend the player.
 - In conclusion, it ought to be considered by the CEDB that the club faced several difficulties by organising the game in a different city. All of this, together with the result of the game, might have led to incidents which the club acknowledges do not belong in a football stadium. Next year, the club will be able to host European games in Antwerp again, which ensures that the club will have the full power to act in a more sufficient preventive and repressive way. In this respect, we would like to ask the CEDB to take into account these mitigating circumstances when imposing a sanction (Article 23 DR). In light of Article 26 (1) DR, we kindly ask the CEDB to at least suspend (a part of) the sanction. By the CEDB doing so, the club can give a strong signal towards its supports for next year that, if anything happens, the club will be punished very severely.
 - Finally, as for the player, the club requests that no suspension is handed down.
4. The more detailed arguments made by the club and the player in support of their written submissions are set out below in as far as they are relevant.

III. Merits of the case

A. UEFA's competence and relevant provisions applicable to the case

5. Pursuant to Article 33(3), 52 and 57 of the UEFA Statutes, as well as Article 29(3) of the UEFA Disciplinary Regulations (DR), the CEDB is competent to deal with the case.
 6. Pursuant to Article 5(a) DR, the UEFA Statutes, rules and regulations, in particular the DR, are applicable to these proceedings.
 7. The following relevant provisions apply to the case at hand.
 8. Pursuant to Article 7(2) DR, *"[i]n addition to disciplinary measures, the disciplinary bodies may issue directives stipulating the manner in which a disciplinary measure must be carried out."*
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9. Pursuant to Article 15 DR, "¹ [t]he following suspensions apply for competition matches: [...] (d) suspension for three competition matches or a specified period for insulting any match official [...]. ⁴ If a [...] club team conducts itself improperly (for example, if individual disciplinary sanctions are imposed by the referee on [...] a combination of six or more players and officials [...], disciplinary measures may also be taken against the [...] club concerned (see Annex A.VIII)."
 10. According to Article 16 DR, "¹ [h]ost clubs [...] are responsible for order and security both inside and around the stadium before, during and after matches. All [...] clubs shall comply with the obligations as defined in the UEFA Safety and Security Regulations. They 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. ² However, all [...] clubs are liable for the following inappropriate behaviour on the part 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: [...] (b) the throwing of objects potentially endangering the physical integrity of others present at the match or impacting the orderly running of the match; (c) the lighting of fireworks or any other objects; [...] (e) the use of gestures, words, objects or any other means to transmit a provocative message that is not fit for a sports event, particularly provocative messages that are of a political, ideological, religious or offensive nature; [...] (h) any other lack of order or discipline observed inside or around the stadium."
 11. Pursuant to Article 23 DR, "¹ [t]he competent disciplinary body determines the type and extent of the disciplinary measures to be imposed in accordance with the objective and subjective elements of the offence, taking account of both aggravating and mitigating circumstances. [...] ³ Disciplinary measures can be reduced or increased by the competent disciplinary body on the basis of the circumstances of the specific case. [...]"
 12. Article 25 DR stipulates as follows: "¹ [r]ecidivism occurs if another offence of a similar nature is committed within: [...] (c) two years of the previous offence if that offence was related to order and security at UEFA competition matches; (d) three years of the previous offence in all other cases. ² Recidivism counts as an aggravating circumstance."
 13. Pursuant to Article 45 DR, "[f]acts contained in official UEFA reports are presumed to be accurate. Proof of their inaccuracy may, however, be provided."
 14. Pursuant to Article 6(5) DR, "Annex A contains a list of standard disciplinary measures which may be taken into consideration by the relevant disciplinary body when rendering its decision."
 15. Pursuant to Article 6.01(e) of the UEFA Europa League Regulations 2019/20 season, "[o]n entering the competition, participating clubs agree: [...] to observe the UEFA Safety and Security Regulations for all matches in the competition."
 16. As stated in Article 2 of the UEFA Safety and Security Regulations (SSR), "[t]he aim of these regulations is to make the match organiser and participating [...] clubs aware of their
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duties and responsibilities before, during and after a match to ensure a safe, secure and welcoming environment for everyone present."

17. According to Article 38 SSR, "[t]he match organiser must take measures to ensure that all public passageways, corridors, stairs, doors, gates and emergency exit routes are kept free of any obstructions, which could impede the free flow of spectators."
18. According to Article 47 SSR, "[a]ny breach of these regulations may be penalised by UEFA in accordance with the UEFA Disciplinary Regulations."
19. According to Article 62(1) of the UEFA Organisational Regulations (OR), "[f]or each match, the UEFA administration appoints a match delegate and, if necessary: [...] c. a doping control officer [...]."
20. According to Article 66 OR, "[d]oping control officers: [...] c. submit detailed reports to the UEFA administration immediately after each match [...]."

B. The responsibility of the club for the throwing of objects

21. In the present case, according to the official reports of the referee, the UEFA match delegate and the UEFA security officer, a significant number of objects, namely plastic cups and plastic bottles, were thrown by the club's supporters throughout various stages of the match.
 22. It shall be recalled that the throwing of objects is a serious offence as it can not only disrupt the orderly running of the match but could also endanger the physical integrity of the attendees, e.g. the spectators, officials, stewards, the referee and his team as well as the players on the pitch. For this reason, the throwing of objects is strictly forbidden at UEFA matches.
 23. First of all, the CEDB notes that the official reports reflect that several dozens of objects were thrown by the club's supporters from Tribune 1 between the 36th and 73rd minutes of the match, most notably to express their displeasure at the various decisions and events that occurred during the match. Furthermore, the CEDB notes that the majority of said objects landed on the athletic track, which was clearly visible in the photographic evidence provided by the UEFA security officer, which most prominently occurred during the 36th minute of the match after one of the club's players was sent off.
 24. Secondly, the CEDB recalls that, according to the UEFA match delegate, during the entire duration of extra time, the club's supporters threw at least 75 plastic cups and bottles from Tribune 1 in what can only be described as especially dangerous, reckless and totally unacceptable on part of the club's supporters.
 25. Finally, the CEDB finds it particularly serious that, after the final whistle, at least 15 plastic cups and bottles were thrown in the direction of the referee's team and players as they were leaving the pitch, which is absolutely intolerable, all the more since it was reported by the UEFA security officer that the club's supporters were trying to hit the referees.
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26. The CEDB recalls that the throwing of a large and uncountable number of plastic cups and bottles by the club's supporters was clearly visible in the photo and video evidence provided by the UEFA security officer. Furthermore, the CEDB notes that the club, in its written statement, has not provided any evidence which would challenge the presumed accuracy of the facts contained in the official reports, nor the photo or video evidence submitted as part of the official reports (cf. Article 45 DR), hence the facts and evidence mentioned in such reports remain valid.
27. The CEDB considers it as totally unacceptable that such a high number of objects were thrown by the club's supporters, irrespective of the decisions or events that occurred during the match, and condemns such behaviour, which can only be described as repeated acts of hooliganism.
28. In this regard, the CEDB would like to recall that, according to Article 16(2) DR, the principle of strict liability is well-established for clubs for the behaviour of their supporters, as it has been confirmed by CAS jurisprudence (cf. *CAS 2013/A/3047, FC Zenit St. Petersburg v. Football Union of Russia*).
29. Consequently, given that the occurrences of the throwing of objects has been established by the official reports and photo and video evidence, the club shall be held responsible for the violation of Article 16(2)(b) DR by its supporters and must be punished accordingly.

C. The responsibility of the club for setting off fireworks

30. According to the official reports of the referee, UEFA match delegate, and the security officer present at the match, the club's supporters ignited three pyrotechnic devices throughout the match. Furthermore, the CEDB recalls that each of the three pyrotechnic devices were thrown by the club's supporters.
 31. In this regard, the CEDB recalls that, according to the officials reports of both the UEFA match delegate and UEFA security office, in the 80th minute of the match, the club's supporters ignited a firecracker from Tribune 4. The UEFA security officer further noted that the club's supporters threw said firecracker.
 32. Furthermore, the CEDB recalls that, during the 98th and 100th minutes of the match, the club's supporters threw two red smoke bombs from sector D/C in Tribune 3. In this regard, the CEDB notes that the first smoke bomb landed on the pitch in close proximity to the second assistant area, which subsequently caused a one-minute delay in the match due to the thick smoke that it emitted, and the second smoke bomb was thrown and landed on the athletic track surrounding the pitch. The CEDB recalls the clear photographic evidence submitted by the UEFA security officer regarding the first red smoke bomb that was thrown in the 98th-99th minute.
 33. Furthermore, despite the fact that there is no photographic evidence of the firecrackers being thrown in the 80th and 100th minutes due to the inherently instant nature in which such a pyrotechnic device is thrown and explodes, the CEDB recalls that facts contained
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- in official reports are presumed to be accurate pursuant to Article 45 DR, and in this regard, notes that the club in its written statements has not provided any evidence which would put in doubt the presumed accuracy of the facts contained in the official reports.
34. In this particular case, the CEDB considers that it was extremely serious and dangerous that pyrotechnics were lit and thrown in very close proximity to the pitch by the club's supporters. With particular respect to the incident in 100th minute, the CEDB recalls the extremely close proximity in which the lit pyrotechnics landed to the field of play, namely on the athletic track, which poses an obvious risk with potentially disastrous consequences if it were to hit a player, official or spectator.
 35. Finally, with respect to the red smoke bomb that was thrown on to the pitch close to the second assistant area in the 98th-99th minute, the CEDB considers that the smoke bomb thrown could have seriously injured a player, official or spectator if it were to have hit them, as well as anyone else in its vicinity. Said incident also resulted in a delay to the match, which further emphasises the severity of such incident.
 36. Such incidents are completely intolerable and have no place or acceptance in society in general, but particularly not at a UEFA competition match such as a UEFA Europe League Play-Off match, one of UEFA's flagship competitions, as has been regularly confirmed by the established jurisprudence of the UEFA disciplinary bodies (as published on the UEFA website). No person attending a UEFA competition match, be it as a spectator, steward, official, referee or player, should have to risk injury, nor their health and safety, by attending a football match.
 37. Consequently, given that the occurrence of setting off fireworks has been established by the official reports and photo and video evidence, the club shall be held responsible for the violation of Article 16(2)(c) DR by its supporters and must be punished accordingly.

D. The responsibility of the club for the crowd disturbances by its supporters

38. The CEDB recalls that it was reported by the referee, UEFA match delegate and UEFA security officer that, during extra time of the match, there was a significant crowd disturbance that occurred when a large number of the club's supporters in sector C and D of Tribune 3 pushed and opened the gates of the tribune in an attempt to invade the pitch. Furthermore, the CEDB notes that around 20 of the club's supporters entered the athletic track, most of whom were masked with scarves and shirts over their heads, before being pushed back behind the tribune gates by police and stewards.
 39. Furthermore, the CEDB recalls that the crowd disturbances caused by the club's supporters resulted in a seven-minute delay to the match, at which point in time, the referee stopped the match so that the players could retreat to the bench and tunnel area. The UEFA security officer further noted that around 30 stewards intervened and were successful in suppressing the club's supporters by closing the gates after approximately two minutes. Importantly, the CEDB recalls that the incident was of such a serious nature that according to the official report of the UEFA match delegate, a decision had to be made between the referee, UEFA match delegate, UEFA security officer and the club's security officer regarding whether or not the match ought to be continued.
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40. The CEDB notes that, according to the additional report of the UEFA security officer, once the players and officials had finally entered the tunnel, there was a crush between the club's supporters and the civilian police, in which metal sticks and batons were used to intervene and prevent further disruption. In this regard, the CEDB recalls the video footage of the club's supporters provoking and arguing aggressively with stewards and the civilian police for several minutes, which upon careful review, had the potential to create a much more serious incident in the stands.
41. Bearing the above in mind, after carefully analysing the official reports and the video footage provided by the UEFA security officer, the CEDB recalls that the club's supporters were acting in an overly aggressive, hostile and intimidating manner. These types of confrontations between spectators, stewards and security personnel are completely unacceptable, particularly in UEFA competitions, and again can only be described as a severe act of hooliganism.
42. With regard to the crowd disturbance as such, the CEDB notes the club's argument that they might have been more controllable in its home stadium. In this regard, the CEDB recalls that the behaviour of the club's supporters was so blatantly abhorrent that such circumstances cannot be considered as a justification for the behaviour of the club's supporters in the present case, particularly given the fact that the referee saw fit to stop the match for seven minutes and ordered the players to retreat to the bench and tunnel area.
43. Therefore, the violation of Article 16(2)(h) DR by the club's supporters has been established. By applying the principle of strict liability, the club shall be held liable for such conduct of its supporters, even if it is not at fault itself, a concept which has long been established in the case law of UEFA (published on the UEFA website) and constantly confirmed by the CAS (cf. *CAS 2002/A/423 PSV Eindhoven v. UEFA*). Therefore, the club shall be sanctioned accordingly.
44. With this being established, the CEDB emphasises that such behaviour, i.e. provoking and engaging in violent and threatening confrontations with stewards and security personnel, cannot be tolerated and has no place in society, sport and football in general, particularly in the context of UEFA competition matches.
45. Hence, the violation of Article 16(2)(h) DR has been established and by equally applying the principle of strict liability as described above, the CEDB concludes that the club needs to be punished for the violation of this provision accordingly.

E. The responsibility of the club for its supporters displaying an illicit banner

46. The CEDB stresses that it cannot allow football matches organised by UEFA to become forums for people who want to abuse the game's popularity to publicise provocative political, religious, ideological or offensive opinions which are unrelated to sports events.
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47. This is the reason why Article 16(2)(e) DR expressly forbids the transmission of any provocative message which is not fit for a sports event, i.e. for UEFA competition matches.
48. In the present case, the UEFA match delegate and UEFA security officer reported that, during the second half and extra time of the match, the club's supporters in sectors C and D of tribune 3 displayed a banner with the words "UEFA MAFIA" on it. Furthermore, the CEDB recalls the photographic evidence submitted by the UEFA security officer which clearly depicts the banner on display as reported.
49. The CEDB recalls the club's argument that a recent decision of the Belgium Disciplinary Body deemed the use of similar terminology as "neutral" and that the use of such terms does not have a harming connotation, which may have led to the club's supporters being confused regarding what is acceptable at UEFA competition matches. However, the CEDB, after evaluating the information and photographic evidence provided by the UEFA match delegate and UEFA security officer concerning the banner in question, cannot accept this argument and has no doubt that such banner is not fit for a sports event. As much sympathy as the CEDB may have for the right of those attending UEFA competition matches to be critical towards UEFA, it cannot accept that anyone or any institution is compared to a criminal organisation such as the mafia.
50. There is no doubt that by displaying such banner, the club's supporters surpassed the acceptable limits of allowable and justifiable criticism. The banner is clearly provocative and offensive and is hence not fit for a sports event.
51. Applying the principle of strict liability as described in Article 16(2) DR, the club shall be held liable for the conduct of its supporters, even if not at fault itself, as has been regularly confirmed by the established jurisprudence of the disciplinary bodies of UEFA (as published on the UEFA website) and by the CAS (cf. *CAS 2002/A/423 PSV Eindhoven v. UEFA*).
52. In view of the above, the CEDB comes to the conclusion that the club is to be held liable for the behaviour of its supporters and the related violation of Article 16(2)(e), in application of the principle of strict liability, and must be punished accordingly.

F. The responsibility of the club for the blocking of stairways

53. Under Article 2 SSR, the purpose of these regulations is to maintain the safety and security of everyone present at the match. To achieve this goal, the SSR contain several provisions concerning spectator control at the stadium, including Article 38 SSR, imposing the obligation on the match organiser to keep all public passageways free of obstruction.
 54. It is well-established jurisprudence of the CAS that UEFA is entitled to put in place and enforce regulations aimed at protecting the safety of spectators, including the requirement that the organisers of football matches must keep stairways free of any obstruction (cf. *CAS 2015/A/3926 FC Gelsenkirchen-Schalke 04 v. UEFA*).
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55. In the case at hand, according to the official reports of the UEFA match delegate and the UEFA security officer, throughout the entire match, the stairways in sectors C and D of Tribune 3 were blocked by the club's supporters.
56. This obviously represents a serious security issue which can lead to severe consequences in case of an emergency, e.g. when emergency services need to access the relevant sectors or should the evacuation of one or several persons be required.
57. Furthermore, the CEDB recalls the photographic evidence submitted by the UEFA security officer in which the blocked stairways were clearly visible. In addition, the CEDB considers that the club has not provided any evidence which could dispute the presumed accuracy of the facts described in the official reports (cf. Article 45 DR).
58. Consequently, the CEDB comes to the conclusion that the club, as the host and match organiser, violated Article 38 SSR and must be punished accordingly.

G. Responsibility of the club for the improper conduct of the team

59. In the case at hand, the official report of the referee indicates that the club's players received nine cautions, while the club's coach also received one caution, resulting in the total amount of 10 cautions for players and officials of the club during the match.
60. The CEDB recalls that, according to the new edition of the DR (edition 2019), Article 15(4) DR specifically includes the sanctions imposed by the referee against both players and officials.
61. Furthermore, the CEDB notes that the club has not issued any statements which could question the accuracy of the official report of the referee, nor has it challenged the occurrence of said cautions. Therefore, in accordance with Article 45 DR, the presumed accuracy of the facts contained in the report prevails and the violation of Article 15(4) DR has to be deemed as established.
62. Considering the above, the CEDB concludes that the club violated Article 15(4) DR and must be punished accordingly.

H. The responsibility of the player for insulting a match official

63. In the case in hand, it was reported by the UEFA match delegate and the UEFA DCO that in the tunnel after the match, the club's player Sinan Bolat was screaming that the referee was an "idiot" and that UEFA is "shit" to the UEFA DCO Candidate. According to the detailed report of the UEFA DCO, who directly witnessed the incidents described, the player continued his verbal assault on the UEFA DCO Candidate and insinuated that he should write a report against the "stupid referee".
 64. Furthermore, the CEDB recalls that the official report of the UEFA DCO outlined that the player subsequently saw the UEFA DCO's official UEFA suit and made physical advances towards him and further remarks referring to UEFA being "shit" and the referee being
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“crazy”. Furthermore, the player continued his verbal assault and told the UEFA DCO that he could report him and that he did not care.

65. The CEDB recalls the club’s arguments that it is not the UEFA DCO’s task to report the statements of players, which can arguably be classified as freedom of speech, and that in any event, the comments of the player did not reach the referee himself, nor a member of the referee team, and that the referee was not in any case notified of such incident. The CEDB cannot accept such arguments and, in this regard, refers to Articles 62(1)(c) and 66 OR, which establish that the UEFA DCO is a UEFA representative whose task constitutes, inter alia, to submit an official report on their activities to the UEFA administration so that such report is to be considered as an official one within the meaning of Article 45 DR.
66. In light of the above, the club’s argument is incorrect in the sense that the UEFA DCO is considered as a UEFA match official in their own right, meaning that the verbal insults directed at the UEFA DCO indeed amount to a breach of Article 15(1)(d) DR in and of itself, irrespective of any reference to the referee. In this regard, the CEDB specifically recalls that the player repeatedly shouted at the UEFA DCO and referred to UEFA being *“shit”* and that the referee was *“crazy”*, in a clear and unambiguously insulting manner.
67. Article 15 DR ought to be understood as an attempt by UEFA to protect officials who, in the context of a match, exercise a function that warrants particular respect. This includes the referee and assistant referees, but also officials such as the UEFA match delegate, the venue director, the referee observer, the security officer and the UEFA DCO.
68. Referees and officials cannot be undermined by any person participating at a match, let alone showing an aggressive attitude and inferring insults against the latter. If UEFA would accept that players show such an aggressive and insulting behaviour as occurred in the case in hand, this would have an impact on the performance of the referees and officials, and the competition itself, which is completely unacceptable. In this sense, the CEDB remarks that the status of UEFA officials requires a special protection. Hence, any infraction committed in this regard warrants strong disciplinary measures.
69. In the present case, the CEDB understands that players are frustrated after undesirable results in a match but finds that such behaviour can still not be tolerated and notes that the club has not provided any statements which could prove the inaccuracy of the UEFA match delegate’s and UEFA DCO’s respective reports. Considering that, according to Article 45 DR, facts contained in official UEFA reports are presumed to be accurate, the CEDB comes to the conclusion that the player also violated Article 15(1)(d) DR and must be punished accordingly.

IV. The determination of the appropriate disciplinary measure

70. According to Article 23 DR, the CEDB determines the type and extent of the disciplinary measures to be imposed according to the objective and subjective elements of the case, taking account of any aggravating and mitigating circumstances.
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71. In the case at hand, the CEDB appreciates that there is a multiplicity of offences for which the club is responsible that relate to the stark and distinct lack of appropriate conduct and acceptable behaviour its supporters showed during the match: the throwing of objects, setting off fireworks and the crowd disturbances. In this regard, the CEDB decides to impose one combined sanction for the throwing of objects, setting off fireworks and the crowd disturbances.
72. Regarding the throwing of objects, the CEDB notes the seriousness of the offence committed, noting that the club has not been punished for the throwing of objects during the last two years (cf. Article 25(1)(c) and (2) DR). Furthermore, in accordance with Article 23(1) DR, the CEDB considers as an aggravating circumstance the significant number of plastic cups and bottles that were thrown by the club's supporters throughout the match, particularly in relation to those thrown at the referees as they were entering the tunnel after the final whistle. The CEDB finds the behaviour of the club's supporters appalling and emphasises that such incidents could have endangered not only the safety of the referees, officials and security personnel but also other spectators who did not have any relation to the incidents reported.
73. Actions and incidents of such nature do not only show an obvious lack of discipline from the club's supporters but can only be described as severe acts of hooliganism. The CEDB notes that these incidents require the strictest application of the DR, as this kind of behaviour cannot be tolerated at UEFA competition matches.
74. Regarding setting off fireworks, the CEDB takes into account the seriousness of the offences committed, noting that the club has not been punished for setting off fireworks during the last two years (cf. Article 25(1)(c) and (2) DR). Furthermore, in accordance with Article 23(1) DR, the CEDB considers as an aggravating circumstance the fact that three pyrotechnics were thrown, which could have again endangered not only the safety of the players, officials and security personnel but also other spectators who did not have any relation to the incidents reported.
75. Besides the obvious dangerous nature of such incidents, the CEDB finds the circumstances of the incidents regarding the close proximity in which the pyrotechnics landed to the pitch as extremely serious. One such incident provoked a delay in the match and posed a serious threat to the physical integrity of the spectators, players and officials. Actions and incidents of such a dangerous nature not only show an obvious lack of discipline from the club's supporters but can also be described as a severe act of hooliganism. The CEDB notes that such incidents require the strictest application of the DR, as such behaviour will not be tolerated at UEFA competition matches.
76. Regarding the crowd disturbances, the CEDB takes into account the seriousness of the offence committed, noting that the club has not been punished for crowd disturbances by its supporters during the last two years (cf. Article 25(1)(c) DR). Furthermore, in accordance with Article 23(1) DR, the CEDB considers as an aggravating circumstance the level and extent of these violent incidents initiated by the club's supporters, which could have again endangered not only the safety of the players, officials and security personnel but also other spectators who did not have any relation to the incidents reported.
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77. The CEDB finds it particularly concerning that the referee deemed it necessary to stop the game so that the players could retreat to the benches and tunnel area to ensure their safety. Furthermore, the CEDB finds it equally as concerning that the club's supporters violently provoked and threatened security personnel who were trying to maintain good order and the safety and security of all patrons inside the stadium.
78. Therefore, in order to target the supporters directly and the club equally, the CEDB, after a thorough analysis of all circumstances in the case at hand, decides to order a partial closure of the club's stadium during the next (1) UEFA competition match which the club would play as the host club, which shall at least comprehend 5,000 seats and include Tribune 1, and to impose a fine of €20,000 for the throwing of objects, for setting off fireworks and for the crowd disturbances. Additionally, and in order to send a clear message that such behaviour in contradiction of UEFA's values is not tolerated, in accordance with Article 7(2) DR, the CEDB decides to order the club to implement the following directive in the next UEFA competition match which the club will play as host club: display a banner with the wording "#EqualGame", with the UEFA logo on it.
79. Regarding the display of the illicit banner, the CEDB takes into account the seriousness of the offence committed, noting that the club has not already been punished for displaying an illicit banner during the past two years (cf. Article 25(1)(c) and (2) DR).
80. In view of the above, the CEDB decides to apply Article 6(5) DR and Annex A(I), which provides standard sanctions for said offence. Given that the present case constitutes the first infringement for the club in the last two years, recalling that the standard fine for a first offence amounts to €10,000, the CEDB decides to fine the club €10,000 for displaying the illicit banner.
81. Regarding the blocking of stairways, the CEDB takes into account the seriousness of the offence committed, noting that the club has not been punished for the blocking of stairways during the last two years (cf. Article 25(1)(c) and (2) DR).
82. In view of the circumstances of this case, the CEDB decides to apply Article 6(5) DR and Annex A(II) which provides for standard sanctions for said offence. Given that the present case constitutes the first infringement of the club, recalling that the standard fine for a first offence amounts to €8,000, the CEDB decides to impose a fine of €8,000 for the blocking of stairways.
83. Regarding the improper conduct of the team, the CEDB recalls that a total of 10 cautions were shown to players and officials of the club. Furthermore, the CEDB notes that the club has not been punished for the same offence during the last three years (cf. Article 25(1)(d) DR).
84. In view of the above, the CEDB decides to apply Article 6(5) DR and Annex A(VIII), which provides standard sanctions for said offence. Given that the present case constitutes the first offence of the club, the CEDB decides to warn the club for the improper conduct of the team.
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85. Regarding the player's insults against the UEFA match official, the CEDB recalls that the player's conduct was totally unacceptable, as match officials must be respected and nobody shall address the DCO, nor any official, in such an aggressive and disrespectful manner.
 86. In the case at hand, the CEDB does not find any mitigating or aggravating circumstance applicable to the present case. In this regard, the CEDB particularly stresses that mere frustration cannot be accepted as justification for the player's behaviour. Therefore, in application of Article 15(1)(d) DR, the CEDB deems that a three-match suspension is the appropriate sanction for the behaviour of the player.
 87. Consequently, the CEDB deems appropriate to suspend the player for three (3) UEFA competition matches for which he would be otherwise eligible, for insulting a UEFA match official.
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88. Consequently, the CEDB

decides

1. To order a partial stadium closure of at least 5,000 seats in Tribune 1 of the Royal Antwerp FC Stadium during the next competition match in which Royal Antwerp FC would play as the host club, for the throwing of objects, for setting off fireworks and for the crowd disturbances.
2. To order Royal Antwerp FC to implement the following directive in the next UEFA competition match in which the club will play as the host club: to display a banner with the wording “#EqualGame”, with the UEFA logo on it.
3. To fine Royal Antwerp FC €20,000 for the throwing of objects, for setting off fireworks and for the crowd disturbances.
4. To fine Royal Antwerp FC €10,000 for displaying an illicit banner.
5. To fine Royal Antwerp FC €8,000 for the blocking of stairways.
6. To warn Royal Antwerp FC for the improper conduct of the team.
7. The above fines in the total amount of €38,000 must be paid into the bank account indicated below within 90 days of communication of this decision.
8. To suspend Royal Antwerp FC player Sinan Bolat for three (3) UEFA competition matches for which he would otherwise be eligible, for insulting a match official.
9. Royal Antwerp FC ensures that the player is personally informed of this decision.

Thomas Partl
Chairman



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VAT Number in Switzerland : CHE-116.317.087

Fiscal number in Switzerland / canton de Vaud : 21 652

Advice as to rights of appeal

This decision is open to appeal (Article 60 DR).

A declaration of the intention to appeal against a decision by the Control, Ethics and Disciplinary Body must be lodged with the UEFA administration, in writing, for the attention of the Appeals Body, within three days of notification of the relevant decision with grounds (Article 60 (2) DR).

Within five days of the expiry of the time limit for the declaration of the intention to appeal, the appellant must file, in writing, the grounds for appeal, which must contain a legal request, an account of the facts, evidence, a list of the witnesses proposed (with a brief summary of their expected testimony) and the appellant's conclusions (in particular on whether to conduct the appeal proceedings orally or in writing) (Article 60 (3) DR).

The appeal fee is €1,000, payable on submission of the grounds for appeal at the latest (Art. 60 (4) DR).

Publication notice

Decisions of the UEFA disciplinary bodies are published on the UEFA website in accordance with Article 52(5) DR. A request to publish an anonymised version of the decision shall be submitted to the UEFA administration within seven days of notification of the decision with grounds.
