

Disciplinary Committee

FIFA®

Date: 08 January 2025

Sent to:
Colombian Football Association

Cc:
CONMEBOL

Notification of the grounds of the Decision

Ref. no. FDD-19798

Dear Madam, Dear Sir,

Please find attached the grounds of the decision passed in the aforementioned case by a member of the FIFA Disciplinary Committee on 18 October 2024.

We would appreciate your taking due note of this decision and ensuring its implementation.

Yours faithfully,

FIFA



Carlos Schneider
Director of the FIFA Judicial Bodies

Fédération Internationale de Football Association

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Decision of the FIFA Disciplinary Committee

passed on 30 October 2024

DECISION BY:

Paola LÓPEZ BARRAZA (Mexico), Single Judge

ON THE CASE OF:

Colombian Football Association
(Decision FDD-19798)

REGARDING:

Article 14 - Misconduct of players and officials (FDC_23)

I. FACTS

1. The following summary of the facts does not purport to include every single contention put forth by the actors at these proceedings. However, the presiding member of the FIFA Disciplinary Committee (**the 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.
2. On 15 October 2024, a match was played between the representative teams of Colombia and Chile in the context of the FIFA World Cup 2026™ Preliminary Competition (**the Match**).
3. In this context, the Match Commissioner of the Match mentioned the following incidents in his report (**the MC Report**):

"El segundo tiempo inició con retraso de 2 minutos 20 segundos, debido a la salida tarde de ambas selecciones (Colombia y Chile) desde su vestuario hasta el campo de Juego, a pesar de los llamados constantes del Comisario y Coordinador del Partido para que salieran en tiempo."

Free English translation from Spanish:

"The second half started with a delay of 2 minutes and 20 seconds, due to the late departure of both teams (Colombia and Chile) from their dressing room to the pitch, despite constant calls from the Commissioner and Match Coordinator to leave on time."

4. On 23 October 2024, in view of the foregoing, disciplinary proceedings were opened against the Colombian Football Association (**the Respondent**) with respect to potential breaches of arts. 14 of the FIFA Disciplinary Code (**FDC**), and a proposal was issued on the basis of art. 58 FDC. The Respondent was provided with the aforementioned reports and was granted a five-day deadline to provide the Secretariat to the FIFA Disciplinary Committee (**the Secretariat**) with its position.
5. On 23 October 2024, the Respondent rejected the proposal and presented the Secretariat with its position, as follows:
 - The Respondent clarifies that it was not late. They state that the team was in the tunnel ready to start the second half after the 15-minute halftime break. The delay was caused by the Chilean team, who left their locker room late. The Respondent emphasizes that the match officials' report incorrectly blamed Colombia for the delay.
 - The Respondent insists it was ready on time for both the first and second halves of the Match. They argue that the officials' reports, while presumed accurate, can be contested and proven otherwise. The Respondent requests that the investigation against them be closed. If the investigation proceeds, they ask for the lightest possible sanction, such as a warning, instead of a more severe penalty.

6. On 24 October 2024, the Secretariat informed the Respondent that the matter would be referred to the FIFA Disciplinary Committee.

II. CONSIDERATIONS OF THE DISCIPLINARY COMMITTEE

7. In view of the circumstances of the present case, the Committee decided to first address the procedural aspects of the case, *i.e.* its jurisdiction and the applicable regulatory framework, before proceeding to the merits of the case and determining the possible infringements as well as the possible resulting sanctions. In doing so, The Committee, reiterated that it has considered all the facts, allegations, legal arguments and evidence provided by the Respondent, and in the present decision had only referred to those observations and evidence regarded as necessary to explain its reasoning.

A. Jurisdiction of the FIFA Disciplinary Committee

8. First of all, the Committee noted that at no point during the present proceedings did the Respondent challenge its jurisdiction or the applicability of the FDC.
9. Notwithstanding the above and for the sake of good order, the Committee found it worthwhile to emphasise that, on the basis of art. 2.1 FDC read together with arts. 55 and 56 FDC, it was competent to evaluate the present case and to impose sanctions in case of corresponding violations.
10. Moreover, in line with art. 57(1)(a) FDC, the Committee found that a member of the Committee can rule on the matter alone as single judge.

B. Applicable law

11. In order to duly assess the matter, the Committee firstly began by recalling the content and the scope of the relevant provisions of the 2023 edition of the FDC, which was, in its view, the edition applicable to the present issue. In particular, the Committee considered that both the merits and the procedural aspects of the present case should be covered by the 2023 edition of the FDC.
12. In order to duly assess the matter, the Committee firstly began by recalling the content and the scope of the relevant provisions of the 2023 edition of the FDC, which was, in its view, the edition applicable to the present issue. In particular, considering the date in which the Match was played, the Committee considered that the merits and the procedural aspects of the present case should be covered by the 2023 edition of the FDC.
13. With respect to the applicable regulations, the Committee first referred to art. 14.5 FDC which reads as follows:

Art. 14 of the FDC – Misconduct of players and officials

5. *If a national or club team conducts itself improperly (for example, if individual disciplinary sanctions are imposed by the referee on five or more players – three or more in case of futsal – during a match), disciplinary measures may also be taken against the association or club concerned.*

14. This provision contains a general obligation for national or club teams to behave properly, failing which disciplinary sanctions may be imposed on the association or club concerned. For example, and as specifically provided for under said article, any team that receives more than five individual disciplinary sanctions during a match is considered to be in breach of this provision.
15. It goes without saying that this provision, due to its clear and non-exhaustive wording, empowers the Committee to sanction an association or a club when its team has engaged in misconduct, resulting, for example, in a delay in the (re)start of the match.

C. Standard of proof

16. Firstly, the Committee recalled that the burden of proof lies with FIFA, which is required to prove the infringement under art. 41.1 FDC.
17. Secondly, the Committee pointed out that, according to art. 39.3 FDC, the standard of "*comfortable satisfaction*" is applicable in disciplinary proceedings. According to this standard of proof, the onus is on the sanctioning authority to establish the disciplinary violation to the comfortable satisfaction of the judging body, taking into account the seriousness of the allegation.
18. Finally, the Committee referred to art. 40 FDC, according to which the facts contained in the match officials' reports, as well as in the supplementary reports or correspondence submitted by the match officials, are presumed to be accurate, bearing in mind that proof of their inaccuracy may be provided.
19. Having clarified the foregoing, the Committee proceeded to consider the merits of the case.

D. Merits of the case

1. Issues of review

20. The relevant provisions having been recalled, and the above having been established, the Committee proceeded to analyse the evidence at its disposal, in particular the documentation and information provided in the scope of the present disciplinary proceedings, in order to determine the potential violations of the FDC.
21. As a preliminary remark, and as outlined above, the Committee wished to recall that in accordance with art. 40 FDC, the facts stated in the reports or records of the match officials are presumed to be correct, although it is possible to prove the contrary.
22. In this context, the Committee acknowledged that from the MC report, the restart of the Match was delayed by two (2) minutes and twenty (20) seconds due to the late entry onto the field of the Colombia team.
23. To begin with, the Committee observed that the Respondent contested that the second half had started late due to the late return of the Respondent's representative team to the field. However, the Committee noted that the Respondent did not present any evince to rebut the presumption of accuracy of the MC Report.

24. In view of the foregoing, the Committee was comfortably satisfied that (i) the kick-off of the second half of the Match had been delayed and (ii) such delay was caused by the Respondent's representative team.

2. Infringements committed by the representative team of the Respondent

25. As a preliminary remark, the Committee recalled that pursuant to art. 14.5 FDC, *"if a national or club team conducts itself improperly (...), disciplinary measures may also be taken against the association or club concerned"*. In other words, under art. 14.5 FDC, disciplinary measures may be taken against associations should (players, officials or delegates of) their national team engage in misconduct.
26. In particular, the Committee highlighted that the term *"(for example (...))"* is open-ended, and as such is non-exhaustive, i.e. applies against but is not limited to.
27. Against such background, the Committee proceeded to underline that from a national team, which stands as a representation of the applicable nation on a worldwide scale, FIFA expects an unwavering and exemplary professional, decent and respectful attitude towards all members of the Football family, including opposing players and officials, match officials and fans. Such sportsmanlike behaviour is expected at all times without question, whether being on or off the pitch, especially in the context of the qualifications for the FIFA World Cup 2026™.
28. In this sense, the Committee impressed that any contradictory conduct and/or behaviour that is not compatible with the abovementioned principles, may leave the association of the contravening representative team concerned open to potential sanction for said misconduct - as provided for under the (non-exhaustive) scope of art. 14.5 FDC.
29. With the foregoing in mind, the Committee referred to the above explanations, which outlined the scope of art. 14.5 FDC, namely that this provision imposes a general obligation for national or club teams to behave properly, failing which disciplinary sanctions may be imposed on the association or club concerned. More specifically, the Committee once again highlighted that the key term of this provision *"(for example (...))"* is open-ended, and as such is not exhaustive (i.e. applies against but is not limited to) and can apply against associations (or clubs) if their team has engaged in (any type of) misconduct.
30. Against such background, the Committee concluded that a delay in the (re)start of the match – that is resulting from the conduct of a representative team of the Respondent – also constitutes a team misconduct in the sense of art. 14.5 FDC and can be sanctioned accordingly, such conclusion being in line with the constant jurisprudence of the Committee¹. Moreover, the Committee observed that "late kick-off" is listed as an offence in Annex 1 (*"List of disciplinary measures"*).
31. Consequently, the Committee had no other choice but to consider that the Respondent's team conducted itself improperly as it left the dressing room too late and therefore caused a 2min and 20 seconds delay in the start of the Match. In this respect, the Committee highlighted that in line with constant jurisprudence, a delay of this length does qualify as a late kick-off.² Moreover, the fact that the

¹ See for instance: <https://digitalhub.fifa.com/m/16cf456ff4872874/original/FIFA-World-Cup-26-Qualifiers-disciplinary-overview-Sept-Nov-2023.pdf> or <https://www.fifa.com/tournaments/mens/worldcup/qatar2022/news/latest-disciplinary-sanctions-published-concerning-fifa-world-cup-tm>

² *Idem*

delay occurred because the coach gave a longer than usual halftime speech given the importance, competitiveness and intensity of the Match, does not excuse the late kick-off or restart of the Match.

32. With the above in mind, the Committee found that the Respondent had to be held liable for the misconducts of its representative team in accordance with art. 14.5 FDC and had to be sanctioned accordingly.

3. The determination of the sanction

33. The Committee observed in the first place that the Respondent was a legal person, and as such was subject to the sanctions described under art. 6.1 and 6.3 FDC.
34. 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. 25.1 FDC).
35. As established above, the Respondent was found liable for the discriminatory behaviour of its supporters in accordance with art. 15 FDC and for the misconduct of the members of its representative team in accordance with art. 14.5 FDC.
36. With respect to the misconduct of the Respondent's representative team, the Committee remarked that Annexe 1 FDC provides for a list of specific disciplinary measures which may be taken into consideration in case of "late kick-off" pursuant to art. 14.5 FDC – a warning for first offence, CHF 10,000 for second offence and an increase of the previous fine by 100% for a further offence.
37. With those elements in mind, the Committee subsequently acknowledged that in the past three years the Respondent had already been sanctioned for the misconduct of the members of its representative team (late kick-off)³.
38. In view of the foregoing, the Committee considered that, in principle, it was therefore entitled to apply art. 15.2.b) FDC which provides that "[f]or recidivists or if the circumstances of the case require it, disciplinary measures such as the implementation of a prevention plan, a fine, a points deduction, playing one or more matches without spectators, a ban on playing in a particular stadium, the forfeiting of a match, expulsion from a competition or relegation to a lower division may be imposed on the association or club concerned" (emphasis added). In this respect, the Committee recalled that the Respondent undoubtedly qualified as a recidivist in such context.
39. On that basis, the Committee therefore held that in the present circumstances a fine was the appropriate measures with which to sanction the Respondent for the misconduct of the members of its representative team in accordance with art. 14.5 FDC.
40. Given the above and with respect to the fine to be imposed, the Committee recalled that, in accordance with art. 6.4 FDC, it may not be lower than CHF 100, nor greater than CHF 1,000,000.

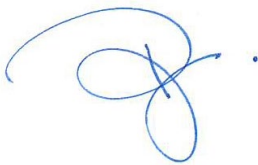
³ Disciplinary proceedings under references FDD-16315, FDD-16005, FDD-15921, FDD-19344.

41. Therefore, taking into account the entirety of the case file before it as well as (i) the previous sanction(s) which had already been imposed on the Respondent for similar offences and (ii) the specific sanctions foreseen under Annexe 1 FDC for breaches of art. 14.5 FDC, the Committee determined that a fine amounting to CHF 10,000 was to be considered appropriate and proportionate.
42. On a final note, the Committee stressed that all above measures were considered justified, specifically taking into account the nature of the incidents which occurred during the Match at stake, but also the fact that this type of incidents continue to occur despite the sanctions imposed previously by FIFA on the Respondent. In fact, it was expected by the Committee that such sanctions would (finally) serve to have the necessary deterrent effect in order to avoid similar incidents in the future.

Decision

- 1. The Colombian Football Association is ordered to pay a fine to the amount of CHF 10,000 for the misconduct of the members of its representative team (late kick-off) in connection with the match *Colombia vs. Chile* played on 15 October 2024 in the scope of the FIFA World Cup 2026™ preliminary competition.**
- 2. The fine is to be paid within 30 days of notification of the present decision.**

FÉDÉRATION INTERNATIONALE
DE FOOTBALL ASSOCIATION



Paola LOPEZ BARRAZA (Mexico)

Member of the FIFA Disciplinary Committee

LEGAL ACTION:

This decision can be contested before the Court of Arbitration for Sport (CAS) within 21 days of notification of the decision.

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 the abovementioned case number.