



FOOTBALL

THE APPEAL OF JOSIP SIMUNIC (CROATIA) IS REJECTED

Lausanne, 12 May 2014 - The Court of Arbitration for Sport (CAS) has rejected the appeal filed by the Croatian football player Josip Simunic against the decision of the FIFA Appeal Committee issued on 21 February 2014. The CAS confirmed the sanction imposed by FIFA against the player, who remains suspended for ten official matches, the first of which has to be served during the final competition of the 2014 FIFA World Cup, banned from entering the confines of the stadiums for those ten matches and also fined CHF 30,000.

On 19 November 2013 in Zagreb, the national football team of Croatia won the play-off game against Iceland and qualified for the final round of the 2014 FIFA World Cup Brazil. After the end of the match, Josip Simunic went to the centre of the pitch with a microphone and yelled at the fans "U boj, u boj !" (*to the battle !*), "za dom !" (*for the homeland !*). The fans replied by shouting "Spremni !" (*We are ready !*). The FIFA instances identified such words as being the war call used by the Ustaše, the Croatian pro-Nazi regime that ruled the state during World War II before being dissolved in May 1945 and found the player guilty of offending the dignity of a group of persons by using discriminatory words.

On 9 April 2014, Josip Simunic filed an appeal with the CAS and requested that the sanctions be cancelled or, alternatively, be stayed for a probation period of one year. The player stated that he did not have the intention to offend or discriminate anyone but that he wanted to share his patriotic emotions with the fans after such an important success. The parties were heard at a hearing which took place at the CAS offices on 8 May 2014.

The CAS arbitrators in charge of this matter unanimously rejected the arguments of the player and dismissed his appeal. They confirmed that the expression used by Simunic was a clear and unequivocal reference to the call used by the Ustaše and that such expression has to be sanctioned in accordance with Article 58 para. 1 of the FIFA Disciplinary Code. Accordingly, the CAS Panel confirmed the FIFA decision which was appealed against.

The full arbitral award, with the grounds, will be published in a few days.