



MEDIA RELEASE

FIFA WORLD CUP - MEXICO

THE COURT OF ARBITRATION FOR SPORT (CAS) CANCELS TWO FINES IMPOSED ON THE MEXICAN FOOTBALL FEDERATION AND IMPOSES WARNINGS IN THEIR PLACE

Lausanne, 16 November 2017 – The Court of Arbitration for Sport (CAS) has partially upheld two appeals filed by the Federación Mexicana de Fútbol Asociación (FMF) against decisions rendered by the FIFA Appeal Committee (FIFA AC) which confirmed earlier decisions issued by the FIFA Disciplinary Committee (FIFA DC). The FIFA DC decisions imposed monetary fines of CHF 20,000 and CHF 15,000 on the FMF due to the improper conduct of its supporters during matches played between Mexico and El Salvador on 13 November 2015 and Canada and Mexico on 29 March 2016. At both matches, the chant “eeeeeh Puto !” (“Chant”) was heard several times among the Mexican fans and was qualified as discriminatory by FIFA.

The CAS Panel in charge of this matter has reached the conclusion that the intention of the Mexican fans when shouting the Chant was not to offend or discriminate any specific person. However, even if those expressions and words were not used with the intention to discriminate or offend any specific players to which they were addressed, they could still be considered discriminatory or insulting in nature and should not be tolerated in football stadiums. Therefore, considering that the description of the conduct prohibited under the FIFA Disciplinary Code (FDC) merely requires the use of “insulting words”, irrespective of the intention of the offenders or whether the target of the words felt insulted or not, the Panel has found that the Chant shouted by the Mexican supporters was to be considered as an “improper conduct” of spectators under Art. 67 of the FDC, and thus that the FMF was liable for this conduct.

In coming to its conclusion, the CAS Panel found that, at the time of the facts, several circumstances and FIFA precedents made the FMF believe that the Chant did not infringe the FDC and that any concerns that might have arisen with regard to the significance of the Chant had previously been dispelled by the FIFA DC. Therefore, due to this wrong – but legitimate – understanding, the FMF did not have the opportunity to take any action or measure that could have prevented, mitigated or stopped the Chant, especially when the Chant did not, in the FMF’s eyes, create any particular risk in the stadium.

Accordingly, the CAS Panel ruled that the appropriate sanction in each case was a warning, rather than a monetary fine, and adjusted the FIFA decisions accordingly. However, such warning means that, in the event similar infringements occur again in the future, harsher sanctions should be imposed on the FMF in accordance with the FDC.