



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

CAS 2025/A/11581 Enes Usta v. Football Federation of Macedonia (FFM)

ARBITRAL AWARD

delivered by the

COURT OF ARBITRATION FOR SPORT

sitting in the following composition:

President: Mr Kepa Larumbe, Attorney-at-law in Madrid, Spain
Arbitrators: Mr Giulio Palermo, Attorney-at-law in Geneva, Switzerland
Mr Bernhard Welten, Attorney-at-law in Bern, Switzerland

in the arbitration between

Mr Enes Usta, Turkey

Represented by Toni Nogolica, Attorney-at-law in Zagreb, Croatia

-Appellant-

and

Football Federation of Macedonia, Skopje, North Macedonia

Represented by Mr Rocco Taminelli, Attorney-at-law in Bellinzona, Switzerland

- Respondent-

I. PARTIES

1. Mr Enes Usta (the “Appellant”) of Turkish nationality is the owner and President of FC Gostivar, a North Macedonian football club based in Gostivar, North Macedonia. The Appellant is also the owner and President of FC Santa Lucia, a football club based in Malta, where he currently resides. FC Gostivar is affiliated with the Football Association of the Municipality of Gostivar, which in turn is affiliated with the Football Federation of Macedonia.
2. The Football Federation of Macedonia (the “Respondent” or the “FFM”) is the football governing body in Macedonia, which in turn is affiliated with the *Fédération Internationale de Football Association* (“FIFA”).
3. The Appellant and the Respondent are jointly referred to as the “Parties”.

II. FACTUAL BACKGROUND

A. Background Facts

4. Below is a summary of the relevant facts and allegations based on the Parties’ written submissions, pleadings and evidence adduced at the hearing. Additional facts and allegations found in the Parties’ written submissions, pleadings and evidence may be set out, where relevant, in connection with the legal discussion that follows. While the Panel has considered all the facts, allegations, legal arguments and evidence submitted by the Parties in the present proceedings, this Award refers only to the submissions and evidence it considered necessary to explain its reasoning.
5. During the 2024/2025 season, FC Gostivar (the “Club”) was affiliated with the FFM. The first team of the Club participated in the top tier category, i.e., in the First Macedonian Football League, organised by the FFM.
6. On 27 April 2025, the match between FC Gostivar and FK Rabotnichki AD was played as part of the 29th round of the First Macedonian Football League at the Boris Trajkovski stadium (the “Match”) - which is not the main stadium of the Club -, and it was played without spectators following the unilateral decision of the Club.
7. In the 85th minute of the Match, with a result of 1-2 in favour of FK Rabotnichki AD, the players of FC Gostivar abandoned the field of play and did not return. The referee’s report of the Match reads as follows:

“Note and signature of the referee: The match was organised according to the rules and regulations of the Football Federation of Macedonia (FFM). In the 85th minute, following instructions from the club management, the captain of the home team, together with the coaching staff, withdrew the team to the dressing room. After waiting for 15 minutes, the refereeing team and the match delegate left the pitch. Additionally, we would like to state that upon arriving at the stadium before the match, we were informed by an individual wearing an official accreditation that if the home team lost the match, they would leave the pitch”.

8. After the Match (date not specified in the document), the referee team issued an additional report that reads as follows:

“On 27 April 2025, a league match was played between the teams KFG Gostivar and FK Rabotnichki, as part of Round 29 of the Macedonian First Football League ("PMFL").

The match took place in the Madzhari neighbourhood, at the Boris Trajkovski Stadium, with kickoff at 16:00.

The match was interrupted in the 85th minute, following the scoring of the second goal by the away team, at which point the score was 1-2.

In the 76th minute, player number 9, Ervin Lee Harry (270311) from the home team KFG Gostivar was sent off due to rough play.

Additionally, we would like to state that upon arrival at the stadium before the match, a person wearing an accreditation badge from the home club informed us that if they were to lose the match, they would leave the field of play.

In a pre-match conversation, the fourth official, Stojanche Trpchevski, told us, before we entered the pitch to start the match, that a club official wearing a badge had told him that if their team lost the match, they would leave the field. The match delegate, Kocho Zerdeski from Kichevo, was also made aware of this. Likewise, the match referee observer Nikola Karakolev from Shtip, as well as all other match officials, were informed of this incident”.

9. The match delegate’s report (“Match Delegate Report”), issued on 28 April 2025, reads as follows (excerpt):

“(…).

Presence of stewards or members of a private security agency:

Yes, 10 people

Comment: *None*

Assessment of safety and security organisation (home team):

Good

Comment: *None*

(…)

Were there any remarks or reports submitted by the referees or the observer?

No

Comment: *The fourth official informed me that upon arrival at the stadium, they were told by an accredited individual that if the home team were losing, they would leave the match.*

(...)

Behaviour of the players and officials of the home club before, during and after the match:

Good

Comment: *The representatives of the home team maintained a correct and respectful attitude throughout the match.*

(...)

Additional remarks:

The match did not reach its conclusion. Although it was played in accordance with the rules and regulations of the Football Federation of Macedonia (FFM), in the 85th minute, after conceding a goal, the club president - who is also the club owner - instructed the team captain, Alper Potuk, to withdraw the team from the pitch. The home team, FK Gostivar AD, then left the field and all players entered the dressing room. The referees, the away team, and I as the delegate waited for 15 minutes for the home team to return to the field, but that did not happen. I then requested the police officials to secure the area in front of the dressing rooms. With no incidents, the refereeing team, the away team, and I safely exited the pitch.

I would like to highlight that the club representative Almir Dauti and the Head Coach Blazho Panov tried to convince the players to resume the match, but the players followed the instructions of the club owner and complied with his decision to withdraw the team from the match”.

10. The Club failed to appear for the next two matches of the First Macedonian Football League (rounds 30 and 31). As a result, the Disciplinary Commission of the FFM (“DC FFM”) imposed disciplinary sanctions on the Club, consisting, *inter alia*, of the disqualification from the competition and relegation to the lowest level of the competition. The Bulletin N° 31 of 8 May 2025 of the FFM read, *inter alia*, as follows:

“1.3 Pursuant to Article 82, paragraphs 1 and 2 of the FFM Competition Regulations, and in accordance with the Delegate’s and Referee’s reports from the Round 31 match of the First MFL between FK Sileks AD - Kratovo and KFG Gostivar AD - Gostivar, scheduled for 7 May, 2025 at Sileks Stadium - Kratovo, due to the unjustified failure of KFG Gostivar AD - Gostivar to appear for two (2) official championship matches within the regular competition system, the club is disqualified from further participation in the competition.

1.4 As a result of the disqualification, KFG Gostivar AD - Gostivar shall be relegated to the lowest level of competition in the following competitive season, depending on the number of tiers in the relevant competition system”.

11. During the 2025/2026 season, FC Gostivar did not participate in any football competition organized by the FFM or the Football Association of the Municipality of Gostivar, following the Club’s unilateral decision not to apply for the necessary license/registration to enter the competitions.

III. PROCEEDINGS BEFORE THE FOOTBALL FEDERATION OF MACEDONIA

12. On 28 April 2025, the DC FFM, acting *ex officio*, opened disciplinary proceedings against the Appellant for organising and/or inciting (direct involvement) the players of FC Gostivar to abandon the field, thereby causing the abandonment of the match played within the 29th round of the league championship between FC Gostivar and FK Rabotnichki AD at the Boris Trajkovski Stadium.

13. On 30 April 2025, the Appellant filed his submissions before the DC FFM.

14. On 2 May 2025, the DC FFM decided as follows:

“1. To Enes Usta, owner of K.F.G. Gostivar AD, for organising namely inciting (as direct participants) the players of the team K.F.G. Gostivar AD to leave the football pitch, thereby causing an interruption of the match played as part of Round 29 of the First MFL, held on 27.04.2025 between K.F.G. Gostivar AD and FK Rabotnichki AD at the Boris Trajkovski Stadium in Madzari, a disciplinary sanction is imposed, a ban on performing any function for a duration of 2 (two) years.

2. A monetary fine in the amount of 1,500 (one thousand five hundred euros), payable in the denar equivalent at exchange rate on the day of payment.

3. Enes Usta is obliged, upon the finality of this decision, to pay the monetary fine referred to in paragraph 1 to the bank account of the FFM 200002504222317 at Stopanska Banka AD Skopje.

4. The sanction is effective as of 28.04.2025.

5. This decision shall be published in MAKFUDBAL”.

15. The grounds of the decision of the DC FFM determined as follows:

“The Disciplinary Committee, acting upon the report submitted by the Competition Commission on 28.04.2025, against Enes Usta, owner of K.F.G. Gostivar AD, for organising namely inciting (as direct participants) the players of the team K.F.G. Gostivar AD to leave the football pitch, thereby causing an interruption of the match played as part of Round 29 of the First MFL, held on 27.04.2025, between K.F.G. Gostivar AD and FK Rabotnichki AD at the Boris Trajkovski Stadium in Madzari,

reviewed the evidence submitted by the reporting party, namely: the official match report, the additional delegate's report, the statement of the main referee, and the statement of the club owner of K.F.G. Gostivar, based on which the Committee determined the following facts: On 27.04.2025, a match was played within the framework of Round 29 of the First MFL between K.F.G. Gostivar AD and FK Rabotnichki AD at the Boris Trajkovski Stadium in Madzari. During the match, in the 85th minute, the owner of the club GFK Gostivar, Enes Usta, gave an instruction to the head coach Blazho Panov and the team captain Alper Potuk to withdraw from the pitch and to terminate the match along with the rest of the team. Following this, the team of K.F.G. Gostivar AD left the pitch and returned to the dressing room. After a 15-minute waiting period by the home team, the match referee, and the match delegate, the home team representative, Almir Dauti, informed the match delegate and the head referee that GFK Gostivar AD would not continue the match. Based on the established facts, and taking into account all relevant circumstances, the Committee finds that with such unsportsmanlike conduct, the club owner of GFK Gostivar AD, Enes Usta, committed a violation as defined in Article 72, in conjunction with Article 78 of the Disciplinary Regulations of the FFM, upon which the decision was made as stated in the operative part”.

16. On 6 May 2025, the Club, on behalf of the Appellant, appealed against the decision of the DC FFM before the Appeals Commission of the FFM (the “AC FFM”).
17. On 12 May 2025, the AC FFM issued the decision n° 10-1275/4 (the “Appealed Decision”) rejecting the appeal filed by the Appellant. The operative part of the Appealed Decision read as follows:

*“1. The appeal no. 10-1258/1 dated 09.05.2025, submitted by K.F.G. Gostivar AD, in reference to the owner Enes Usta is hereby **rejected as unfounded**.*

*2. The decision of the Disciplinary Commission of the FFM No. 0801-1206/4 dated 02.05.2025 is **confirmed**, by which Enes Usta, owner of K.F.G. Gostivar AD, is sanctioned for organizing or calling upon (as direct participants) the players of the K.F.G. Gostivar AD team to leave the field, thereby causing an interruption of the match played within the 29th round of the First MFL on 27.04.2025 between K.F.G. Gostivar AD - FK Rabotnichki AD at the Boris Trajkovski Stadium in Madzari. A disciplinary measure IS IMPOSED: a ban from performing any function for a period of 2 (two) years.*

3. A fine in the amount of 1,500 (one thousand five hundred euros) in denar equivalent at the exchange rate on the day of payment.

3. The Decision is final.

4. The Decision shall be published in Makfudbal”.

18. The grounds of the Appealed Decision determined, inter alia, as follows:

“In the appeal statement, the appellant contests the type and severity of the sanction imposed by the first-instance body, arguing that it is excessive due to an incorrect and incomplete determination of the facts by the committee, thereby violating the provisions of the Disciplinary Regulations. The appellant requests that the sanction be reduced.

In reaching its decision, the Committee reviewed the evidence suggested by the complainant, including: the official match report, the additional delegate’s report, the statement from the head referee of the match, and the Statement from the owner of the club GFK Gostivar, upon which it established the following facts:

During the match, in the 85th minute, the owner of the club GFK Gostivar, Enes Usta, gave an instruction to the head coach Blazho Panov and the team captain Alper Potuk to withdraw from the pitch and to terminate the match along with the rest of the team. Following this, the team of K.F.G. Gostivar AD left the pitch and returned to the dressing room. After a 15-minute waiting period by the home team, the match referee, and the match delegate, the home team representative, Almir Dauti, informed the match delegate and the head referee that GFK Gostivar AD would not continue the match. Based on the established facts, and taking into account all relevant circumstances, the Committee finds that with such unsportsmanlike conduct, the club owner of GFK Gostivar AD, Enes Usta, committed a violation as defined in Article 72, in conjunction with Article 78 of the Disciplinary Regulations of the FFM, upon which the decision was made as stated in the operative part.

After reviewing the grounds of the appeal and the material evidence, the Committee established the following facts:

The Commission determined that the first-instance body, in rendering its decision, correctly and fully established the factual situation, that is, it took into consideration all relevant evidence or properly evaluated the evidence presented to it. Therefore, in accordance with Article 72 in conjunction with Article 78 of the Disciplinary Code of the FFM, it correctly assessed the severity of the sanction”.

IV. PROCEEDINGS BEFORE THE COURT OF ARBITRATION FOR SPORT

19. On 1 July 2025, in accordance with Article R47 and Article R48 of the Code of Sports-related Arbitration (edition 2025) (“CAS Code”), the Appellant filed his Statement of Appeal with the CAS against the Respondent challenging the Appealed Decision. Furthermore, the Statement of Appeal was also directed against the decision n° 10-1275/3 issued by the AC FFM against the Club on 12 May 2025.
20. In his Statement of Appeal, the Appellant requested that the Appeal was submitted to a Sole Arbitrator and nominated Ms Petra Pocrnic Perica and requested provisional measures consisting of an Order to stay the execution of the Appealed Decision.
21. On 3 July 2025, the CAS Court Office informed the Appellant that since the Appeal was directed against two different decisions, each appeal would be treated separately,

resulting in the opening of two separate proceedings (CAS 2025/A/11562 and CAS 2025/A/11581), subject to Article R50(3) of the CAS Code, that states as follows:

“When two or more cases clearly involve the same issues, the President of the Appeals Arbitration Division may invite the parties to agree to refer these cases to the same Panel; failing any agreement between the parties, the President of the Division shall decide”.

22. On 11 July 2025, the Appellant filed his Appeal Brief in accordance with Article R51 of the CAS Code.
23. On 16 July 2025, the CAS Court Office notified the Statement of Appeal and the Appeal Brief to the Respondent.
24. On 21 July 2025, the Respondent nominated Mr Bernhard Welten, Attorney-at-Law in Bern, Switzerland, to serve as arbitrator and agreed that the present proceedings and the procedure CAS 2025/A/11562 were submitted to the same Panel.
25. On 25 July 2025, the Appellant agreed that the present proceedings and CAS 2025/A/11562 proceedings were submitted to the same Panel.
26. On 28 July 2025, the CAS Court Office informed the Parties that the present proceedings and the CAS 2025/A/11562 proceedings shall be submitted to the same Panel.
27. On 13 August 2025, the Respondent objected against the provisional measures requested by the Appellant.
28. On 15 August 2025, the Appellant informed the CAS Court Office, inter alia, that the request for provisional measures was related only to the Appealed Decision issued by the AC FFM on 12 May 2025, i.e., to the present procedure CAS 2025/A/11581.
29. Also on 15 August 2025, the CAS Court Office informed the Parties that an Order on Request for a Stay would be issued in procedure CAS 2025/A/11581.
30. On 21 August 2025, the CAS Court Office informed the Parties that the nomination of Ms Petra Pocrnic Perica as arbitrator was invalid as she is only on the Anti-Doping Division (ADD) list of arbitrators of the CAS and invited the Appellant to nominate another arbitrator.
31. On 22 August 2025, the President of the Appeals Arbitration Division issued an Order rejecting the Application for Stay requested by the Appellant in his Statement of Appeal.
32. On 27 August 2025, the Appellant nominated Mr Giulio Palermo, Attorney-at-law in Geneva, Switzerland, to serve as arbitrator.
33. On 24 September 2025, the CAS Court Office, on behalf of the Deputy Division President and further to Article R59 of the CAS Code, informed the Parties that the Panel appointed to decide the present dispute was constituted as follows:

President: Mr Kepa Larumbe, Attorney-at-law in Madrid, Spain

Arbitrators: Mr Giulio Palermo, Attorney-at-law in Geneva, Switzerland
Mr Bernhard Welten, Attorney-at-law in Bern, Switzerland.

34. On 1 October 2025, the Respondent filed its Answer, in accordance with Article R55 of the CAS Code.

35. On 22 October 2025, a Case Management Conference (“CMC”) of the present case was held by video conference. In addition to the Panel and Ms Amelia Moore, CAS Counsel, the following persons attended the conference call:

For the Appellant: Mr Toni Nogolica (legal counsel)

For the Respondent: Mr Rocco Taminelli (Legal counsel)
Ms Miriana Piccoli (Legal counsel)

36. On 22 October 2025, after the CMC, the CAS Court Office, on behalf of the Panel, informed the Parties of the next procedural steps:

- In light of the Parties’ agreement, the full reasoned arbitral award would be notified to the Parties as soon as possible after the closing of the evidentiary proceedings (with no prior notification of solely the operative part of the award).

- The Appellants were invited to submit, within 20 (twenty) days:

- (i) a brief written submission and corresponding evidence limited to the alleged factual inaccuracies in the Respondent’s Answer (in this regard, the Parties were not authorised to submit new arguments);

- (ii) the witness statements of the witnesses among those identified in the Appeal Brief and the Answer, whom the Parties intended to have testify at the hearing along with a brief explanation of the relevance of their testimony for these proceedings in accordance with Article R51 of the CAS Code and Article 4(5) of the IBA Rules on the Taking of Evidence in International Arbitration.

- Upon receipt of the Appellants’ submission, the Respondent would be granted the same time limit to submit the same/respond accordingly.

- The hearing, further to Articles R44.2 and R57 of the CAS Code, that will be held on 29 January 2026 in person in Lausanne, Switzerland.

37. On 1 December 2025, the Appellant filed his additional written submissions in accordance with Article R56 of the CAS Code.

38. On 2 January 2026, the Respondent filed its additional written submissions in accordance with Article R56 of the CAS Code.

39. On 17 and 19 January 2026, the Respondent and respectively the Appellant signed and returned the Order of Procedure to the CAS Court Office.
40. On 29 January 2026, the hearing of the present case was held in Lausanne, Switzerland. In addition to the Panel and Ms Amelia Moore, CAS Counsel, the following persons attended the hearing:

For the Appellant: Mr Toni Nogolica (Legal counsel)
Ms Tena Sabo (Legal counsel)
Mr Enes Usta (Party-Witness)
Mr Sanja Mrsik (Witness)
Mr Rúben Frederico Coelho Santos Rosado da Cruz (Witness)

For the Respondent: Mr Rocco Taminelli (Legal counsel)
Ms Miriana Piccoli (Legal counsel)
Ms Ruzica Nikolovska (Legal counsel)
Mrs Natalia Bozhinovska (Legal counsel)
Mr Igor Stojcevski (Witness)
Mr Furkan Idrizi (Witness)
Mr Martin Petkovski (Witness)
Mr Zoran Nikolovski (Witness)
Mr Filip Angelovski (Interpreter)

At the outset of the hearing, the Parties confirmed that they did not have any objection as to the composition of the Arbitration Panel. During the hearing, the Parties had the opportunity to present their case, to examine and cross examine the witnesses, to submit their arguments and their final pleadings.

41. At the end of the hearing the Parties expressly declared that they did not have any objections with respect to the procedure and that their right to be heard had been fully respected.
42. On 7 April 2026, the Appellant submitted a request for leave to produce new documentary evidence and to file a supplementary submission pursuant to Article R56 of the CAS Code. The evidence in question consisted of a publication on the Respondent's official website ("FFM Publication") disclosing correspondence received from the UEFA Integrity Department concerning suspected match irregularities in domestic Macedonian football during the 2024/2025 season (the "New Evidence"). The Appellant contended that said publication is directly relevant to the Panel's assessment of the Respondent's conduct and the proportionality of the impugned sanctions, and that it constitutes exceptional circumstances within the meaning of Article R56 of the CAS Code.
43. On 9 April 2026, the CAS Court Office acknowledged receipt of the Appellant's request and, on behalf of the Panel, invited the Respondent to provide its position regarding the admissibility thereof by 14 April 2026, noting that in the absence of comments or

agreement, it would be for the Panel to decide. The Respondent did not submit any observations within the prescribed time limit.

44. On 23 April 2026, the CAS Court Office informed the Parties that in the absence of any objection from the Respondent, the Appellant's request was granted and invited the Appellant to file a supplementary submission addressing the relevance and implications of such document in relation to the present dispute, no later than 28 April 2026. As a result, the time limit set forth in Article R56 of the CAS Code, according to which "*the operative part of the award shall be communicated to the parties within a maximum of four months after the closing of the evidentiary proceedings by the Panel*", was suspended.

45. On 23 April 2026, the Respondent submitted a letter claiming that the Respondent did not receive the CAS Court Office correspondence of 9 April 2026.

46. On 24 April 2026, the CAS Court Office informed the Parties, inter alia, of the following:

"On behalf of the Panel, the Parties are informed as follows: The Panel takes note of the Respondent's submission that they did not receive the CAS Court Office correspondence dated 9 April 2026. However, upon review of the records of the CAS Court Office, it has been confirmed that the correspondence in question was successfully delivered on 9 April 2026, at 13:52 CET (delivery receipts attached). The Panel is therefore satisfied that the Respondent were duly served. Accordingly, there are no grounds to revoke the deadline granted to the Appellants by way of the CAS Court Office correspondence dated 23 April 2026 to submit comments on the new documentary exhibits filed on 7 April 2026.

Without prejudice to the foregoing, the Respondent will be afforded the opportunity, in due course, to submit its position regarding both the admissibility and the substantive relevance of the new documentary exhibits".

47. On 28 April 2026, the Appellant filed his submissions that, in essence, may be summarized as follows:

- The Appellant filed a Supplementary Submission addressing the relevance of the New Evidence, which disclosed UEFA Integrity Department correspondence concerning suspected betting irregularities in domestic Macedonian football during the 2024/2025 season. The Appellant advances two principal arguments:

- First, the FFM Publication corroborates the legitimacy of concerns as regards Mr Usta's integrity. The Appellant submits that at the very time the Respondent was dismissing the formal complaints as "generic" and "far too vague", it was in possession of UEFA correspondence identifying systemic betting irregularities across multiple domestic matches. Mr Usta's decision to instruct the team to leave the pitch on 27 April 2025 was therefore not arbitrary misconduct but a response to objectively grounded concerns about a competition the Respondent knew to be compromised.

- Second, the FFM Publication undermines the proportionality of the sanction imposed without identifying statutory aggravating circumstances. The Appellant contends that the Respondent displayed institutional inaction in the face of documented UEFA integrity violations while imposing maximum sanction on the Appellant, evidencing a selective and arbitrary application of disciplinary power. This pattern is further illustrated by the minimal sanctions imposed on FC Bashkimi despite an ongoing criminal match-fixing investigation, and by the identical 2-year ban imposed on former FFM President Mr Sejdini for embezzling approximately EUR 700,000 in UEFA funds.

48. On 15 May 2026, the Respondent filed its submissions that, in essence, may be summarized as follows:

- The Respondent submits that the New Evidence and the Appellant's supplementary submission of 28 April 2026 must be rejected and excluded from the proceedings on two independent grounds: untimeliness and lack of relevance.

- With respect to admissibility, the Respondent contends that the CAS Code is silent on the issue of producing evidence after the hearing and that, in accordance with established CAS jurisprudence, recourse must be made based on the rules of international commercial arbitration, notably the IBA Rules on the Taking of Evidence in International Arbitration and the ICC Arbitration Rules. The Respondent relies in particular on Article 27 of the ICC Rules, which provides that no further submissions or evidence may be produced after the proceedings are closed unless requested or authorised by the arbitral tribunal. The Respondent further submits that a key principle underlying the voluntary production of written statements is promptness, a requirement that acquires heightened importance when submissions are filed after the conclusion of the evidentiary phase or after the final hearing. In this regard, the Respondent observes that the hearing was held on 29 January 2026, that the exhibit the Appellant seeks to introduce was published on 24 February 2026, and that it was not filed until 7 April 2026—some six weeks (42 days) after its publication—thus rendering the submission manifestly late.

- As to relevance, the Respondent argues that even if the new documentary evidence were admitted, it is entirely devoid of probative value. The Respondent explains that the document in question is merely a public statement that the Respondent was obliged to issue in response to inaccurate media reports, confirming its cooperation with the UEFA Integrity Department in the investigation of three matches potentially linked to match-fixing. Only one of the matches referenced therein predates the events at issue, and the Respondent has consistently maintained throughout these proceedings that match-fixing investigations were underway at the relevant time. The Respondent emphasises that it has never asserted that its concerns regarding match-fixing were unfounded, but rather that the reports in question were too generic and vague to trigger concrete action. The document, therefore, adds nothing new to the factual record as already established and does not introduce any facts pertaining to the period when the sanctioned conduct occurred.

- Finally, the Respondent submits that, since the new evidence provides no further justification for the Appellant's sanctioned conduct, it likewise cannot lead to a different assessment of the application of the principle of proportionality. The Respondent further notes that the reference to the alleged case of Mr Muhamed Sejdini in the Appellant's supplementary submission is wholly unsubstantiated and entirely unsupported by documentary evidence and accordingly requests that the Panel disregard it. In light of the foregoing, the Respondent requests that the Panel rejects the supplementary submission in its entirety and, pursuant to Article R65.5 of the CAS Code, orders the Appellant to bear the arbitration costs arising from this procedural incident as well as a contribution towards the Respondent's legal fees incurred in connection therewith.

49. On 18 May 2026, the CAS Court Office informed the Parties of the closure of the evidentiary proceedings as of 15 May 2026.

V. SUBMISSIONS OF THE PARTIES

50. The following outline of the Parties' positions is illustrative only and does not necessarily comprise each and every contention put forward by the Parties. The Panel, however, has carefully considered all the submissions made by the Parties, even if no explicit reference has been made in what immediately follows. The Parties' written submissions, their verbal submissions at the hearing and the contents of the Appealed Decision were all taken into consideration.

A. The Appellant's Submissions and Requests for Relief

51. The Appellant made the following requests for relief:

"31. Next, the Appellants respectfully request that the CAS rule that:

a) The appeal filed by the Appellants is admissible.

b) Decision no. 0801-1206/6, issued by the Disciplinary Commission of the Football Federation of Macedonia on 2 May 2025, is declared null and void;

c) Decision no. 10-1275/3, issued by the Appeals Commission of the Football Federation of Macedonia on 12 May 2025, is declared null and void;

d) Decision no. 0801-1206/4, issued by the Disciplinary Commission of the Football Federation of Macedonia on 2 May 2025, is declared null and void;

e) Decision no. 10-1275/4, issued by the Appeals Commission of the Football Federation of Macedonia on 12 May 2025, is declared null and void.

32. Alternatively, the Appellants seek a substantial reduction of the impugned sanctions".

52. The Appellant's submissions, in essence, may be summarized as follows:

- The Appellant submits that the two-year ban and monetary fines are manifestly disproportionate and imposed without a proper individualized assessment of circumstances as required by the applicable disciplinary framework. He argues that the FFM's bodies failed to identify the specific conduct warranting the harshest available penalty and ignored relevant mitigating factors, including his unblemished record and substantial contribution to Macedonian football over many years. The Appellant contends that Article 3 of the FFM Disciplinary Rules ("FFM DR") necessitates consideration of individual circumstances and proportionality, which the FFM failed to observe when selecting the maximum functional ban for inducing the team to leave the field.

- The Appellant further maintains that the "player statements" describing psychological pressure and verbal threats by the Appellant which were cited by the Respondent as aggravating were not statements of fact but uniform appeals by the players in proceedings against themselves for leniency submitted after the disciplinary decisions had already been rendered, such that they could not have influenced, much less justified, the impugned sanction. On this basis, the Appellant submits that the Respondent's reliance on the players' appeals is chronologically impossible and legally irrelevant to the decision under appeal. In addition, the Appellant argues that, even taking the Respondent's comparative jurisprudence at face value, the FFM's own authorities typically impose financial penalties rather than extended functional bans in cases of this nature; thus, a pecuniary sanction would have sufficed under the principle that the harshest measure may only be imposed once lesser measures have been considered and found inadequate, consistent with CAS proportionality jurisprudence invoked by the Appellant. The Appellant also disputes the Respondent's portrayal of him as exerting threats or undue pressure on players, arguing that the record contains no substantiated evidence of violent or unprofessional conduct by the Appellant in connection with the events at issue.

– The Appellant points to the match delegate's report noting that, save for a refusal to sign the report post-match, the away representative was "entirely professional and cooperative," and to the absence of any properly disclosed or tested evidence corroborating broader insinuations of misconduct. In the Appellant's submission, his instruction to leave the field—while an error—was a reaction to perceived persistent officiating failures and institutional inaction, not malice, and cannot justify the maximum functional ban imposed.

- The Appellant invokes the Respondent's retention of EUR 150,000 in UEFA solidarity funds allocated for youth development during the 2024–2025 season as evidence of the FFM's discriminatory treatment of the Club and as a mitigating factor under Article 3 of the FFM DR. The Appellant submits that, despite having duly executed and submitted the disbursement agreement and fulfilled all financial obligations toward the FFM, its payment was inexplicably withheld while all other First League clubs received theirs by April 2025—a selective treatment that, together with the Respondent's persistent failure to address the Club's complaints regarding match integrity, evidences a pattern of institutional hostility that contributed to the sanctioned conduct.

- With respect to the procedural irregularities and alleged violation of due process, the Appellant contended that the FFM's internal proceedings failed to afford proper due process. The Appellant asserted that the AC FFM merely rubber-stamped the first-instance decision by employing boilerplate language, without providing reasoned decisions or meaningfully engaging with the exculpatory evidence. The Appellant further underscored the FFM's failure to respond to a formal request for an interpretation of the Disciplinary Code concerning the proper composition of the committee.
- Finally, as to admissibility and interest, the Appellant asserts a continuing and sufficient legal interest in pursuing the appeal irrespective of the Club's subsequent sporting circumstances:
- He emphasizes that the Appealed Decision remains in force and continues to produce legal and reputational effects and pro futuro consequences, independently sustaining standing and interest to seek annulment of an unlawful sanction.
- The Appellant also alleges that he has sustained significant damages, including lost reputation and substantial financial investment (EUR 705.000,00) over the past five years.
- Moreover, the Appellant considers that the sanctions produce pro futuro consequences that extend far beyond a temporary prohibition or a monetary fine; they establish an unlawful precedent, undermine the predictability and integrity of the regulatory framework, and expose the Appellant to continuing competitive and organisational disadvantages. The sole existence of such enduring and systemic effects independently suffices to establish current and sufficient interest in conducting this appeal and requesting annulment of the impugned decisions.
- The Appellant reiterates that these ongoing effects and the precedent set by the impugned decision suffice to establish a current interest for the purposes of CAS proceedings.

B. The Respondent's Submissions and Requests for Relief

53. The Respondent made the following requests for relief:

"112. In view of the foregoing, the FOOTBALL FEDERATION OF MACEDONIA, Skopje requests the Arbitration Panel to issue a ruling that:

1. Dismisses the appeals lodged by FG Gostivar, Gostivar and Enes Usta, Malta.

2. Orders the Appellants to bear the costs and expenses of the present proceedings and to reimbursing the Football Federation of Macedonia for its legal costs and any other costs related to the proceedings".

54. The Respondent's submissions, in essence, may be summarized as follows:

- The Respondent argues that the sanction imposed on the Appellant is justified and proportionate to the gravity of his conduct, which, in the Respondent's view, directly undermined the integrity of the competition. It submits that the Appellant, as club owner and president, instructed the team to abandon the match and that unauthorized individuals, including the Appellant himself, acted to execute management's decision, thereby abusing internal authority and jeopardizing the championship's final rounds. In these circumstances, the Respondent contends that strong sanctions were necessary to protect fair play, sporting equality, and the interests of the opponent club, and that aggravating factors—including prior events and player accounts of pressure—reinforce the proportionality of the sanction against the Appellant. The Respondent specifically relies on players' statements describing psychological pressure and verbal threats as aggravation supporting the disciplinary measure, and it maintains that the disciplinary bodies were entitled to give such material weight.

- Addressing the Appellant's proportionality challenge, the Respondent submits that the sanction against the Appellant was properly calibrated in light of the seriousness of inducing abandonment late in the season and the broader integrity risk, and that the Appellant fails to identify any arbitrariness in the FFM's disciplinary assessment. It contends that the Appellant's reliance on cases concerning clubs is inapposite to a personal functional ban and that, in any event, the Appellant has not shown that less severe measures would have sufficed in the circumstances presented. The Respondent further disputes the Appellant's attempt to downplay the evidentiary significance of player submissions, noting that the Appellant does not contest their validity and that, on the Appellant's own account, elements of pressure are implicitly acknowledged, which is consistent with the disciplinary findings.

- The Respondent also submits that the Club had no right to receive the solidarity funds on three grounds: (i) no valid contract was concluded between the parties; (ii) the payment request was not signed by an authorised representative; and (iii) the Club had outstanding financial obligations since March 2025. The Respondent further contends that the Club no longer operates any youth teams and therefore cannot receive funds intended to finance future youth development.

- On admissibility and interest to appeal, the Respondent advances that the Appellant lacks a current and sufficient interest in these proceedings. It points to the Club's withdrawal from competition, non-registration for the following season, and the Appellant's subsequent appointment as president of a Maltese club as circumstances demonstrating the absence of ongoing prejudice justifying CAS intervention. In the Respondent's view, past investments or generalized claims of reputational harm do not establish current interest, and once the sanctions imposed on the Appellant have been served, the Appellant could simply resume activities by re-registering, undermining any assertion of continuing legal interest in the outcome of this appeal. The Respondent thus invites the Panel to question, and ultimately reject, the Appellant's standing and to dismiss the appeal on that basis in addition to the merits.

VI. JURISDICTION

55. Article R47 of the CAS Code provides as follows:

“An appeal against the decision of a federation, association or sports-related body may be filed with CAS if the statutes or regulations of the said body so provide or if the parties have concluded a specific arbitration agreement and if the Appellant has exhausted the legal remedies available to it prior to the appeal, in accordance with the statutes or regulations of that body”.

56. In addition, Article 8 of the Statutes of the FFM read as follows:

“As a member of FIFA and UEFA, FFM is obligated to:

(...)

- Recognize CAS jurisdiction and respect its decisions as defined in FIFA and UEFA statutes, in line with Macedonian laws.

- Resolve disputes through independent and impartial arbitration, unless otherwise stipulated by Macedonian laws.

(...)”.

57. The jurisdiction of CAS, which is not disputed by the Parties, is based on the abovementioned provisions. In addition, the Parties confirmed the jurisdiction of CAS by signing the Order of Procedure.

58. The Panel, therefore, is satisfied that CAS has jurisdiction over this dispute.

VII. ADMISSIBILITY

59. Article R49 of the CAS Code provides as follows:

“In the absence of a time limit set in the statutes or regulations of the federation, association or sports-related body concerned, or in a previous agreement, the time limit for appeal shall be twenty-one days from the receipt of the decision appealed against. The Division President shall not initiate a procedure if the statement of appeal is, on its face, late and shall so notify the person who filed the document. When a procedure is initiated, a party may request the Division President or the President of the Panel, if a Panel has been already constituted, to terminate it if the statement of appeal is late. The Division President or the President of the Panel renders her/his decision after considering any submission made by the other parties.

60. The Statutes and Regulations of the FFM are silent with regard to the time limit to file appeals before CAS.

61. It is undisputed that the appeal was filed within the 21 days set by Article R49 of the CAS Code. The appeal complied with all other requirements of Article R48 of the CAS Code, including the payment of the CAS Court Office fee.
62. It follows that the appeal is admissible.

VIII. APPLICABLE LAW

63. Article R58 of the CAS Code provides as follows as regards the law applicable to the merits:

“The Panel shall decide the dispute according to the applicable regulations and, subsidiarily, to the rules of law chosen by the parties or, in the absence of such a choice, according to the law of the country in which the federation, association or sports-related body which has issued the challenged decision is domiciled or according to the rules of law that the Panel deems appropriate. In the latter case, the Panel shall give reasons for its decision”.

64. The Statutes and Regulations of the FFM are silent with regard to the law applicable to the merits in appeals before CAS and the Parties have not identified any specific law applicable to the merits of the dispute.
65. Therefore, Article R58 of the CAS Code applies in full, and the Panel shall apply primarily the FFM Regulations, namely the Statutes, Disciplinary regulations and Competition regulations.
66. Finally, considering that the FFM is headquartered in North Macedonia, the law that should apply on a subsidiary basis would be North Macedonian law. However, the Parties have not invoked the subsidiary application of North Macedonian law. Moreover, the Panel notes that Swiss law provides a neutral, coherent and predictable framework that is particularly apt for international sports disputes administered by CAS, which is permanently seated in Lausanne and whose procedures are governed by the CAS Code anchored in Chapter 12 of the Swiss Private International Law Act. The CAS seat and the international character of sports regulation, recourse to Swiss law subsidiarily fosters consistency, legal certainty, and the uniform development of the “lex sportiva”, especially when filling lacunae in federative rules. Accordingly, the law applicable on subsidiary basis will be the Swiss law.

IX. ADMISSIBILITY OF EVIDENCE SUBMITTED AFTER THE HEARING

67. The Panel now turns to the question of the admissibility of the Appellant’s Supplementary Submission dated 28 April 2026, together with the New Evidence.
68. It is undisputed that the FFM publication was made available on the Respondent’s website on 24 February 2026, that is, after the conclusion of the written phase of these proceedings and after the hearing held on 29 January 2026.

69. The Panel notes that Article R56 of the CAS Code governs the completeness of submissions in appeal proceedings and provides that, after the filing of the Appeal Brief and the Answer, the Parties shall not be allowed to supplement or amend their requests or their argument, nor to produce new exhibits, except under exceptional circumstances. It is further well established in CAS jurisprudence that the admissibility of evidence is a procedural matter to be determined by the Panel in accordance with the applicable procedural rules. A Panel will normally accept the late filing of submissions where they relate to arguments already presented by the party in the proceedings and where the Panel deems that said submissions are necessary in order to establish the facts of the case. Similarly, late submissions may be admitted where the new documents merely confirm or supplement statements already made, provided that such late submission does not cause undue prejudice to the opposing party.
70. In the present case, it is undisputed that the FFM Publication constitutes a document that was drafted after the hearing and therefore could not have been submitted by the Appellant at any earlier stage of the proceedings. Furthermore, the New Evidence appears to bear a connection to an argument that the Appellant has raised throughout these proceedings, namely that Mr Usta harboured concerns regarding the integrity of the championship and suspected match irregularities in Macedonian football during the 2024/2025 season. In the Appeal Brief, in the Answer to the Respondent's Answer, and at the hearing, the Appellant has maintained that the events of 27 April 2025 should be considered in the context of integrity concerns which the Respondent allegedly failed to address. The FFM Publication, which discloses correspondence from the UEFA Integrity Department identifying suspected betting irregularities, is related to the subject matter of those arguments, even if no match of the Club is concerned.
71. Having regard to the foregoing, and in particular to the fact that (i) the document could not have been produced at an earlier stage of the proceedings, (ii) both Parties have been afforded a full opportunity to address its admissibility and substance, and (iii) the document is linked to arguments that the Appellant has advanced in these proceedings, the majority of the Panel concludes that the New Evidence is admissible and shall form part of the case file.
72. The Panel wishes to make clear, however, that the foregoing determination relates exclusively to the procedural admissibility of the New Evidence. The decision to admit this document into the record does not entail, and shall not be construed as entailing, any finding or prejudgment as to its relevance, probative value, or weight. Whether the FFM Publication is capable of supporting or affecting the conclusions which the Appellant seeks to draw from it — in particular with respect to the assessment of Mr Usta's conduct and the proportionality of the sanctions imposed — is a question that pertains to the merits of this dispute. The Panel will address that question in the appropriate section of this Award, where the evidentiary record as a whole will be assessed on its substance.

X. MERITS

A. Object of the case

73. Before addressing the legal issues at stake, the Panel deems it useful to clarify the scope of the appeal and review.
74. This dispute concerns the disciplinary sanctions imposed by the Disciplinary Commission of the FFM on the Appellant, confirmed in the Appealed Decision, for inciting the players of the Club to abandon the Match at the 85th minute.
75. Accordingly, the Panel will not analyse the substance of the Appellant's allegations of a systemic corruption in the Macedonian domestic competitions, nor the Parties' allegations concerning facts said to have occurred in other matches of the Club, or any other matters not directly linked to the Match. Without prejudice to the foregoing, such allegations may be taken into account insofar as they form part of the Parties' legal submissions on the issues the Panel addresses below.
76. The Panel also notes that the Appellant has raised allegations regarding procedural irregularities and violation of due process during the proceedings before the FFM disciplinary bodies.
77. Pursuant to Article R57 of the CAS Code, any potential procedural prejudice the Appellant might have suffered at FFM level has been cured by virtue of the *de novo* principle (see for example CAS 2016/A/4704 at paragraph 78):

“... the Panel first notes that the facts and the law are examined de novo by the Panel in accordance with the power bestowed on it by Article R57 of the CAS Code. The Panel is therefore not limited to the facts and legal arguments of the previous instance. In relation to issues raised by the Appellant regarding the procedure at the lower instance, it is well-established in CAS case law that procedural defects in the lower instances can be cured through the de novo hearing before CAS (see CAS 2015/A/4162 paras. 70 et seq., CAS 2014/A/3848 paras. 53 et seq., CAS 2013/A/3256 paras. 261 et seq. each with further references). In view of the above, the Panel holds that any possible procedural flaws in the proceedings before the FIFA DRC are cured in these de novo arbitration proceedings.”

78. Consequently, the legal issues for determination are: (i) whether the Appellant has a sufficient legal interest to challenge the Appealed Decision; and, if so, (ii) whether he incited the players of the Club to abandon the Match and the legal consequences thereof.

B. Does the Appellant have a legal interest in challenging the Appealed Decision?

79. The Panel is called upon to determine whether the Appellant possesses a legally protected interest sufficient to pursue this appeal, notwithstanding the fact that the Club has withdrawn from active competition in Macedonia, is not registered for the current season and the fact that the Appellant is currently also the owner and president of another club in Malta, where he resides.

80. The concept of legal interest is a well-established procedural requirement in CAS jurisprudence. As held by CAS panels and confirmed by the Swiss Federal Tribunal, “*A legally protected interest consists in the practical use that admitting the appeal would have for the Appellant, by preventing him from undergoing some damage of an economic, ideal, substantive or other nature that would be caused by the decision under appeal*” (ATF 137 II 40 at 2.3 p.43) and with no legal interest there is no standing to appeal (“*pas d’intérêt, pas d’action*”). The principle “*pas d’intérêt, pas d’action*” requires that a party demonstrate a concrete stake in the outcome of the proceedings (CAS 2009/A/1880-1881, para. 28-30 of the published version).
81. In the present case, the Panel finds that the Appellant retains sufficient legal interest to pursue this appeal for the following reasons:
82. He is still, irrespective of the fact that his residence is not located in Macedonia, that he has no intention (for now) of returning, and that he is also the owner and president of another club in Malta, the owner and President of FC Gostivar, a club that exists as a legal entity and remains affiliated to the FFM, albeit indirectly through an amateur association. This affiliation is determinative. As established in CAS 2018/A/5661 (para. 124 - 129 of the published version), affiliation is the precondition that binds a club to the federation’s regulatory system, and as long as there is affiliation, the club is subject to the decisions and has standing to challenge them. It is only when affiliation is lacking that there is no precondition to the club’s subjection to the federation’s legal system. Since affiliation exists in the present case, this precondition is satisfied.
83. The Panel also notes that the Respondent retains the power to enforce the fine of EUR 1,500 imposed upon the Appellant. CAS jurisprudence establishes that a legal interest exists if the appeal has a “practical use”, such as preventing economic damage. Since the fine remains enforceable and the Appellant risks having to pay it if it loses this appeal, he has a current and concrete interest in seeking to have it overturned.
84. Furthermore, the disciplinary ban on performing any official football function for two years is being enforced. There is also a residual interest linked to the principle of recidivism and rehabilitation. The existence and enforcement of this sanction damages the Appellant and could aggravate future sanctions in the event of a return. In CAS 2015/A/4095 (para. 64 of the published version), the Panel stated as follows:

“64. Furthermore, the Sole Arbitrator notes that according to Article 5.9 of the FIVB Disciplinary Regulations “the otherwise applicable sanction may be increased (up to double) in case of a recurrence of the offence. Recurrence occurs if a sanction has to be imposed again within five years of a previous offence of a similar nature”. Thus, against this legal background, it is also possible that each Appellant could have a legal interest as regards their respective disciplinary decisions. In particular, the fact that these decisions might have a future or potential impact on their individual disciplinary status (based on the recidivism principle) again indicates that their legal interest in pursuing the current appeal cannot be dismissed. In this respect, the potential annulment of the decisions subject to appeal could also be said to have a “practical use”, as per the dicta of the Swiss Federal Tribunal in the Olympique des Alpes case”.

85. Finally, the entitlement of the Appellant to challenge the Appealed Decision is also supported by his interest on rehabilitating his reputation, as he is still involved in an active manner in the football ecosystem, as owner and president of a Maltese club. Once again, the Panel acknowledges the award in CAS 2015/A/4095 (para 63 of the published version), applicable to the Appellant:

“63. In addition, the Sole Arbitrator observes that the Respondent itself acknowledges that an “aggrieved party” may have a legal interest in bringing an appeal. In this context, the Sole Arbitrator considers that the concept of an “aggrieved party” may be rather wider than the narrow question of whether a coach or an athlete may resume their professional activities. For example, a “grievance” might also consist of having a strongly held conviction of being unjustly treated or “wrongly convicted”, in a manner that might be damaging from a professional or moral or reputational point of view. Thus, for example, in CAS 2014/A/3832 & 3833, the Panel had to consider whether a professional skier had a legal interest in appealing a period of suspension in circumstances where it was alleged that she had ended her skiing career anyway. While the Panel noted that she had, in fact, testified to the effect that she intended to resume her skiing career (thus clearly establishing a legal interest in the appeal) it further noted as follows: “In addition, the Panel holds that the Appellant can also avail herself of a legal interest to rehabilitate her reputation which can be deemed tarnished by the FIS HP Decision concluding and declaring that she was either an active or knowing participant in a manipulation”.

86. In summary, the Panel considers that, in all the circumstances of the case, the Appellant still has a grievance, and the appeal still has “practical use” sufficient to establish a legal interest for the purposes of maintaining the appeal.
87. Accordingly, the Panel concludes that the Appellant possesses a sufficient legal interest to pursue this appeal, and the objection raised by the Respondent in this regard is dismissed.

C. The legal (disciplinary) consequences deriving from the abandonment of the match of 27 April 2025

88. The Appellant challenges the two-year ban from performing any football-related function and the monetary fine of EUR 1,500, contending primarily that the sanctions are manifestly disproportionate given the circumstances of the case. The Respondent maintains that the sanctions are justified and proportionate to the gravity of the offense.
89. The Panel notes at the outset that the Appellant has not contested the factual basis for the disciplinary proceedings. The undisputed facts establish that on 27 April 2025, during the 85th minute of the match between FC Gostivar and FK Rabotnički, the Appellant ordered the team captain, Alper Potuk, and the head coach, Blazho Panov, to instruct the players to withdraw from the field. Following this instruction, the entire team of FC Gostivar left the pitch and returned to the dressing room, causing the match to be abandoned after a fifteen-minute waiting period.

90. The conduct of the Appellant falls squarely within the scope of Article 72 of the FFM DR, which defines inducement “... as any instance where a player, football official, club, or authorized person ... persuade a football official, club, or authorized person to act contrary to existing regulations, or to fail to fulfil an obligation required under the rules of the FFM, with the aim of influencing the outcome of the match”. By instructing the players to abandon the match, the Appellant induced the team to breach their fundamental obligation to complete the fixture, thereby directly violating Article 72 FFM DR.
91. The applicable sanctions are set forth in Article 78 of the FFM DR, which provides for a prohibition from performing any official function for a period of one to two years and, in the First League, a monetary fine of EUR 1,500. In the present case, the DC FFM imposed the maximum sanction of a two years ban and a fine of EUR 1,500, that was confirmed by the Appealed Decision.
92. The central issue before this Panel is whether the imposition of the maximum available sanction is legally adequate to the offense committed. The Appellant contends that the FFM failed to conduct any meaningful proportionality assessment and disregarded significant mitigating circumstances, including the Appellant’s previously unblemished disciplinary record, his substantial investments in Macedonian football, the FFM’s discriminatory treatment of the Club by retaining UEFA solidarity funds and the context of perceived systemic irregularities that motivated his actions. The Respondent argues that the severity of the offense and the presence of aggravating circumstances fully justify the sanction imposed.
93. The Panel begins its analysis by observing that the abandonment of a match constitutes one of the most serious violations within the broad category of inducement offenses. Within the concept of inducing players to act contrary to existing regulations, the abandonment of a match ranks among the gravest infractions for several compelling reasons:
- First, the abandonment prevents the determination of a sporting result through the actual effort and performance of the teams on the field, replacing genuine competition with an administrative forfeiture. The match in question resulted in an official score of 0-3 in favour of FK Rabotnički, depriving both teams of the opportunity to contest the outcome through sporting merit.
 - Second, such conduct fundamentally undermines the integrity of the entire competition. The match abandonment occurred during Round 29 of a 33-round championship, at a critical juncture when every result directly impacts the final standings, title race, European qualification, and relegation. The arbitrary interruption of a match creates uncertainty regarding the validity of the competition as a whole.
 - Third, the abandonment of the match brings football into disrepute. The public, fans, media, and other stakeholders follow the championship with legitimate expectations of a fair and transparent process. Actions of this nature, if left inadequately sanctioned, erode public trust in the competition system, with long-term harmful consequences for the sport.

- Fourth, the conduct affects multiple parties beyond the immediate participants. The opposing team, FK Rabotnički, was directly harmed by being deprived of the opportunity for fair sporting competition and experiencing a disruption to the match dynamics. Match officials, delegates, and observers were similarly affected, compromising the proper functioning of the competition administration.
94. Having established the gravity of the offense, the Panel examines whether there exist circumstances that would warrant a departure from the maximum sanction. The Appellant has invoked several factors in mitigation, none of which, in the Panel's assessment, justify a reduction of the penalty imposed.
95. The Appellant first reasons that he had no prior disciplinary record and had made significant contributions to Macedonian football over fifteen years. While the Panel acknowledges these facts, by majority, it observes that the absence of prior sanctions is a factor to be considered when assessing the proportionality of a sanction rather than an obligatory mitigating circumstance in cases involving offenses of this magnitude. The significant contributions to Macedonian football over a certain time period cannot be considered as mitigating factor either. Article 3 of the FFM DR provides that disciplinary bodies may impose a more lenient sanction than prescribed where there are "particularly mitigating circumstances", but only when such circumstances indicate "*... that the purpose of the sanction can still be achieved with a reduced penalty*". In the Panel's view, no such circumstances are present by the Appellant's allegations quoted above.
96. The Appellant further contends that he acted out of frustration over suspected match-fixing and biased refereeing, and that these concerns were inadequately addressed by the FFM. The Panel can understand the Appellant's frustration, however, by majority, this cannot be accepted as justification for the match abandonment which endangers the whole integrity of the competition, and consequently, it may not be considered as a mitigating factor in the application of the principle of proportionality. While concerns about the integrity of football competitions are legitimate and serious, the appropriate remedy is to pursue formal channels of complaint and investigation through the established procedures of the governing football bodies, or other competent state authorities. The unilateral decision to abandon a match based on suspicions that have not been substantiated through proper investigative processes cannot be excused.
97. The evidence before this Panel demonstrates that the Appellant submitted a complaint to the FFM regarding potential match irregularities on 7 April 2025, which received a response on 15 April 2025, i.e. roughly two weeks prior to the Match. The Appellant characterizes this response as offering only "vague assurances" without initiating an inquiry. However, in the view of the majority of the Panel this does not excuse a club president to take matters into his own hands by ordering a match abandonment, respectively this cannot be considered as a mitigating factor. Such conduct sets a dangerous precedent whereby any club official dissatisfied with administrative responses could unilaterally disrupt competitions, fundamentally undermining the principle that disputes must be resolved through established institutional mechanisms. With this, the whole integrity of the competition would be seriously compromised.

98. Moreover, the majority of the Panel notes that even if the Appellant's suspicions regarding match-fixing were well-founded -a matter on which the Panel cannot make any determination- this never provides a legal justification for abandoning the match and, consequently, the Appellant's reasoning cannot be considered as mitigating circumstance to determine his sanction. The proper course of action would have been to complete the fixture and subsequently pursue complaints with appropriate supporting evidence through the channels provided by the FFM, or relevant law enforcement authorities. The fact that the Appellant has produced no concrete evidence of match-fixing in relation to the abandoned match further undermines this defence. Moreover, as regards the New Evidence submitted by the Appellant, the Panel observes that the FFM Publication does not support an inference of systemic corruption in the manner contended by the Appellant respectively, the investigated matches do not concern the Club. The publication refers to correspondence received from the UEFA Integrity Department concerning suspected match irregularities in three domestic matches, of which only one pertains to the 2024/2025 season — the other two relate to the 2025/2026 season, and one of them is a friendly match. The limited temporal and competitive scope of these references significantly diminish the evidentiary weight the Appellant seeks to attribute to the document.
99. The Panel further addresses the Appellant's contention that the Respondent's alleged retention of UEFA solidarity funds constitutes discriminatory treatment warranting consideration as a mitigating circumstance. The majority of the Panel rejects this argument on three independent grounds. First, the Appellant has not established that the non-payment of the solidarity funds was unlawful or improper; nor is it the function of this Panel to adjudicate the merits of any such claim in the context of these disciplinary proceedings. Second, even assuming *arguendo* that the withholding of the funds was unwarranted, the Appellant has failed to demonstrate any causal nexus between the decisions of the FFM disciplinary bodies and the decision not to disburse the solidarity funds-the two matters are distinct and unrelated. Third, if the Appellant considers the non-payment to be unlawful, appropriate legal remedies exist through which such rights may be vindicated; the abandonment of a match cannot constitute a legitimate or proportionate response to a perceived financial grievance, however genuine that grievance may be and, consequently, such act cannot be considered a mitigating circumstance.
100. The majority of the Panel, in addition, considers several aggravating factors that support the imposition of the maximum sanction. Match officials reported that prior to the commencement of the Match, a person wearing an accreditation badge from FC Gostivar informed them that if the home team were losing, they would leave the field of play. This statement was communicated to the fourth official, who in turn informed the match referee, the match delegate and the referee observer.
101. According to the majority of the Panel, the fact that FC Gostivar was trailing 1-2 at the time of the abandonment, having received a red card in the 76th minute, coincides with the content of the before stated reports. However, in the absence of any direct evidence linking these alleged statements to the Appellant, the Panel cannot conclusively determine that the abandonment was premeditated. Nonetheless, even without having any evidence comfortably satisfying the Panel, the abandonment of the match remains

a harsh breach going against the integrity of the competition and, consequently, asking for a severe sanction.

102. For the Panel, in looking at the manner in which the abandonment was executed, this cannot be seen as aggravating circumstances. On one hand, multiple player statements submitted to the FFM described the “*exceptional psychological pressure*” and “*verbal threats*” they experienced from the Appellant, leading them to feel “*endangered and forced to leave the pitch*” against their personal will. Player Andrej Kirovski stated that he left the field “*solely out of respect for the club’s structure*” despite recognizing that “*such action is contrary to the rules of football*”, describing the experience as one of “*humiliation and violation of sporting morals*”. Player Fisnik Zuka similarly testified to being “*exposed to exceptional psychological pressure and verbal threats from the owner of the club*”. Player Kristijan Gjorgjevski confirmed that “*the decision to abandon the match was made by the club owner, who exerted exceptional psychological pressure and directed verbal threats with the aim of withdrawing all players from the field*”.
103. On the other hand, the Appellant contends that these statements were merely formulaic appeals seeking reduced penalties and therefore lack credibility. The Panel is of the opinion that the Appellant’s allegations can partially be followed in the way that these statements were made in the context of disciplinary proceedings against the players and not in the present case, and neither the Panel nor the Appellant have had the opportunity to examine those individuals. Therefore, such testimonies cannot be considered conclusive evidence.
104. However, this does not mean that the behaviour of the Appellant can be accepted in any way. During a game, it is obvious for the Panel that the Appellant had to use strong words to convince the players to abandon the game. For the Panel, however, the integrity of the game and competition is the most important value to be protected and going against this principle deserves nothing else than the toughest sanction foreseen in the regulations. The Appellant as the owner and president of the Club held a superior position enabling him to order the players to leave the pitch, and thereby breached this highest principle of the integrity of the competition.
105. The majority of the Panel further considers the Appellant’s subsequent conduct as demonstrating a lack of genuine remorse or understanding of the severity of his actions. Rather than accepting responsibility for the match abandonment and taking steps to ensure that FC Gostivar fulfilled its remaining obligations in the championship, the Appellant presided over the Club’s failure to appear for the two subsequent matches in Rounds 30 and 31: on 4 May 2025, FC Gostivar failed to appear for its home match against FK Pelister, resulting in a 0-3 forfeit. On 7 May 2025, the Club again failed to appear for its away match against FK Sileks, resulting in another 0-3 forfeit.
106. As a consequence of these unjustified absences from two championship matches, FC Gostivar was disqualified from further participation in the competition pursuant to Article 82 of the FFM Competition Regulations. The Club was relegated to the lowest tier of competition—the fourth-level Municipal League—for the following season. The Appellant’s conduct in this context demonstrates a pattern of wilful disregard for FC

Gostivar's obligations to the competition and its fellow clubs, compounding the original offense and inflicting further damage on the integrity of the championship.

107. The majority of the Panel rejects the Appellant's contention that the FFM's imposition of the maximum sanction is arbitrary if compared to the identical two-year ban imposed on Mr Nefi Useini of FK Voska Sport for a similar offense. The majority of the Panel finds that such consistency in sanctioning practice strengthens rather than undermines the legitimacy of the decision. The two-year ban falls within the prescribed range under Article 78 of the FFM DR and serves the legitimate purposes of deterrence, protection of sporting integrity, and reinforcement of the principle that matches must be completed.
108. Regarding the Appellant's reliance on CAS 2011/A/2670 (*Omeragik v. FFM*), which held that maximum sanctions should not be imposed before lesser sanctions have been exhausted, the Panel distinguished that case on the basis that it concerned entirely unfounded disciplinary action, whereas the Appellant's violation is undisputed and supported by documentary evidence and witness testimony. The Panel determined that where the gravity of the offense and the presence of significant aggravating factors—including premeditation, subsequent failures to fulfil competition obligations, the sporting and competitive effect of the infringement on the integrity and proper development of the competition, and the disregard for the sporting effort of the players whose dedication and commitment were rendered meaningless by the decision to abandon the match--demonstrate from the outset that only the maximum sanction can adequately address the violation and achieve the objectives of the disciplinary system, the principle of exhausting lesser sanctions does not apply.
109. For the foregoing reasons, the Panel concludes that the two-year ban and the monetary fine of EUR 1,500 imposed on the Appellant by the DC FFM, and confirmed by the AC FFM, were properly determined in accordance with the applicable regulations and are proportionate to the serious nature of the offense committed. The appeal must therefore be dismissed.

XI. COSTS

(...)

ON THESE GROUNDS

The Court of Arbitration for Sport rules that:

1. The appeal filed on 1 July 2025 by Mr Enes Usta against the Football Federation of Macedonia with respect to the decision of its Disciplinary Commission of 2 May 2025 (n°. 0801-1206/4) and against its Appeals Commission of 12 May 2025 (n° 10-1275/4) is dismissed.
2. The decision rendered by the Appeals Commission of the Football Federation of Macedonia on 12 May 2025 (n° 10-1275/4) is confirmed.
3. (...).
4. (...).
5. All other motions or prayers for relief are dismissed.

Seat of arbitration: Lausanne, Switzerland
Date: 9 September 2026

THE COURT OF ARBITRATION FOR SPORT

Kepa Larumbe
President of the Panel

Giulio Palermo
Arbitrator

Bernhard Welten
Arbitrator