DECISIONS OF THE DISCIPLINARY COUNCIL OF 13th JANUARY 2019

On January 13, 2019, the Disciplinary Council of Confédération Africaine de Football, chaired by Mr. Raymond Hack, held a meeting in order to decide over the below cases:

1- **Match No. 148 : E.S.T. (Tunisia) vs Al Ahly Sporting Club (Egypt)**, Stade Olympique de Rades 09.11.2018 played in the frame of the Total Champions League, CL 2018.

The officials of the above mentioned match indicated in their reports that:

- Before the match, while on the way to the stadium, Al Ahly bus was stoned. A stone broke the glass on the right rear of the bus and injured the head of a player from Al Ahly. The player was seriously injured in the head and received six stitches from the doctor. This was reported to the police;
- Several smoke / fireworks were observed around the stadium, but none was thrown into the field.

**Thus, the following decisions n100 were taken against E.S.T.:**

1. To impose upon the club E.S.T. a fine of 25.000 USD (20.000 USD for the stones throwing and 5.000 USD for the use of smoke by fans);
2. In addition, the Disciplinary Council remains that the club EST was sanctioned by the decision n°1 of October 29, 2018. According to point 3 of this decision, the aforementioned sanction was " suspended and will only be applied if within the deadline of 12 months such incidents are repeated ". The Disciplinary Council notes that the incidents reported are the same to those related to the decision of October 29, 2018 and that they occurred on November 9, 2018, and thus in accordance with the decision of October 29, 2018, the sanction provided for in no. 2 of that decision is applied.

As a result, the E.S.T club will play its next 2 home Interclub matches behind closed doors, namely match no. 93 E.S.T. vs FC Platinum and match no. 109 E.S.T vs. Orlando Pirates.

The Jury examined all the documents relevant to the documents transmitted by the match officials in which it appears that:

- The player of Lobi Stars no. 16 John Lawrence got into a fight with players no. 18 and 12 of Gor Mahia and that there was a pitch invasion by the home team’s supporters;
- The Master of Ceremony incited the local team’s fans to push the visiting team;
- The players of Gor Mahia : the player no. 12, Joash Achieng Onyango used abusive language towards the referees and player no. 18 Haron Shakava kicked the goalkeeper of Lobi Stars.

Thus, the following decisions **n101** were taken against Lobi Stars:

1. To suspend player no. 16 John Lawrence for his next 2 matches, namely match no. 83 Lobi Stars vs Mamelodi Sundowns and match no. 91 Asec Mimosas vs Lobi Stars;
2. To impose upon the club Lobi Stars a fine of 15.000 USD (5.000 USD for the unsporting behavior of player no. 16, 5.000 USD for the pitch invasion and 5.000 USD for the unsporting behavior of the Master of the Ceremony).

And the following decisions **n102** were taken against Gor Mahia FC:

1. To suspend the player no. 12 Joash Achieng Onyango for his next 2 matches namely match no. 79 Gor Mahia FC vs New Stars de Douala and match no. 80 New Stars de Douala vs Gor Mahia FC;
2. To suspend the player no. 18 Haron Shakava for his next 2 matches namely match no. 79 Gor Mahia FC vs New Stars de Douala and match no. 80 New Stars de Douala vs Gor Mahia FC;
3. To impose upon the club Gor Mahia FC a fine of 10.000 USD (5.000 USD for the unsporting behavior of player no. 12 and 5.000 USD for unsporting behavior of player no. 18).
3- **Match No. 168** in frame of Total CAF Confederation Cup 2018: Allegations of Corruption

The Board examined the documents related to the facts below:

- On October 25, 2018, CAF was informed that there had been contact between the officials of match no. 168 of the TOTAL CAF Confederation Cup 2018 and the officials of El Masry club;
- On October 29, 2018, the Disciplinary Board decided that there were grounds to hold an official investigation regarding the officials of the match no. 168 of the TOTAL CAF Confederation Cup 2018: Mr. Bernard Camille, the central referee; Mr. James Emile, the assistant referee; Mr. Gilbert Lista, the assistant referee, as such they were provisionally suspended pending a Disciplinary Hearing;
- Mr. Camille, Mr Emile and Mr. Lista cases were submitted to the Disciplinary Board meeting that was held on the 13th of January 2019 in CAF’s Headquarters;
- It has been noted by the Board that Mr. Bernard Camille, Mr James Emile and Mr. Gilbert Lista do not hold any precedents and that they had never been part of a Disciplinary investigation.

Thus, the following decisions were taken:

1. Decision n200 : The provisional suspension of Mr. Bernard Camille is lifted;
2. Decision n201 : The provisional suspension of Mr. James Emile is lifted;
3. Decision n202 : The provisional suspension of Mr. Gilbert Lista is lifted.

4- **Match no. 147 Al Ahly SC vs. E.S.T** played in the frame of Total Champions League 2018: Allegations of Corruption

The Board examined the documents related to the below facts:

- On November 3, 2018, CAF received a formal complaint from Esperance Sportive de Tunis club regarding the performance of Mr. Mehdi Abid Charef during the match no. 147 of the Total Champions League 2018;
- On the 6th of November 2018, the Board Chairman decided that Mr. Charef is provisionally suspended, pending the next Disciplinary Hearing;
- The decision of the Chairman of the Disciplinary Board no. 32 was communicated to Mr.
Charef on the 16th of November 2018.
- Mr. Charef’s case was submitted to the Disciplinary Board meeting that was held on January 13, 2019 in CAF’s Headquarters;
- It has been noted by the Board that Mr. Mehdi Abid Charef does not hold any precedents and that he had never been part of a Disciplinary investigation.

Thus, the following decision was taken:

1. Decision n203: The provisional suspension of Mr. Mehdi Abid Charef is lifted.

5. Match no. 146 E.S.T vs Club Desportivo 1 De Agosto played in the frame of Total Champions League 2018: Allegations of Corruption

The Board examined the documents related to the below facts:

- On October 24, 2018, CAF has received a formal complaint regarding Mr. Janny Sikazwe, the central referee of match no. 146 E.S.T vs. Club Desportivo 1 De Agosto which was played in the frame of the Total CAF Champions League, CL 2018;
- The club argued that the performance of Mr. Sikazwe on the said match was suspicious; and as such CAF Secretariat conducted an official investigation.
- On November 6, 2018, the Board Chairman decided that Mr. Sikazwe is provisionally suspended, pending the next Disciplinary Hearing;
- The decision of the Chairman of the Disciplinary Board no. 31 was communicated to Mr. Sikazwe on November 16, 2018.
- Mr. Sikazwe’s case was submitted to the Disciplinary Board meeting that was held on January 13, 2019 in CAF’s Headquarters;
- It has been noted by the Board that Mr. Janny Sikazwe does not hold any precedents and that he had never been part of a Disciplinary investigation.

Thus, the following decision was taken:

1. Decision n204 : The provisional suspension of Mr. Janny Sikazwe is lifted.
6- Match No. 86: Gambia vs. Togo which was played in the frame of the TOTAL Africa Cup of Nations Qualifiers 2019: Protest against the eligibility of Togolese player Adewele Oloufade

The Board examined the documents related to the below facts:

- On the 18th of October 2018, Gambia lodged a formal protest on the eligibility of Togo’s national team player Adewele Oloufade before the start of the match No. 86: Gambia vs. Togo which was played in the frame of the TOTAL Africa Cup of Nations Qualifiers 2019;
- The Gambian Football Federation (GFF) argued that the player is of Nigerian nationality, and was later adopted by Togolese ex-player Mr. Adekambi Olufade, which gave him the right to the Togolese nationality. The GFF used the conditions stipulated in article 5, 6, 7 of the FIFA Statutes in regards to the acquisition of a new nationality of a player and have further reasoned that the player does not fulfill the required conditions; as such he is in direct violation of the FIFA Statutes and should be regarded as ineligible;
- The GFF has additionally underlined the fact that the player has been registered on CMS under two different names and under two different nationalities (i.e. both the Nigerian and the Togolese nationalities) which should be deemed as a falsified document;
- CAF sent out a letter to the Togolese Football Federation on the 25th of December 2018 requesting that they provide with their response to the allegations made against their player: Adewele Oloufade;
- On December 31st, the Togolese Football Federation (FETOFOOT) sent a letter to CAF, explaining that the player’s dual registration on CMS was only an administrative error. Furthermore, regarding the player’s dual nationalities, the FETOFOOT provided proof of the player’s birthplace being Togo by means of a birth certificate document as well as a nationality certificate.

Thus, the following decision n300 was taken:

1. The player ADEWALE OLOUFADE was born in Togo and of Togolese nationality which deems him eligible to play for the Togolese National Team.
2. The Gambian Football Federation’s protest against the eligibility of the Togolese player ADEWALE OLOUFADE is hereby dismissed.
7. **Match No. 88: Club Africain (Tunisia) vs Club Sportif Constantinois (Algeria), Stade Olympique de Sousse 11.01.2019 played in the frame of Total CAF Champions League, CL 2019.**

The match officials reported the following incidents:

1. Throwing of stones at the visiting, home team, and ball boys’ buses resulting in damages and injury of one of the visiting teams’ official;
2. Usage of fireworks, damage of doors, heaters and the ball boys’ dressing rooms of the stadium by the supporters of Club Africain.

After having thoroughly checked the officials’ reports regarding the incidents that happened during the match, which are in violation of articles 10, 11, 43.1, 46, 83.1, 100 and 151 of CAF Disciplinary Code; the disciplinary board, took the following decisions (#111) against Club Africain:

1. A fine of $ 25,000 (twenty-five thousand dollars) ($ 5000 for the usage of fireworks, $ 5,000 for throwing stones and breaking the windows of the team bus, and $10,000 for inadequate security at the stadium);

2. An obligation to play one match behind closed doors, in accordance to Article 100 of the Disciplinary Code;

3. The decision mentioned in point 2, will only be applied within a timeframe of 12 months, in the event of a reoccurrence of the incident.