



Sent to

AC Sparta Praha
Milady Horákové 1066/98
170 00 PRAHA 7
Czech Republic

Decision
of the
Control, Ethics and Disciplinary Body
on
19 January 2021

Chairman: Partl Thomas (AUT)

Vice-Chairman: Berzi Sándor (HUN)

Members: García Caba Miguel María (ESP)
Šašić Celia (GER)
Doncaster Neil (ENG)
Becker Julius Y. (GER)
Power Áine (IRL)

Disciplinary Case: 34218 - UEL - 2020/21

Incidents: Rough play (Mr. Dominik Plechatý), Art. 15(1)(a)(ii) DR

Competition: 2020/21 UEFA Europa League

Match: AC Sparta Praha vs. AC Milan, 10.12.2020

Referee: Daniel Siebert (GER)

I. Facts of the case

1. The elements set out below are a summary of the main relevant facts as established by the Control, Ethics and Disciplinary Body ("CEDB") in the course of these proceedings. The CEDB refers in the present decision only to the facts it considers necessary to explain its reasoning.
2. The facts of this case, as reported by the referee officiating at the 2020/21 UEFA Europa League group stage match between AC Sparta Praha (the "club") and AC Milan played on 10 December 2020 (the "match"), are as follows:

Referee's report

"In Minute 77' (0:1 for Milan) Player Nr.5 (Praha) received a red card for serious foul play. During a fast counter attack he tackled near the halfway-line with high intensity into his opponent. With this late tackle he hit his opponent in the area of the shin and that's why he endangers the safety of his opponent."

3. The club did not submit a statement in the course of these disciplinary proceedings.

II. Merits of the case

A. UEFA's competence and relevant provisions applicable to the case

4. Pursuant to Articles 33(3), 52 and 57 of the UEFA Statutes, as well as Article 29(3) of the UEFA Disciplinary Regulations (DR), the CEDB is competent to deal with the case.
 5. Pursuant to Article 5(a) DR, the UEFA Statutes, rules and regulations, in particular the DR, are applicable to these proceedings.
 6. The following relevant provisions apply to the case at hand.
 7. Pursuant to Article 15(1) DR, "[t]he following suspensions apply for competition matches: (a) suspension for one competition match or a specified period for: [...] (ii) rough play."
 8. According to Article 45 DR, "[f]acts contained in official UEFA reports are presumed to be accurate. Proof of their inaccuracy may, however, be provided."
 9. Pursuant to Article 23 DR, "¹ [t]he competent disciplinary body determines the type and extent of the disciplinary measures to be imposed in accordance with the objective and subjective elements of the offence, taking account of both aggravating and mitigating circumstances. [...] ³ Disciplinary measures can be reduced or increased by the competent disciplinary body on the basis of the circumstances of the specific case [...]"
-

B. The responsibility of Mr. Dominik Plechatý (the “player”) for the rough play

10. In the case at hand, it was reported by the referee that in the 77th minute of the match, the player was sent off for tackling his opponent with high intensity hitting the latter on his shin and endangering his safety. In this respect, the CEDB recalls the video evidence available in the present case, which clearly depicts the incident as described in the official report of the referee and which is presumed to be accurate pursuant to Article 45 DR.
11. In accordance with the well-established jurisprudence of the UEFA disciplinary bodies (as published on the UEFA website), endangering the safety of an opponent by hitting the opponent with high intensity, as clearly described by the referee in his official report and depicted in the video footage, is a particularly rough play and thus poses a serious threat to the integrity and safety of the opponent.
12. After having thoroughly analysed the available evidence, the CEDB has no doubt that the act of the player, i.e. performing a strong tackle which clearly endangered the safety of his opponent, constitutes a particularly rough play under the terms of Article 15(1)(a)(ii) DR and needs to be punished accordingly.

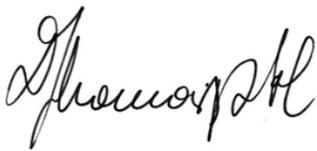
III. The determination of the appropriate disciplinary measure

13. The CEDB recalls that the player performed a particularly serious, rough and reckless tackle, which endangered the safety of his opponent when he lunged towards the latter, hitting him with high intensity on his shin, which counts as an aggravating circumstance in the present case pursuant to Article 23(1) DR.
 14. Considering the above, and in application of the consistent and well-established jurisprudence of the UEFA disciplinary bodies (as published on the UEFA website) to increase the standard punishment of a one-match suspension in case of aggravating circumstances and particularly severe rough plays, as is the case here, the CEDB comes to the conclusion that a two-match suspension shall be considered the appropriate sanction to be imposed on the player in the case at hand, in application of Article 15(1)(a)(ii) DR.
-

15. Consequently, the CEDB decides

1. **To suspend AC Sparta Praha player, Mr. Dominik Plechatý, for a total of two (2) UEFA club competition matches for which he would be otherwise eligible, for rough play.**
2. **AC Sparta Praha ensures its player is personally informed of this decision.**

Thomas Partl
Chairman



☞ Football Association of the Czech Republic

Bank details

Union Bank of Switzerland

CH-3001

Acc. n° 235-90 186444.6

Bank code 235

Swift: UBS WCH ZH 80A

IBAN CH30 00235235901864446

Detail address of UBS AG (Union Bank of Switzerland) - CH – 3001 BERNE

VAT Number in Switzerland: CHE-116.317.087

Fiscal number in Switzerland / canton de Vaud: 21 652

Advice as to rights of appeal

This decision is open to appeal (Article 60 DR).

A declaration of the intention to appeal against a decision by the Control, Ethics and Disciplinary Body must be lodged with the UEFA administration, in writing, for the attention of the Appeals Body, within three days of notification of the relevant decision with grounds (Article 60(2) DR).

Within five days of the expiry of the time limit for the declaration of the intention to appeal, the appellant must file, in writing, the grounds for appeal, which must contain a legal request, an account of the facts, evidence and the appellant's conclusions (Article 60(3) DR).

The appeal fee is €1,000, payable on submission of the grounds for appeal at the latest (Article 60(4) DR).

Publication notice

Decisions of the UEFA disciplinary bodies are published on the UEFA website in accordance with Article 52(5) DR. A request to publish an anonymised version of the decision shall be submitted to the UEFA administration within seven days of notification of the decision with grounds.
