



**Sent to**

AFC Ajax  
Johan Cruijff Boulevard 29  
1101 AX AMSTERDAM  
Netherlands

**Decision**  
**of the**  
**Control, Ethics and Disciplinary Body**  
**on**  
**4 May 2021**

Chairman: Partl Thomas (AUT)

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**Disciplinary Case:** 34334 - UEL - 2020/21

**Incidents:** Unsporting conduct of ball boys, Art. 11(1) and (2)(b) DR

**Competition:** 2020/21 UEFA Europa League

**Match:** AFC Ajax vs. AS Roma, 08.04.2021

**Referee:** Sergei Karasev (RUS)

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## 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) on the basis of the official reports, the written submissions, the exhibits filed and the statements produced by AFC Ajax (the "club") in the course of the CEDB proceedings. While the CEDB has considered all the facts, allegations, legal arguments and evidence submitted by the club in these proceedings, it refers in the present decision only to the submissions and evidence it considers necessary to explain its reasoning.
2. The facts of this case, as reported by UEFA match delegate present at the 2020/21 UEFA Europa League match between the club and AS Roma played on 8 April 2021 (the "match"), are as follows:

### UEFA match delegate's report

*"After the match the referee [...] informed of an incident in 90+4'.*

*An Ajax bibbed ball boy at the front of the main stand, to the right of the Roma technical bench, forcefully threw the ball at the chest of Roma player 61 from 1 metre distance.*

*[In response the Ajax key contact [...] told me that when the ball boy threw the ball towards the player, the player wasted time by knocking it back and the ball boy then threw it back to him [...]."*

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## II. The club's statements

3. The club in its statements dated 15 April 2021, essentially stated the following:
  - The club considers that the ball boy followed the instructions given to him. Particularly, the club explains that when the throw-in was awarded, the nearest ball boy threw a ball with a bounce to the AS Roma player. However, the AS Roma took the ball and immediately dropped it and went to take another ball which was further. The club states that in such a situation, a ball boy is instructed to get the nearest ball behind the LED-boarding and throw it as soon as possible to the player in order to prevent wasting time.
  - The club considers that the ball boy was not aware that the AS Roma player was so close to him when he threw the ball and this is the reason why the ball hit the AS Roma player.
  - Finally, the club regrets the incident and emphasises that the ball boy did not have the intention to hit the AS Roma player.
  - Considering the above, the club considers that the action should not be considered as "unsporting conduct" nor as an infringement of the DR.
4. The more detailed arguments made by the club in support of its written submissions are set out below in as far as they are relevant.

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### III. Merits of the case

- A. UEFA's competence and relevant provisions applicable to the case
  - 5. Pursuant to Articles 33(3), 52 and 57 of the UEFA Statutes, as well as Article 29(2)(b) and (3) of the UEFA Disciplinary Regulations (DR), the CEDB is competent to deal with the case.
  - 6. Pursuant to Article 5(a) DR, the UEFA Statutes, rules and regulations, in particular the DR, are applicable to these proceedings.
  - 7. The following relevant provisions apply to the case at hand.
  - 8. According to Article 8 DR, "*[a] [...] club that is bound by a rule of conduct laid down in UEFA's statutes or regulations may be subject to disciplinary measures and directives if such a rule is violated as a result of the conduct of one of its members, players, officials or supporters and any other person exercising a function on behalf of the [...] club concerned, even if the [...] club concerned can prove the absence of any fault or negligence.*"
  - 9. Pursuant to Article 11 DR, "<sup>1</sup> *[...] clubs, as well as their players, officials and members, an all persons assigned by UEFA to exercise a function, must respect the Laws of the Game, as well as UEFA's Statutes, regulations, directives and decisions, and comply with the principles of ethical conduct, loyalty, integrity and sportsmanship.* <sup>2</sup> *For example, a breach of these principles is committed by anyone: [...] b. whose conduct [...] violates the basic rules of decent conduct [...].* <sup>3</sup> *Breaches of the above-mentioned principles and rules are punished by means of disciplinary measures.*"
  - 10. 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.*"
  - 11. Pursuant to Article 23 DR, "<sup>1</sup> *[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.* [...] <sup>3</sup> *Disciplinary measures can be reduced or increased by the competent disciplinary body on the basis of the circumstances of the specific case.* [...]."
  - 12. Article 25 DR reads as follows: "<sup>1</sup> *Recidivism occurs if another offence of a similar nature is committed within:* a. *one year of the previous offence if that offence was punished with a suspension of up to two matches imposed on an individual;* b. *ten years of the previous offence if that offence was related to match-fixing, fraud, bribery or corruption;* c. *two years of the previous offence if that offence was related to order and security at UEFA competition matches;* d. *three years of the previous offence in all other cases.* <sup>2</sup> *Recidivism counts as an aggravating circumstance.*"
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B. The responsibility of the club for the behaviour its ball boys

13. The CEDB reminds that it is very important that any person involved in a UEFA match must comply with the principle of sportsmanship, according to Article 11(1) DR, and follow the basic rules of decent conduct, according to Article 11(2)(b) DR.
14. In the case at hand, according to the official report of the UEFA match delegate, a club's ball boy showed disrespect towards one of the AS Roma's players by forcefully throwing the ball at the chest of the latter when he was a very short distance.
15. The CEDB notes the arguments of the club regarding the behaviour of the ball boy stating that he followed the instructions given to him, that he was not aware that the AS Roma's player was so close to him, as well as his lack of intention to hit the AS Roma's player.
16. However, after having thoroughly analysed the official report of the UEFA match delegate (which is presumed to be accurate pursuant to Article 45 DR) and the relevant video evidence, the CEDB considers that the ball boy exactly knew where the AS Roma's player was and he deliberated threw the ball with excessive force against the latter. In this respect, the CEDB recalls that the attitude showed by the ball boy goes against the principle of sportsmanship and violates the basic rules of decent conduct, emphasising that such attitude is completely unacceptable and has no place in UEFA
17. competitions matches.

Considering the above, the CEDB concludes that the violation of Article 11(2)(b) in connection with Article 11(1) DR has been established and the club must be punished accordingly in application of Articles 8 and 11(3) DR.

**IV. The determination of the appropriate disciplinary measure**

18. The CEDB acknowledges that the club has no previous record pertaining to this type of behaviour within the last three years, which could count as aggravating circumstance (cf. Articles 25(1)(d) and 25(2) DR).
  19. In view of the above, and in application of Article 23 DR, the CEDB comes to the conclusion that a warning shall be considered the appropriate sanction to be imposed on the club in the case at hand for the unsporting behaviour of one of its ball boys.
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20. Consequently, the CEDB

**decides**

**To warn AFC Ajax for the unsporting conduct of the ball boys.**

Thomas Partl  
Chairman



cc Royal Netherlands Football Association

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.**

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