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The Features of Club`s Strict Liability for Using of Fireworks by Spectators Based on the Example of CAS Decisions: CAS 2013/A/3139, CAS 2013/A/3324 & 3369, CAS 2014/A/3944

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Abstract

In the article, the authors refer to the practice of the Court of Arbitration for Sport (CAS) in cases of bringing clubs to disciplinary responsibility for the use of pyrotechnics by fans. Such disputes in the disciplinary practice of UEFA and CAS have features related both to the way the fan commits an offense and to the assessment of the seriousness of the act and respect for the principle of proportionality of the sanction. Resort to the decisions of the Court of Arbitration for Sport helps to get answers to these and some other questions of clubs responsibility for the use of pyrotechnics by fans. With the actual status of CAS in the field of sports law, it means bringing legal certainty to the regulation of the UEFA Disciplinary Regulations.

Keywords: the UEFA Disciplinary Regulations, strict liability of clubs, the disciplinary responsibility of clubs, fans' behavior, use of pyrotechnics by fans, Court of Arbitration for Sport (CAS), decisions of CAS, the proportionality of disciplinary sanctions.

1. Introduction

Sports (disciplinary) responsibility of clubs and national associations for the behavior of fans is a key tool used by UEFA and FIFA as the main regulators of European and world football, respectively, in order to force out unacceptable behavior beyond sports competitions. The currently relevant edition of the UEFA Disciplinary Regulations establishes responsibility for the use of pyrotechnics by fans in the provisions of paragraph "c" of part 2 of Art.16, extremely concisely determining the composition of the offense. Such an approach by UEFA is deliberate and aims at creating a comfortable discretionary horizon for the enforcement of the Control, Disciplinary and Ethical Commission, the Appeals Commission, and the Court of Arbitration for Sport (CAS). The latter, by virtue of its status, is, in fact, a rule-maker, in particular, by formulating the content and principles for applying the provisions of the UEFA regulations, including the Disciplinary Regulations.

In the open practice of CAS, there are only a few decisions about the responsibility of clubs for the behavior of fans using pyrotechnics. However, three of them (CAS 2013/A/3139, CAS 2013/A/3324 & 3369, CAS 2014/A/3944) are fundamental to both the institution of disciplinary responsibility and particular for resolving disputes arising from the use of pyrotechnic fans.

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The importance of these decisions is also indirectly recognized by UEFA, who placed them in a special open section on the official resource (UEFA, 2018).

The use of pyrotechnics by fans in comparison with other behavior unacceptable at matches under the auspices of UEFA (for example, demonstration of banners with racist content, or offensive chants) is characterized by the complexity of identifying fans due to the possibility of fast enough use and even remote launch of individual pyrotechnic products. An additional issue is the deliberate refusal of UEFA to define the concept of “fan” in the provisions of the Disciplinary Regulations. Along with the problems of qualification of offenses under paragraph “c” part 2 Art. 16 UEFA Disciplinary Regulations, a new assessment, and proportionality of the sanctions applied to the club due to the difficulty of determining the seriousness of the violation. Answers to all the questions listed by us are offered by the Court of Arbitration for Sport in decisions CAS 2013/A/3139, GAS 2013/A/3324 & 3369, CAS 2014/A/3944.

The authors will not make a comparison with the regulation in the Russian legislation of legal liability for the use of pyrotechnics since special studies are devoted to this issue (Medvedev, 2009). The lack of open access to the disciplinary practice of the jurisdictional bodies of the Russian Football Union (RFU) in similar cases prevents the analogy with the application of the relevant rules at the level of our National Association.

2. Material and methods

This study is based on the results of previously published works of the authors, as well as a few researchers of the problems of sports (disciplinary) responsibility of clubs for the behavior of fans (de Vlieger, 2013; Vasilyev, Kashaeva, 2017; Vasilyev, Khalatova, 2017; Guseinova, Vasilyev, 2017; Vasilyev, Izmalkova, Khalatova, 2018). At the same time, consideration of the composition of responsibility for the use of pyrotechnics by fans through the prism of key decisions of the Court of Arbitration for Sport for UEFA regulation was not previously studied for the listed authors.

In the process of conducting the study, the formally dogmatic method, the problem method, the legal modeling method, and the system method were used, which are not the first time the authors are involved in studying the sports (disciplinary) responsibility of the clubs.

3. Discussion

3.1. The extension of the club's strict liability to the behavior of supporters who are not at the stadium or in the surrounding area

According to the position of the club in CAS 2013/A/3139 Fenerbahce SK v. UEFA, the principle of strict liability under Art. 6 (responsibility) and paragraph “c” of part 2 Art. 11 (the lighting of fireworks or any other objects) of the UEFA Disciplinary Regulations (hereinafter – the Disciplinary Regulations, the Regulations, the Rules) should not be applied to supporters. We will immediately make a reservation that hereinafter we will indicate the numbering of articles in the editions of the UEFA Disciplinary Regulations relevant at the time of the violation. In the current edition, it is Art. 8 and paragraph “c” of part 2 of Art.16 regulations respectively.

The plot of the dispute is that during the competition match played behind closed doors parachute flares were launched from outside the stadium by supporters of Fenerbahce SK. Some fireworks landed inside the stadium, and one of them hit the field and caused the game to be interrupted for a minute, which was recorded in the reports of UEFA officials. According to the club, as the launch of parachute flares took place not “at a match” and not “around the stadium”, the actions of the persons did not constitute an offense. Therefore, following the principle of *nulla poena sine lege*, the club cannot be held strictly liable for the behavior of the supporters. In addition, the club attracted a significant number of stewards and staff, as well as took measures at the stadium and in the surrounding area to ensure safety at a match. Taken together, these facts should release the club from liability for the supporters` misbehavior. In this case, the club mixed club's strict liability for misbehavior of supporters, provided for in part 1 of Art. 6 of the Regulations, and the fault-based liability of the host club for the organization and maintenance of order and security before, during and after the match, which is contained in part 2 of Art. 6 of the Regulations. But the concept of “at a match” in part 1 of Art.6 of the Disciplinary Regulations was presented as implying liability for any violation that occurred during the match. Therefore, the club is responsible for the behavior of supporters regardless of where the offense was committed, provided, as noted by UEFA, that the incident “occurs in the course of the match or is linked to the

match in question, the criteria in this respect applying to before, during and after the match”. With this position, in general, agreed Court of Arbitration for Sport (hereinafter – CAS), which believes that the concept of “at a match” is not limited to strict liability of the club for misconduct of supporters only within the stadium: the concept of “at a match” includes any misconduct of supporters that could influence the smooth running of the match. Although the perpetrators launched fireworks from outside the stadium, some of the objects landed inside the stadium and had a direct negative impact on the course of the match, as the referee felt obliged to shortly interrupt the game. CAS said that landing fireworks into the stadium are inappropriate behavior provided for in paragraph “c” of part 2 of Art.11.

After assessing the facts in CAS 2013/A/3139 Fenerbahçe SK UEFA, we can talk about the application of part 1 of Art. 6 of the Disciplinary Regulations and responsibility for the behavior of supporters, but not about a violation of the organization, order, and safety at a match, covered by part 2 of Art.6 of the Rules. Therefore, as CAS pointed out, there is no need to consider for possible exemption the club from strict liability such arguments as the unpredictability of actions of perpetrators, difficulties in control due to its location, a distance of fireworks’ launch. At the same time, the efforts of the club to organize the match in order to prevent any disturbances and measures to ensure safety at a match cannot be considered as an exemption from strict liability but can be taken into account in the determination of the proportionality of the sanction. We will consider next the issue of proportionality.

3.2. What is the content of the term “supporter” when deciding on a club’s strict liability?

According to the club in CAS 2013/A/3139 Fenerbahçe SK v. UEFA, the perpetrators were not supporters in the eyes of a “reasonable and objective observer” in the sense of provisions of the Disciplinary Regulations. According to the position of the club, those who launched the fireworks did not “support their team”, but rather “intentionally tried to destabilize the entire Fenerbahçe club” having committed their actions “from a long distance”. Since UEFA, which bears the burden of proof on this issue, has not proved that these persons are supporters of the club, the latter cannot be held strictly liable for their use of fireworks.

Note that the concept of “supporter” in the UEFA regulation is an open concept, it was first confirmed by CAS, and therefore the club in CAS 2013/A/3139 Fenerbahçe SK v. UEFA was mistaken in its understanding of the term “supporter”, thinking that it is only the person present at the stadium. CAS, supporting an open concept of “supporter”, pointed out that the status quo is the only way to guarantee the application of strict liability to clubs. This is done so that clubs know that the Disciplinary Regulations apply to, and they are responsible for, any individual whose behavior would lead a reasonable and objective observer to conclude that he or she was a supporter of that club. At the same time, the behavior of individuals, their location in the stadium or its vicinity are important criteria for determining which club they support. An open concept of “supporter” allows counteracting the behavior of people that can cause damage to the purposes and values of UEFA.

However, there were reports of UEFA officials, which indicated that perpetrators were affiliated with the Turkish club; the burden to rebut this statement, under Art. 45 of Regulations, rests upon the club. In this particular case, due to the presence of official reports, the general principle for disciplinary cases, according to which UEFA bears the burden of proof, does not apply. In particular, one report noted: “Fenerbahçe fans outside the stadium launched a few fireworks with parachutes that came in the stadium. Fenerbahçe reacted very immediately by sending a tweet to their fans saying: don’t use fireworks – you are harming us. We only want to hear your voices (...)” (CAS 2013/A/3139: para. 45). The reports also contained video footage of a lot of people, obviously Fenerbahçe supporters, in the near vicinity of the stadium watching the football match on a big television screen, watching the fireworks and celebrating a goal of the Club. CAS stressed precisely that at this match played behind closed doors there were no supporters of the second club or supporters of another competing club.

The club appealed to the inaccuracy of the reports of the officials, as they seemed to be based on assumptions and speculation: these persons were at the stadium and could not witness any facts related to the launch of fireworks outside the stadium. Despite this argument, CAS noted that the club did not take the opportunity to cross-check the official reports. Since no evidence against the information of the official reports was presented by the club, it allowed confirming the commission of illegal actions by the supporters of the Turkish club in the eyes of a «reasonable and objective observer» (Vasilyev, Khalatova, 2017).

According to the club's opinion in CAS 2013/A/3324 GNK Dinamo v. UEFA, the spectators responsible for launching fireworks could not be considered as supporters, being “anti-fans”, whose presence at the match was not authorized by the Club (CAS 2013/A/3324 & 3369: para. 9.20). The latter reported to the host club about such persons and asked to take measures that they were not present at the match. It appears that these measures have not been taken or have been taken in a manner that has not achieved its purpose.

In this case, CAS referred to the CAS 2013/A/3139 Fenerbahce SK v. UEFA dispute we have already mentioned. The arbitration supported its position and stated that supporters were affiliated with the club in the eyes of a “reasonable and objective observer” (CAS 2013/A/3324 & 3369: para. 80). A UEFA delegate report indicated that the persons who launched fireworks were identified by him as supporters of the club (“DZ”). This conclusion was made because if you ask which club “DZ” fans want to win, the answer is obvious – the club, which is held accountable, but not the host club. It is one thing to protest against the style of club management, but quite another – against the club itself. The actual circumstances of the case were taken advantage by the club, which made an argument that bringing him to responsibility for fans’ misbehavior in a situation of their confrontation with the club’s management would mean promoting the aims of these supporters. Either the club will satisfy the supporters’ claims, or it will be constantly held liable for their behavior, which will be nothing more than forcing the club to follow the requirements. However, as CAS emphasized, such an argument of the club on the inadmissibility of responsibility in this particular case is not provided in any of the provisions of the Disciplinary Regulations, and therefore has no legal force and cannot be taken into account when making a decision. In addition, if we consider logically the position of the club, which is nevertheless *a priori* unacceptable, we can conclude that the worse the behavior of supporters, the less the club should be responsible for it.

To strengthen the position of the non-involvement of its supporters to the launch of fireworks in CAS 2013/A/3139 Fenerbahce SK v. UEFA the club announced the results of investigations conducted by the security service and the police, according to which illegal actions were committed by a group of young people, “completely unknown to the club and not related to it” (CAS 2013/A/3139: para. 74). This argument did not pass the arbitration test, as CAS drew attention to the dispute before the UEFA Appeals Body, during which the club showed a video of one of the home matches and pointed to some individuals present at the stadium as responsible for the pyrotechnics incident (CAS 2013/A/3139: para. 75). In addition, when considering the appeal, the club stated that these persons are well known as committing illegal actions at the stadium (CAS 2013/A/3139: para. 75). Furthermore, the police report testifies to the detention of individuals on the basis of video recordings and implementation of a ban on attendance at matches (CAS 2013/A/3139: para. 77). The video, provided with the reports of UEFA officials, allows seeing nine bans hung at the stadium, which were made by individuals responsible for launching pyrotechnics. Based on the content of the bans, it is impossible to make a clear conclusion about the authors’ belonging to the club. However, the club did not provide any evidence that the bans were made to support another club, thus failed to rebut the report of the UEFA officials.

All listed facts are perfectly associated with the fact that the “blacklist”, which contained all the information about fans who committed the violation, who were forbidden to visit matches and trainings of “their team” and also who have been obliged to visit the nearest police office at the beginning of the match of “their team” and within an hour after its termination. Nevertheless, that the ban from attending matches isn’t an irrefutable presumption of affiliation of such persons with the club. But in this case, the club didn’t provide evidence about the purpose of the phrase “their club” in relation to the fans of another club, while the burden of proof was on its side. Vice versa, as we noted earlier, when the dispute was considered at the UEFA appeals commission, the club paid attention to the ban from visiting home matches and training, applied to fans. We can conclude that the fans belong to this club.

Therefore, the club can't claim that the persons who have committed illegal acts are absolutely unknown to it. Such a change in the position taken by the club was quite justifiably rejected by CAS, which has come to a conclusion that from a position of “reasonable, objective observer” the Turkish club must bear responsibility for the actions of persons, who launched pyrotechnics on parachutes.

3.3. *What is the CAS's assessment of the proportionality of the sanctions applied to the club, taking into account mitigating and aggravating circumstances?*

In the case CAS 2013/A/3139 *Fenerbahce SK v. UEFA* the Turkish club disputed the proportionality of the sanctions applied by the UEFA control, disciplinary and ethical commission. According to the club's opinion "absolute disproportion in contrast to fundamental legal principles" (CAS 2013/A/3139: para. 27) is due to the commission's refusal to take into account a number of mitigating circumstances such as

- (1) unpredictable use of pyrotechnics on parachutes;
- (2) the persons who have made an act were unknown to club prior to an incident;
- (3) the fans weren't located in the vicinity of the landing of pyrotechnics;
- (4) the match was held without spectators and behind closed doors;
- (5) the club conscientiously undertook all necessary arrangements for the organization and security of the match, in particular, attracted about 800 special employees outside and inside the stadium;
- (7) pyrotechnics wasn't launched at the stadium or on the adjacent territory, but from a considerable distance (800-1000 meters);
- (8) the club can't control the whole city, especially the dense urban development in the stadium area;
- (9) the persons who committed the start are the criminals having intention on commission of violations;
- (10) spectators aren't fans and aren't otherwise affiliated with the club;
- (11) the club together with police officers immediately took action against persons who started pyrotechnics, and they were banned from visiting home games and training;
- (12) only three pyrotechnic products landed in the stadium and didn't cause serious damage to the stadium and (or) holding the match, which was continued after a short minute break.

However, UEFA pointed out that some of the listed circumstances are in fact aggravating circumstances (CAS 2013/A/3139: para. 114).

The question of the proportionality of the sanctions was considered in cases CAS 2007/A/1217 (CAS 2007/A/1217: para. 12.4), CAS 2012/A/2762 (CAS 2012/A/2762: para. 122) in which the arbitration has noticed that "sanctions imposed by a disciplinary body, according to its own discretion based on a certain rule of regulation, can only be reviewed if they are obviously and are significantly disproportionate to the violation". Therefore, CAS has limited and narrow competence in deciding the issue of proportionality.

In case CAS 2013/A/3139 the arbitration has emphasized that the interruption of the football match played without an audience and behind closed doors caused by the start of the pyrotechnics which has landed on the stadium is a serious violation. This is sufficient evidence that the previous disciplinary sanctions applied by the UEFA Control, Disciplinary and Ethical Commission to the club for similar violations, related to the launch of pyrotechnics or its throwing from the stands, failed to achieve their goal and didn't act as a pretext for the unacceptable behavior of fans.

The similar conclusion has been drawn also in CAS 2014/A/3944 *Galatasaray Sportif Sinai A.S. v. UEFA*, in which arguing about the proportionality of the chosen by the control, disciplinary and ethical commission sanction, the arbitration noticed: numerous involvement of club to responsibility couldn't become earlier prevention for unacceptable behavior of the fans belonging to it. Therefore, the chosen sanction, including the holding a match without an audience and having a conditional character within five years, was confirmed by the CAS as fair and consistent with the principle of proportionality.

The facts that the match was interrupted for only one minute, and no serious damage was caused by the landing of pyrotechnics, can't be considered as mitigating circumstances due to numerous and comparable violations committed by fans of the club in the past. The only mitigating circumstance that can be taken into consideration was the use of special arrangements for the organization and security of the match, as well as the fact that the club together with the police demonstrated an immediate reaction and punished the fans in the form of a ban from visiting home matches. With regard to aggravating circumstances, CAS noted that in the present case it is that the match was conducted without spectators and behind closed doors, and the fans weren't in the place where the pyrotechnics landed on parachutes.

Argumenting (reasoning) the impossibility of prosecution for the use of pyrotechnics by fans, the club in case CAS 2013/A/3324 *GNK Dinamo v UEFA* pointed at problems with the organization of the match and security at the match, which are an obligation of "home" club (CAS 2013/A/3324

& 3369: para. 9.20): if the club which is responsible for the organization and an order at a match is made responsible for violations, it excludes responsibility of “guest” club for behavior of the fans belonging to him.

Really, a certain complexity as has reasonably emphasized CAS is connected with the application of Art.16 of Disciplinary Regulations. It is possible when the club-organizer is brought to responsibility for violation of an order of the organization and safety at a match (part 1), and the “guest” club, for example, for the use of pyrotechnics by fans (part 2). And in this situation, even if the latter can prove the absence of any fault in connection with the organization of the match, which can be carried out on the basis of the official UEFA official’s report, this club will continue to be responsible for the behavior of the fans covered by part 2 of Art.16 of Disciplinary Regulations. The club’s argument that the imposition of strict liability in the considered case contradicts basic justice or public law and order, doesn’t sustain the competition to the conclusions drawn by CAS in the previous decisions. So, in cases *CAS 2013/A/3139 Fenerbahce SK v. UEFA* (CAS 2013/A/3139: para. 91) and *CAS 2013/A/3094 Hungarian Football Federation v. FIFA* (CAS 2013/A/3094: paras. 85-90) arbitration considered that strict liability doesn’t break the general legal principle of *nulla poena sine lege*. In turn, compliance with strict liability to public law and order is confirmed by the decision of the arbitration *CAS 2013/A/3258 Besiktas Jimnastik Kulilbu v. UEFA* (CAS 2013/A/3258: para. 133).

In case *CAS 2014/A/3944 Galatasaray Sportif Sinai A.S. v. UEFA* club claimed that the illegal behavior of its fans was the result of the improper organization of the match by the “home” club and the actions of its fans. The appellant, who was a “guest” club, didn’t deny the principle of strict liability of football clubs but believed that the confirmed organizational failures and insufficient security measures should be considered as mitigating circumstances when choosing a sanction. In this case, according to the report of the UEFA delegate, more than 13 pyrotechnic products were used. These pyrotechnic products were carried to the stadium by the fans; this fact convincingly demonstrates the problems in organizing the match by the host party. However, the judge’s decision to suspend the match twice because of the use of pyrotechnics wasn’t justified. As the club believed, the illegal actions of the fans represent serious situations that threaten the safety of anyone present at the stadium and force the judge to stop the match. However, in the considered match only three pyrotechnic products have been thrown in the field before the first stop of a match, and one – before the second stop. None of these objects (products) caused damage or harm to anyone present at the match. The club doesn’t dispute responsibility for the use of pyrotechnics by fans, but considers unreasonable the judge’s decision to suspend the match, because it immediately transferred violation to the category of serious. That’s how it was described in the report of the delegate of UEFA: “... there were so many abandoned objects and they represented such a danger that the judge had to interrupt the game” (CAS 2014/A/3944: para. 45). In addition, the club took all necessary actions to prevent the behavior of fans. As it has been noticed, “even if the appellant doesn’t have the ability to control his supporters throughout Europe, this doesn’t mean that he didn’t try to make a maximum possible for prevention of undesirable incidents” (CAS 2014/A/3944: para. 45).

Despite the arguments of the club, the CAS supported the view of UEFA that pyrotechnic incidents represent serious violations of the Disciplinary Regulations. Under these circumstances, the judge’s decision to suspend the match can’t be called unreasonable.

4. Results

As it has been confirmed in the decisions of CAS CAS 2013/A/3139, CAS 2013/A/3324 & 3369, CAS 2014/A/3944 considered by us, according to the settled practice of jurisdictional bodies of UEFA, the fan of the club is a person whose conduct allows a “reasonable, objective observer” to draw a conclusion about this. The facts of supporting a particular team, location in the stadium are considered as an important evidence of fan affiliation. When considering cases about the responsibility of clubs for use of pyrotechnics by fans, such a conclusion takes on special significance: most pyrotechnic products don’t require the presence of a person at the match and can be launched even from the limits of the territory adjacent to the stadium.

In the considered decisions, the Court of Arbitration for Sport established its own position that it isn’t possible to bring the “home” club to justice for the behavior of the fans of the “guest” club in case of violations of the order of organization and security of the match. Otherwise, the

arbitration would call in question the principle of strict liability. At the same time, a “home” club can be held accountable for both insufficient organizations and for the behavior of the fans belonging to it. In the current version of the Disciplinary Regulations, the legal basis is the provisions of part 1 of Art. 16 and part 2 of Art.16 respectively (paragraph “c” of part 2 of Art. 16 regarding the use of pyrotechnics).

Due to the three disputes CAS 2013/A/3139, CAS 2013/A/3324, CAS 2014/A/3944, which were the subject of this study, the arbitration finally formed its consistent practice on the proportionality of sanctions applied by the disciplinary body. Sanction can be reviewed only if it is “obviously and significantly disproportionate to the violation”. But in cases of strict liability of clubs for the use of pyrotechnics by fans, both the obviousness and the significance of the disproportion are almost ephemeral: by their nature, pyrotechnic products constitute a serious danger to the present persons and can influence holding a match. At the same time, such violations are quite common, that is the basis for a recurrence of responsibility of clubs. As a result, the Court of Arbitration for Sport is inclined to confirm a position of jurisdictional bodies of UEFA on proportionality issues in order to strictly encourage clubs to work with fans in the use of pyrotechnics.

Violation of the order of organization and security of the match by the “home” club isn’t confirmed by CAS as a mitigating circumstance of the responsibility of the “guest” club for the use of pyrotechnics before, during and after the match by its fans. At the same time, the arbitration doesn't disprove a position of the jurisdictional bodies of UEFA which hypothetically call such circumstance as mitigating, but never applied it on the disputes on responsibility for use of pyrotechnics by fans. On the other hand, CAS expectedly confirmed the status of the mitigating circumstance for taking special arrangements for the organization and security of the match, in conjunction with an immediate reaction to the violation (by applying to the fans a ban from visiting home matches). In the latter case, this circumstance shouldn’t be confused with the directly named in the provisions of part 3 of Art. 23 of the Disciplinary regulations immediate actions to stop the behavior of fans, covered by part 2 of Art. 16. Actually, the mitigating factor applied by the Court of Arbitration for Sport depends on the actual circumstances of each particular case, which is due to the position of the arbitration, which has repeatedly drawn attention to the “case-by-case basis” in disputes about strict liability. And it does not matter as a mitigating circumstance that pyrotechnics could be used by fans of the “guest” club outside the quota of its tickets.

The question of the aggravating nature of such circumstances as holding a match without spectators and behind closed doors; finding fans not in the place in which the pyrotechnics landed on parachutes, and their operation remotely; suspension of the match in the decisions of CAS that we considered is decided unequivocally. From the point of view of CAS is caused by intention in the behavior of fans: knowing about the match without spectators, they planned a special action to demonstrate pyrotechnics at the stadium, completely ignoring the possible negative consequences from landing in the stadium uncontrolled parachutes with pyrotechnics (including potential suspension of the match).

5. Conclusion

As a result of the study, conclusions were made about the peculiarities of bringing football clubs to strict liability for the use of pyrotechnics by fans. Qualification issues for launching pyrotechnics from outside the stadium, fan ownership, application of the principle of proportionality taking into account mitigating and aggravating circumstances received their justification in the decisions of arbitration considered by us CAS 2013/A/3139, CAS 2013/3324 & 3369, CAS 2014/A/3944. All conclusions by analogy apply to national associations in the case of matches held between national teams under the auspices of UEFA. In turn, CAS positions on cases of responsibility of clubs for the use of pyrotechnics create an appropriate legal basis for the consistent enforcement of the jurisdictional disciplinary bodies of UEFA and the Court of Arbitration for Sport.

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