



CAF DISCIPLINARY BOARD
DECISION 009 – CAI – 28.11.2022

General Secretary
Lybia Football Federation

To the attention of Al Akhdar Club (Libya) Azam FC
Copy to: Azam FC (Tanzania)

Cairo, 12th December 2022

Re: Decision Match 54 Azam FC (Tanzania) vs. El Akhdar (Libya) played in the frame of CC 2022-2023

Dear Sir,

Arising out of the Disciplinary Board's meeting held on 28th November 2022, the Board was comprised of:

Mr. Raymond Hack (South Africa)	Chairman
Mr. Issa Sama (Burkina Faso)	Member
Mr. Youssouf Ali Djae (Comores)	Member
Mr. Samugabo Mustapha (Burundi)	Member

At its meeting held on 28th November 2022, the Board examined all the documents relevant to the above-mentioned case.

I. FACTS:

1. The visiting Libyan Team Al Akhdar FC club sent a complaint that they have deliberately poisoned in their hotel (Hyatt Regency) during their stay in Tanzania and that they had to rush some of the players to the hospital on the eve of the match.
2. The club has furnished CAF with reports from the hospital where they play were admitted indicating that the players have suffered from BENZODIAZEPINES INTOXICATION, they took intravenous treatment and then they were discharged two hours later symptoms free.
3. The Match commissioner indicated that the hotel manager refused to comment stating that these are serious allegations, and the matter was referred to the Police.
4. CAF sent the allegations to Azam Club who have responded that the visiting team had booked their accommodation on their own arrangements and that Hyatt Regency is a five-star hotel and that the allegations are very serious against an international chain of hospitality. They finally added that CAF should advise the visiting teams to liaise with the host federations on any incident or move they want to do.

II. CAF'S COMPETENCE TO THE CASE:

1. Pursuant to articles 40, 42 and 57 of the CAF Statutes, as well as article 3 and 87 of the CAF Disciplinary Code, the CAF Statutes, Disciplinary Code and Regulations are applicable to this procedure.
2. The competence of the CAF Disciplinary Board results from the following articles:
 - Pursuant to article 10 of CAF disciplinary code *“the disciplinary Board is authorized to sanction any breach of CAF Regulations which does not come under the jurisdiction of another body of the Confederation”*.
 - According to Article 3 of the CAF Disciplinary Code provides that *“By participation in the various CAF competitions, all the persons referred to in article 2 para 2 above acknowledge and accept that they are bound by this code inclusive of any regulations relating to any specific CAF competitions as well as any directives issued by the CAF Secretariat on behalf of the CAF Executive Committee, inclusive of the Laws of the Game as issued by the International Football Association Board.*
3. In the present case, and in accordance with the aforementioned articles of CAF Disciplinary Code, the CAF Disciplinary Board is competent to deal with the case.

III. Relevant provisions to the Case

4. The following relevant provisions apply to the case at hand:
5. According to Article 10 of the CAF Disciplinary Code *“The Disciplinary Board is authorised to sanction any breach of CAF Regulations which does not come under the jurisdiction of another body of the Confederation”*.
6. Pursuant to Article 30 of the CAF Disciplinary Code *“MANNER OF PROOF” 1. Any type of proof may be produced. 2. The only proof that may be rejected is that which violates human dignity or obviously does not serve to establish relevant facts. 3. The following are, in particular, admissible: reports from referees, assistant referees, match commissioners and referee inspectors, general coordinators, security officer or any other person designated by CAF, declarations from the parties and witnesses, the production of documents, expert opinions and audio or video recordings.*
7. According to article 46 of the Disciplinary Code *“the Disciplinary Board decides on the basis of the file, inclusive of official reports, documents and recordings presented in conformity to art. 30 and 32 of the present code”*.

IV. Legal Considerations

8. On a preliminary basis, the Disciplinary Board would like to recall that, according to the constant practice of the disciplinary bodies of CAF and the regulations, the Disciplinary Board is authorised to sanction any breach of CAF Regulations which does not come under the jurisdiction of another body of the Confederation.
9. In the present case, the visiting Libyan Team Al Akhdar FC club sent a complaint that they have deliberately poisoned in their hotel (Hyatt Regency) during their stay in Tanzania and that they had to rush some of the players to the hospital on the eve of the match.
10. CAF sent the allegations to Azam Club who have responded that the visiting team had booked their accommodation on their own arrangements and that Hyatt Regency is a five-star hotel and that the allegations are very serious against an international chain of hospitality. They finally added that CAF should advise the visiting teams to liaise with the host federations on any incident or move they want to do.
11. The Disciplinary Board recalls that the burden of proof is on the claimant and in accordance with the above-mentioned articles, any person or authority may report conduct that he or it considers incompatible with the Regulations of CAF to the legal bodies. Complaints shall be made in writing.
12. The Disciplinary Board recalls that article 46 of CAF Disciplinary Code states that the Disciplinary Board shall adjudicate on the basis of the file, inclusive of official reports, documents and recordings presented.

V. DECISION:

13. **The Disciplinary Board decided to dismiss the complaint of the Libyan Club Al Akhdar due to lack of evidence or concrete proofs that the above mentioned incident was deliberate, or involved members of Azam FC**

Best Regards,

**CONFEDERATION AFRICAINE
DE FOOTBALL**

A handwritten signature in black ink, appearing to be "RH", written over a light blue circular stamp.

Raymond Hack
Chairman of CAF Disciplinary Board