

## DISCRIMINATION OFF LIMITS



## FOOTBALL STORIES TO FIGHT HATE



Funded by  
the European Union

## KIT FOR FOOTBALL COMMUNICATION PROFESSIONALS

*A set of documents, guidelines and best-practice to address  
episodes of intolerance in football*



## **Introduction**

This text has the non-exhaustive objective of being a reasoned anthology of documents and reports that try to draw a line useful for the fight against discrimination and racism in the globalized world of twenty-first century football.

You will find documents from the most important football institutions (Fifa, Uefa), international organizations (The Council of Europe-CoE), national institutions (UK Parliament, Australian Government, Australian Human Right Commission), international networks (Fare), legal observers.

Different approaches that offer their point of view on political issues affecting clubs, national teams, institutions, the media and supporters.

You will find in these pages definitions of practices and words that relate to racist and discriminatory practices; regulatory guides; selected recommendations; a list of websites to explore the issues addressed; a list of the most famous cases of racism in football; a series of pillars on communication and the role of education to build a global citizenship and a global public opinion respectful of human rights.

We are sure that this document is a useful and valuable working tool not only for journalists who have the task of returning facts and opinions to world public opinion, but more generally for those who love football, believe in the values of peace and civil coexistence among peoples. For those who continue to get excited in front of a rolling ball.

# INDEX

## CHAPTER ONE

### FIFA AGAINST DISCRIMINATION. GLOSSARY, EXAMPLES, PILLARS

1. Human rights in football
2. What does diversity mean for football?
3. What does discrimination mean in football?
4. What is a stereotype?
5. What is a prejudice?
6. Examples of discrimination in football
7. Pillar - Controls and sanctions
8. Pillar - Education, examples from the global football family
  - 8.1 Declaration of commitment
  - 8.2 Involvement of clubs
  - 8.3 Involvement of players and coaches
  - 8.4 Involvement of spectators
  - 8.5 Recognition of the role played by immigrants and ethnic minorities in football
  - 8.6 Using sports events
  - 8.7 Raising awareness among youngsters and football fans
  - 8.8 Organisation of project days
  - 8.9 Establishment of meeting place
9. Pillar – Communication
  - 9.1 Publications
  - 9.2 News, interviews, background articles and social media
  - 9.3 Infotainment
  - 9.4 Effective short formats
  - 9.5 Supporting journalists who conduct background research

*Selected from "Fifa Good Practice Guide. On diversity and anti-discrimination" (Fifa)*

## CHAPTER TWO

### UEFA AND FARE, TACKLING RACISM IN CLUB FOOTBALL. A GUIDE FOR CLUBS

1. What is racism?
2. Dealing with homophobia and sexism. Five-point plan against homophobia
3. Dealing with far-right fans
4. Using the media
5. The partnership between UEFA and FARE

*Selected from "Tackling racism in club football A guide for clubs" (Uefa and Fare)*

## **CHAPTER THREE**

### **SPORT & DISCRIMINATION: THE MEDIA PERSPECTIVE**

1. Introduction
2. Sport as entertainment industry. Sports media under the influence of business

*Selected from "Sport & discrimination: the media perspective - Speak out against discrimination" (Council of Europe campaign, 2008)*

## **CHAPTER FOUR**

### **COMBATING RACISM AND RACIAL DISCRIMINATION IN THE FIELD OF SPORT, THE SELECTED RECOMMENDATION OF EUROPEAN COMMISSION AGAINST RACISM AND INTOLERANCE (ECRI)**

1. Enact and implement anti-discrimination legislation ensuring access to sport for all, and penalising racist acts
2. Build coalitions against racism in sport
3. Train the police to identify and deal with racist incidents in sport
4. Raise awareness of racism and racial discrimination in sport
5. Facts and findings
6. ECRI – Useful links

*Selected from "Combating Racism and Racial Discrimination in the Field of Sport" (European Commission against racism and intolerance - Ecri)*

## **CHAPTER FIVE**

### **FARE NETWORK, A GLOBAL GUIDE TO DISCRIMINATORY PRACTICES IN FOOTBALL**

1. Definitions
  - 1.1 Anti-Semitism
  - 1.2 Homophobia
  - 1.3 Islamophobia
  - 1.4 Racism
  - 1.5 Sexism
  - 1.6 Xenophobia
2. Commonly used discriminatory practices
  - 2.1 Monkey noises and/or gestures
  - 2.2 Blackface
  - 2.3 "Gorilla/monkey"
  - 2.4 "N-word"
  - 2.5 "Poofter"
  - 2.6 "Faggot (fag)"

2.7 "Dyke"

2.8 "Gypsy"

*Selected from "Global guide to discriminatory practices in football - Version 2 June 2018" (Fare Network)*

## **CHAPTER SIX**

### **UNITED KINGDOM, HISTORY OF LEGISLATION IN THE BATTLE AGAINST RACISM IN FOOTBALL**

*Source: Black History Month: racism in football (UK Parliament, 27 October, 2021)*

## **CHAPTER SEVEN**

### **AUSTRALIAN SPORTS COMMISSION, HOW TO BUILD AN INCLUSIVE SPORT**

1. Communication
2. Key points
3. Benefits

*Selected from "Inclusive Sport. Creating positive, inclusive experiences for everyone who wants to participate" (Australian Sports Commission)*

## **CHAPTER EIGHT**

### **RACISM, GUIDING PRINCIPLES FOR PROMOTING THE SPECTATOR RACISM GUIDELINES OF AUSTRALIAN HUMAN RIGHT COMMISSION**

*Selected from "Racism. Nobody wins. Guiding principles for promoting the spectator racism guidelines" (Australian Human Right Commission, Australia)*

## **CHAPTER NINE**

### **RACISM AND FOOTBALL – WHAT ARE THE POSSIBLE SOLUTIONS?, BY YASIN PATEL**

1. Law
2. Prosecution
3. Employment
4. Education
5. Judge

6. Football league diversity code

*Selected from "Racism and football - What are the possible solutions" (Church Court Chambers, United Kingdom)*

## **CHAPTER TEN**

**DISCRIMINATION IN FOOTBALL: ITS MOST FAMOUS CASES, THE EVOLUTION OF ITS REGULATIONS, AND ITS REMEDIES, BY RALPH CHARBEL**

*Source: Discrimination in football: its most famous cases, the evolution of its regulations, and its remedies, by Ralph Charbel (www.legal500.com)*

## Chapter One

### FIFA AGAINST DISCRIMINATION. GLOSSARY, EXAMPLES, PILLARS

#### **1. Human rights in football**

Fighting discrimination is a key component of the policy, paragraph 5 of which is unequivocal on the subject: "Discrimination is an issue in the world of football both on and off the pitch. FIFA strives to create a discrimination-free environment within its organisation and throughout all of its activities".

#### **2. What does diversity mean for football?**

- respecting human rights and promoting equal opportunities for all;
- not putting one's own personal freedom above that of anyone else's;
- mutual acceptance and respect;
- not reducing individuals to members of a group;
- recognising every individual as unique;
- achieving recognition through mutual respect and social awareness;
- identifying conflict as an opportunity for personal growth;
- peaceful coexistence.

#### **3. What does discrimination mean in football?**

"Discrimination of any kind against a country, private person or group of people on account of race, skin colour, ethnic, national or social origin, gender, disability, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation or any other reason is strictly prohibited and punishable by suspension or expulsion." (FIFA Statutes, art. 4: Non-discrimination, gender equality and stance against racism).

#### **4. What is a stereotype?**

- A preconceived idea or generalisation of a person or group of people.
- A widely held but fixed and oversimplified image or idea of a particular type of person, thing or group of people. Stereotypes assign individuals to groups in a careless way.

#### **5. What is a prejudice?**

- An irrational, preconceived opinion that is not based on reason or actual experience.
- An emotional attitude that, due to ignorance of the facts (or in direct contradiction thereof),
- produces a preference for a person or group of people and a negative opinion of or animosity
- towards another person or group of people.
- Prejudices literally mean prejudging a group of people.

#### **6. Examples of discrimination in football**

Discrimination in and around stadiums is frequently characterised by:

- Chants, shouts, conversations and jokes
- Gestures and expressions
- Banners, flags and so-called choreography
- Clothing including items with overprints (T-shirts, scarves, badges, etc.)
- Missiles (depending on the situation)
- Destruction of certain items (banners, scarves, etc.)
- Stickers, brochures and flyers
- Graffiti and tattoos
- People who stand in a specific formation to represent a symbol
- Physical attacks

Combinations of the above are also possible.

## **7. Pillar: Controls and sanctions**

The three-step procedure for discriminatory incidents. FIFA applied the three-step procedure for discriminatory incidents for the first time at the FIFA Confederations Cup 2017. With this procedure, the referee can:

1. Stop the match and instruct the stadium authorities to read out an announcement, calling upon the spectators to stop the discriminatory behaviour;
2. If this announcement does not have the desired effect, make another announcement, suspend the match and send the players to their dressing rooms for a specific period;
3. After consultation, abandon the match if the discriminatory behaviour still does not cease or breaks out again.

## **8. Pillar – Education, examples from the global football family**

### **8.1 Declaration of commitment**

The introduction of commitments agreed upon by players and coaches can be a simple but effective project. To put this into practice, only a simple sheet of paper or a board is required so that everyone involved can, before the next match, write down what they need to do and what they need to avoid. These agreements can come from a discussion between the coach and the team, or from discussions presided over by external experts. If necessary, people can be reminded about the commitment before certain matches.

Such declarations of commitment can be crucial before matches that may be charged with emotion due to historical conflicts or current affairs. They will, on the one hand, serve to calm the players down and make sure that their focus is on sportsmanship and fair play, and on the other hand they will have a positive effect on the spectators. While it is not always necessary, it is certainly a good idea to ask an external party to preside over the discussions as this person will not have any interests in either of the teams or the conflict itself.

### **8.2 Involvement of clubs**



An association can provide its members with information material with a view towards promoting diversity and anti-discrimination. Although this FIFA Good Practice Guide serves as a framework, an association could also draft a regional good practice guide for its clubs that could, depending on the legal situation in the country concerned, offer more in-depth and practical strategies and examples.

### **8.3 Involvement of players and coaches**

Contracts with players and coaches could include a clause stipulating a specific number of working hours for diversity and anti-discrimination work. If they receive information about diversity and anti-discrimination, players and coaches can act as patrons for local schools or educational projects. They can then use their familiar face, their status as a role model, their knowledge and their experience, not only in terms of diversity and anti-discrimination, to connect with people in the region.

### **8.4 Involvement of spectators**

Spectators can be encouraged to get involved by initiating a joint action in a stadium. A task force could be used, for example, to encourage fans to also take action to foster diversity and anti-discrimination in the stadium and in their immediate environment.

### **8.5 Recognition of the role played by immigrants and ethnic minorities in football**

Some associations as well as governmental and nongovernmental organisations have taken it upon themselves to adapt the little-known stories of footballers from immigrant and ethnic minority backgrounds so that they are “one of us” and role models.

In some places, there is a Black History Month or Hall of Fame, while in others, action weeks support and involve refugees.

Shedding a light on the plight of immigrants and on the importance of ethnic minorities to football and its environment at a national level enables associations and clubs to tell their stories from a different perspective, one that creates a diverse sense of identity.

### **8.6 Using sports events**

Workshops, panel discussions, etc. can also take place in conjunction with a football or fan tournament so that players can come together between matches to talk about their experiences of diversity and anti-discrimination and to learn about other people’s experiences. Football tournaments can also be held under the motto of diversity and anti-discrimination, with tournament organisers also using a fair play system, in addition to the usual points system, to reward positive behaviour.

### **8.7 Raising awareness among youngsters and football fans**

There would not be enough space in this Good Practice Guide to list all of the education-oriented projects that offer information and guidance in this area, which stretch from campaigns against racism and discrimination to visits to schools from players, coaches, referees and other officials with a focus on education.

Players can discuss their experiences of racism and other forms of discrimination with youngsters, and in some cases, those players will themselves receive training and guidance from experts prior to their visit, perhaps from anti-discrimination advisers to help dismantle prejudices and myths about immigrants and their families or about people of certain religions.

In addition, educational materials can be developed for teachers at schools or for social workers in local projects. Such materials can make clever use of people's interest in football, its history and its fan cultures in order to address target audiences such as youngsters and fans in the most appropriate way. In this regard, a visit to the homepage of the European initiative Show Racism the Red Card (SRTRC) is recommended.

### **8.8 Organisation of project days**

Partnerships with schools, local authorities, universities, companies or respected educational establishments can be put in place to launch educational project days focusing on football, diversity and anti-discrimination. Such initiatives can also be launched by an association, clubs or the establishments themselves. Teaching and educational materials can also be drafted to incorporate the subject of diversity and anti-discrimination in football. Footballers, coaches and referees can also talk to school classes about their experiences.

### **8.9 Establishment of meeting place**

Many associations and clubs have established a meeting place for fans to coordinate the above examples. These rooms can be managed by the fans themselves. In other instances, they can have meetings there with fan officers or receive support from an educational expert. Such facilities can also offer traditional social work and provide fans with stability in their social lives and conflicts. This can go a long way towards ensuring that fans channel their aggression and discrimination into something far more positive.

## **9. Pillar - Communications**

### **9.1 Publications**

PR covers media releases as well as an association's online presence. In order to ensure that the association's commitment to diversity and antidiscrimination is always visible, it is recommended that its homepage has its own menu item or sub-item dedicated to sustainability or suchlike or a regular column in its magazine. Information can also be disseminated at events in a way that is visible to the public (e.g. billboards, in stadium announcements and entertainment systems, videos on large stadium screens, etc.). It is all about ensuring that the organisation's general stance on diversity and anti-discrimination is always clear and visible, and that all relevant activities are brought together.

### **9.2 News, interviews, background articles and social media**

- These include:
- Press releases;
- Regular news;
- In-depth interviews and background stories;

- Reports on any incidents and the results of investigations conducted by the association's disciplinary bodies;
- Downloadable material on the association's/club's best practices as a guide (the association should also provide links to FIFA's guidance in this area);
- Social media presence.

Having a social media presence has become an increasingly important way of presenting one's position and encouraging discussion. Online communication generally provides many highly popular formats, which should be used to put one's diversity and anti-discrimination message across – either via statements or video spots.

### **9.3 Infotainment**

Infotainment can be another useful way to place messages successfully. Combining information and entertainment can attract people's attention and communicate complex content at the same time. Infotainment is recommended if the association produces its own news and videos on diversity and anti-discrimination. It can also be used by associations for their events: how will the event title be worded, who will be invited, how will the subject matter be presented? At the FIFA Confederations Cup Russia 2017, FIFA included an anti-discrimination video into its stadium infotainment. The video was played twice before every match and featured FIFA Legends delivering a clear statement in multiple languages in connection with the "Say No to Racism" campaign. The statement was also displayed in various languages on the stadiums' giant screens before the coin toss.

### **9.4 Effective short formats**

During the 2014 FIFA World Cup Brazil™, FIFA asked public figures and fans alike to get involved in a selfie campaign that entailed them holding up a sign with the "Say No to Racism" campaign message. Another idea would be to invite public figures and other significant people in this area to take part in an association's online chat forum and answer questions on diversity and anti-discrimination. PR is also strengthened by a visual presence in the stadium. This could possibly be on an advertising board or a banner that players and escorts carry on to the pitch together to display a message. Banners or signs could also be placed at official events or Fan Fests. Signs and short, sharp messages can get specific information on diversity and antidiscrimination across, either by being printed on entry tickets, flyers or T-shirts, or maybe in match programmes or on placards.

### **9.5 Supporting journalists who conduct background research**

It is all too often the case that examples of commitment to anti-discrimination are overshadowed by tabloid headlines on the latest discriminatory acts. Placing positive news with the media is a thankless task, and anti-discrimination in football can be a particularly complex area – so it is generally recommended to seek out journalists and media organisations that are prepared to invest in medium- and long-term research and provide background stories in a cooperative spirit.

***Selected from "Fifa Good Practice Guide. On diversity and anti-discrimination" (Fifa)***  
<https://digitalhub.fifa.com/m/6363f7dc616ff877/original/wg4ub76pezwcxsa0j98-pdf.pdf>

## **Chapter two**

### **UEFA AND FARE, TACKLING RACISM IN CLUB FOOTBALL. A GUIDE FOR CLUBS**

#### **1. What is racism?**

Racism is the belief in the superiority of a race, religion or ethnic group. It is most commonly expressed through less favourable treatment, insulting words or practices which cause disadvantage.

It can occur intentionally, or through a lack of understanding and ignorance. It may manifest itself openly or covertly. It occurs at all levels of an industry or organisation – within football it may range from fans hurling racial abuse to exclusionary practices by governing bodies of all levels, clubs or other partners of the game. Racism is a problem across Europe with ethnic minorities and immigrants usually the focus of abuse, harassment and discrimination. In many parts of Europe, minorities subjected to racism will be those from neighbouring countries or regions. In West European nations, victims are often citizens of former colonies, originating from Africa, the Caribbean or Asia, or have a background as migrant workers.

There also remain forms of racism that are centuries old. These include racism towards Jews (anti-Semitism), Roma communities and national minorities. In recent years there has been a growth in Islamophobia, resulting in attacks and discrimination against Muslims.

#### **2. Dealing with homophobia and sexism. Five-point plan against homophobia**

The FARE network has been working with the European Gay and Lesbian Sports Federation and in 2005 adopted a five-point plan for fighting sexism and homophobia:

1. Putting sexism and homophobia on the agenda - Underpinning all action is the need to acknowledge that sexism and homophobia exist in football.
2. Taking collective responsibility - The abuse associated with sexism and homophobia affects everybody in football, not just homosexuals and women.
3. Focusing our work - The development of women's football has resulted in increased identification and respect - The existence of homosexual role models could help free football of its taboos.
4. Giving examples of good practice – Presenting the diversity of the game by reporting on women's football, gay and lesbian involvement as the norm.
5. Reporting homophobia - All abuse should be reported for action through sanctions wherever or by whoever the abuse occurs.

#### **3. Dealing with far-right fans**

In a number of countries, the politics of the far right are being played out regularly inside football stadiums. This may take the form of fan groups affiliating themselves with far-right views or through individual fans who may be members of such groups attending matches.

Paolo di Canio recently justified a right-hand salute given with a straight arm, known in Italy as the Roman salute, by saying that he was “a fascist but not a racist”. If they are within the scope of the law, all individuals are entitled to their private political views.

But we should recognise that some political views will encourage prejudice and discrimination against minority groups. And some right-wing groups will also place the paraphernalia of neo-Nazism on a pedestal.

Far-right groups can often be identified through the symbols used on banners, T-shirts and badges. Some symbols may be well known – such as the Celtic cross or perversions of the swastika – but others can be esoteric and difficult to identify.

The most obvious symbols, such as the swastika, will be illegal in some countries, but regardless of legality, the UEFA ten-point plan asks clubs to be alert to these types of symbols and to erase them where they appear in graffiti.

Clubs have the right to confiscate materials with neo-Nazi symbolism, though some may wish to do so as much through dialogue and persuasion as through stewarding checks.

#### **4. Using the media**

Football generates enormous amounts of broadcast and print coverage. Campaigners have found that the media can play an crucial role in highlighting both the problems of racist activity and the solutions.

The most successful campaigns have been able to create a dynamic in which the media play an active role in changing attitudes and expecting action and commitment from football authorities.

Clubs should use their extensive media contacts to gain coverage to get the message understood and to publicise their work.

The mainstream media have covered numerous anti-racist actions by fans and other groups, particularly when this has related to specific events such as an anti-racism action day at a club, or the player-led launch of a publication, video or exhibition.

Many clubs already produce their own media – magazines, fanzines, newsletters and posters.

Official websites are consulted by fans across the world and should be used wherever possible to underline the story.

Often the mainstream media will be willing supporters of initiatives to tackle racism and will give coverage to your activities.

#### **5. The partnership between UEFA and FARE**

European football’s governing body has forged a close relationship with the Football Against Racism in Europe (FARE) network as its anti-discrimination partner.

UEFA has given considerable financial support to FARE in recent years, and both bodies have cooperated in staging events, issuing publications, and using the massive public and commercial platform of Europe's biggest football matches to press home the message that racism must be challenged in all areas.

In 2002 UEFA issued a ten-point action plan (right) that sets out many of the basic areas of antiracism action in football. The FARE network consists of representatives from across the football family, including fan groups, NGOs, national associations and player unions. FARE believes that football belongs to us all and that it should be the right of every person to play, watch and discuss freely, without fear of racism or discrimination.

The network is active in over 32 countries and has pledged, through coordinated action and common effort, to bring together all those interested in combating discrimination in football.

Further information is available from [www.farenet.org](http://www.farenet.org)

second unite against racism conference

UEFA Media Services - [www.farenet.org](http://www.farenet.org)

Produced by FARE for UEFA

***Selected from "Tackling racism in club football A guide for clubs" (Uefa and Fare)***

[https://www.uefa.com/multimediafiles/download/uefa/keytopics/448328\\_download.pdf](https://www.uefa.com/multimediafiles/download/uefa/keytopics/448328_download.pdf)

## Chapter three

### SPORT & DISCRIMINATION: THE MEDIA PERSPECTIVE

#### **Introduction**

If, from a cultural standpoint, the 1960s and the 1970s were the era of rock music, since the 1990s our societies have entered the “Age of Sport”. Over-mediatised, globalised, sport – especially football – brings together millions of spectators. Although it enjoys exceptional public popularity and reinforces national cohesion, sport at the same time allows some incredibly racist and violent events to be played out.

How can sports journalists contribute to fairer, more balanced coverage of the competition between nations which sports fixtures frequently involve? How can sports journalism engage in intercultural dialogue? How can the press and media professionals relay information about anti-discrimination initiatives in their sports reporting? What role can sponsors and their communication strategies play in this area?

These are the questions which the Council of Europe put to the participants in the seminar “Sport and discrimination: the media perspective”, which took place at the European Youth Centre in Strasbourg on 20 November 2008. This event, held in the context of the Council of Europe campaign “Speak out against discrimination”, brought together European sports journalists, professional organisations, representatives of NGOs (Ligue Internationale Contre le Racisme et l’Antisémitisme, Football Against Racism in Europe, etc.), and lobby groups (Sport et citoyenneté, etc.).

#### **1. Sport as an entertainment industry. Sports media under the influence of business**

*With the income from television, football has become a big business, generating enormous profits. How can sports journalists talk about the intercultural dimension of sport when they are expected to focus first and foremost on the results? How can cultural diversity be addressed in a context where the press is primarily concerned with selling itself?*

“Football’s domination of European sports policies can be explained by its popularity” said Jonathan Hill. This remark also applied to the seminar, which also primarily focused on the soccer pitch! The reasons for this success lay mainly in the simplicity of football’s rules and the low cost of practising the sport. Football’s success stories of players from humble backgrounds who attained fame and fortune also allowed people to dream. However, for Kurt Wachter, co-ordinator of the Fairplay project and of the FARE network, football was no longer a working class sport. With the television revenues, it had now become a global entertainment industry which recruited its work force all over the world. Football had evolved from a “live” form of entertainment to a primarily televised spectacle, scoring record viewing figures. Television rights had risen exponentially in value since the late 1970s, generating millions in profits. Players and managers therefore commanded huge salaries, and the top clubs had become companies listed on the stock exchange. In this context, how can sports journalists become mediators relaying values of respect for others? At the newspaper L’Equipe there was no real policy of speaking out against racism, since, according to Jérôme Le Fauconnier, the entire editorial staff implicitly subscribed to this position. He had been a member of the football news team for eight years and wrote articles about the sport’s negative aspects, principally discrimination, racism and corruption. He fought to have a

space in the newspaper on a daily basis, but had to defend his slot against breaking news stories, which always came first. As an illustration of the difficulties he had to overcome he had brought along a number of his articles, which had systematically appeared at the bottom of the page. He also spoke about a particularly interesting experience: "Some years ago I infiltrated the circles of the far-right and other extremist fans in Nice for six months. I was astonished that many people claimed there was no racism or extremism in France. I wrote a series of articles, which were published over two days and which caused an uproar. I know that at my newspaper they no longer want to hear about the subject because they can't handle it. A balance must be struck, that is the problem. Our work also consists in showing the complexities of the struggle against racism, of making it comprehensible for the public at large. At the same time, the easy option is solely to report the events and to use caricature". Margot Dunne, a free lance journalist for the BBC, said the channel gave some explicit guidelines: Britain's multicultural diversity must be reflected both in the content and in the news team. Human resources was a key issue: "Showing news items about diversity is not enough, we must also show the richness of our talents" she said. Luis Nieto, Director of AS.COM, an on-line sports magazine based in Madrid, said his editorial staff were paying growing attention to these issues, although there were no formal "guidelines". Fabio Monti, a journalist with "Corriere della Sera", described a somewhat worrying situation: "Racism is very powerful in Italy through the pressures exerted by fans and club managements. It is a very racist society. This is reflected inside the stadiums. The problem is not with the media but with society." It remained to be seen what action the professional players and the clubs' managers, shareholders and leading members, as well as the media, would take to break the law of silence. Carine Bloch, Vice-Chair of the LICRA, said another important point was treating all racist incidents on an equal footing: "When there are incidents against white people, like the anti-Ch'ti banner or whistling of the national anthem, they make the headlines. However, attacks on visible minorities don't receive the same media treatment. This difference poses problems". The dominance of business logic in the media made it difficult to present initiatives aimed at combating discrimination and racism. Christophe Gaignebet, a journalist and an active member of the Sport and Citizenship network, saw communication as a genuine challenge for the institutions, NGOs, federations and politicians committed to this cause. It was a question of finding simple, effective, original, easily assimilated means of getting the messages across, with the support of the stars, of well-known or former players. Europe's diversity was also reflected in its media patchwork. The variety of the media – local, regional, national and, with the Internet, now cross-border – showed the differences that existed between Europeans. "In the context of international sports contests, the media exploit these differences because they allow them to resort to sensationalism as a means of increasing their sales" said UEFA's Jonathan Hill. He had grown up in England and he remembered that, during the 1990s, when the national team was playing against Germany the tabloid newspapers had produced photomontages using military symbols associated with the Second World War. Similar composite photographs had recently been published in a Polish newspaper. This was a good illustration of the point that competitions involving national teams continued to stir up extremely strong feelings of nationalist identity. That being the case, "What room could be found for intercultural dialogue?" asked Jonathan Hill, before pointing out that the tabloids were not the only press outlets and that articles on cultural identity in sport were published in the Financial Times, for example. However, that brought us back to the question of access to this type of relatively elitist journalism. The answer was to be found elsewhere, in appealing directly to the fans, the sports lovers, and absolutely all the media must get involved. However, to persuade them to disseminate such public-spirited messages, the policymakers, organisations and NGOs must develop communication vehicles suited to the endless flow of



information and images, like the 30-second TV spot produced by the FARE network entitled “Different languages, one goal: No to racism”.

***Selected from “Sport & discrimination: the media perspective - Speak out against discrimination” (Council of Europe campaign, 2008)***

[https://www.coe.int/t/dg4/anti-discrimination-campaign/ressources/Training\\_toolbox/Sport\\_Discrimination\\_Media\\_perspectives\\_en.pdf](https://www.coe.int/t/dg4/anti-discrimination-campaign/ressources/Training_toolbox/Sport_Discrimination_Media_perspectives_en.pdf)

## **Chapter four**

### **COMBATING RACISM AND RACIAL DISCRIMINATION IN THE FIELD OF SPORT, THE SELECTED RECOMMENDATION OF EUROPEAN COMMISSION AGAINST RACISM AND INTOLERANCE (ECRI)**

#### **1. Enact and implement anti-discrimination legislation ensuring access to sport for all, and penalising racist acts**

- Conceive appropriate and effective legal and policy measures including the adoption of adequate anti-discrimination legislation to prevent discrimination in access to sport, and of integration programmes that promote access to sport for children from minority backgrounds.
- Hold sports clubs and federations responsible for racist acts committed during sports events.

#### **2. Build coalitions against racism in sport**

- Adopt a national framework agreement, outlining the tasks and responsibilities of each actor.
- Invite local authorities to organise sport-related outreach activities bringing together people from different backgrounds.
- Invite sports federations and sports clubs to take measures to attract supporters of different minority backgrounds to sports events.
- Remind athletes and coaches to abstain from racist behaviour in all circumstances.
- Encourage supporters' organisations to adopt supporters' charters, containing anti-racism clauses.
- Encourage sponsors and the advertising industry to avoid giving a stereotyped picture of athletes from minority backgrounds.
- Promote exchanges of good practices through the creation of a good practice award for combating racism and racial discrimination in sport.

#### **3. Train the police to identify and deal with racist incidents in sport**

- Request that local authorities provide the local police force with adequate training for dealing with racist incidents in and outside sports grounds.
- Request that the police adopt joint strategies with the security personnel of the organisers of sporting events for dealing with racist incidents.

#### **4. Raise awareness of racism and racial discrimination in sport**

- Organise and finance large scale anti-racism awareness raising campaigns in sport at all levels, involving all relevant actors.

- Provide funding for social, educational and information activities for NGOs active in the field of combating racism and racial discrimination in sport.
- Encourage the media to report on racist incidents taking place during sports events and to give publicity to sanctions incurred by racist offenders.

## 5. Facts and findings

“There is persuasive evidence that racism and racial discrimination in sport goes beyond the individual or collective behaviour of fans or isolated cases of racist gestures and remarks made, for example, by athletes, coaches or club managers. In fact, institutional racism is also at work in the field of sport”

“Initiatives for combating racism in sport have often mainly concentrated on fan behaviour and more in particular on hooliganism, even if not all hooligans or members of radical fan groups are necessarily racist. It is important to acknowledge that racist acts are also perpetrated by athletes, coaches and other sport staff, as well as ordinary fans.”

*Explanatory Memorandum to ECRI General Policy Recommendation No. 12*

## 6. ECRI – Useful links

- ECRI General Policy Recommendation No. 12: Combating racism and racial discrimination in the field of sport <http://hudoc.ecri.coe.int/eng?i=REC-12-2009-005-ENG>
- ECRI revised General Policy Recommendation No. 2: Equality Bodies to combat racism and intolerance at national level <http://hudoc.ecri.coe.int/eng?i=REC02rev-2018-006-ENG>
- ECRI General Policy Recommendation No. 11: Combating racism and racial discrimination in policing <http://hudoc.ecri.coe.int/eng?i=REC-11-2007-039-ENG>
- European Sports Charter <https://rm.coe.int/16804c9dbb>
- European Convention on Spectator Violence and Misbehaviour at Sports Events <https://rm.coe.int/168007a086>

***Selected from “Combating Racism and Racial Discrimination in the Field of Sport” (European Commission against racism and intolerance - Ecri)***

<https://rm.coe.int/ecri-general-policy-recommendation-no-12-key-topics-combating-racism-a/16808d28f3>

## Chapter five

### FARE NETWORK, A GLOBAL GUIDE TO DISCRIMINATORY PRACTICES IN FOOTBALL

#### **1. Definitions**

**1.1 Anti-Semitism** is a “perception of individuals or the Jewish community, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/ or their property, towards Jewish community institutions and religious facilities” (Fundamental Rights Agency of the European Union, 2005. A definition adopted around the world including by the International Holocaust Remembrance Alliance)

**1.2 Homophobia** can be defined as an “irrational fear of and aversion to homosexuality and to lesbian, gay, bisexual and transgender (LGBT+) people based on prejudice and similar to racism, xenophobia, anti-Semitism and sexism”. (European Parliament resolution on homophobia in Europe, 2006)

**1.3 Islamophobia** is the prejudice against, hatred towards, or fear of the religion of Islam or Muslims. (European Commission against Racism and Intolerance (ECRI) General Policy Recommendation No. 15, 2015)

**1.4 Racism** is defined by the UN’s International Convention on the Elimination of All Forms of Racial Discrimination as “...any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”. (International Convention on the Elimination of All Forms of Racial Discrimination, OHCHR, 1965)

**1.5 Sexism** is “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”. (Convention on the Elimination of All Forms of Discrimination against Women, United Nations, 1981)

**1.6 Xenophobia** is “attitudes, prejudices and behaviour that reject, exclude and often vilify persons, based on the perception that they are outsiders or foreigners to the community, society or national identity”. (NGO Meeting for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerances, 2001)<sup>b</sup>

#### **2. Commonly used discriminatory practices**

There are many discriminatory expressions and practices that are used inside stadiums across football confederations that are recurring and heard often. Most of them are directed at ethnic minorities, LGBT+ people and women:

**2.1 Monkey noises and/or gestures** Within football, imitating monkey noises or gestures is a racist practice aimed at dehumanising the target and implying inferiority. Related to imitating monkey

noises and/ or gestures are actions that include fans showing, throwing or offering a banana to black players.

**2.2 Blackface** Blackface refers to the practice of painting one's face and/ or body in black. It is often seen as a fun and harmless way of caricaturing black people. The practice was widespread in theatrical performances in the US and other countries in the 19th and 20th centuries.

As harmless as it may seem it spreads and reinforces racist stereotypes and generalisations about black people. Regardless of the motivation, it is perceived by many as being racist.

Similar practices of portraying other ethnicities, nationalities and identities by dressing in what is imagined as their traditional costumes, or exacerbating other features attributed to the group, may be seen as, at the very least, spreading xenophobic stereotypes about the group and should be avoided.

**2.3 "Gorilla/monkey"** Calling black players or fans "gorilla" or "monkey" is a racist practice similar in character to the above – described monkey noises and/or gestures.

**2.4 "N-word"** A racial slur in English-speaking countries that is derogatory towards black people.

**2.5 "Poofter"** A derogatory term used towards gay or gender non-conforming males most commonly used in Australia, New Zealand and the UK.

**2.6 "Faggot (fag)"** A derogatory term used towards gay or gender non-conforming males in North America and throughout English-speaking countries.

**2.7 "Dyke"** A slang term for lesbian which when used against female players or fans in a football context has a clear discriminatory connotation. The term has also been used by some lesbians as a word implying assertiveness and toughness, or simply as a neutral term for lesbian.

**2. 8 "Gypsy"** The use of the term "gypsy" often has a negative connotation and is linked to attributing to a player or fan negative characteristics as part of the racist stereotyping of Roma people.

***Selected from "Global guide to discriminatory practices in football - Version 2 June 2018" (Fare Network)***

[https://farenet.org/wp-content/uploads/2018/06/Global-guide-to-discriminatory-practices-in-football\\_2018\\_v5.pdf](https://farenet.org/wp-content/uploads/2018/06/Global-guide-to-discriminatory-practices-in-football_2018_v5.pdf)

## Chapter six

### UNITED KINGDOM, HISTORY OF LEGISLATION IN THE BATTLE AGAINST RACISM IN FOOTBALL

In response to football-related disorder in the 1970s, 1980s, and 1990s, many offences were legislated for that can be used in response to racist incidents in football.

Under the Public Order Act 1986, a person found guilty of intentionally using abusive, insulting, or threatening words or behaviour to cause distress to another person can be imprisoned or fined. Following the 1986 act, the Football Spectators Act 1989 (as amended by the Football (Disorder) Act 2000) created a new punishment, football banning orders, which are still used today.

Section 3 of the Football (Offences) Act 1991 made it an offence to engage or take part in chanting of an “indecent or racist” nature at a football match. The Football (Offences and Disorder) Act 1999 removed the requirement within the 1991 act that chanting needed to be carried out “in concert with one or more others” and extended the offence to individual chanting.

Some legal commentators have argued that section 3 is out of date and ineffective. As part of its review into hate crime, the Law Commission is reviewing section 3. In a 2021 retrospective study of the Football (Offences) Act 1991 published in The Journal of Criminal Law, legal academic Geoff Pearson wrote:

*Section 3 has proven difficult to enforce. Between 2010/11 and 2018/19, the UKFPU reported an average of just 24 arrests, although this is an improvement on the early impact of the provision, when annual arrests across England and Wales only just reached double figures. [...] It is difficult to see how the [Law] Commission will not recommend reform here, particularly under pressure from groups like Kick It Out. Section 3 is flawed on many levels, and [...] is outdated in the context of the contemporary norms of football fandom.*

[Crown Prosecution Service \(CPS\) guidance](#) also states that, where there is evidence that offending at football matches is racially or religiously aggravated, suspects should be charged under the Crime and Disorder Act 1998. For instances where the 1998 act does not cover the offence, but the offence is still racially motivated, a sentence uplift under the Criminal Justice Act 2003 should be used.

**Source: Black History Month: racism in football (UK Parliament, 27 October, 2021)**

<https://lordslibrary.parliament.uk/black-history-month-racism-in-football/>

## Chapter seven

### AUSTRALIAN SPORTS COMMISSION, HOW TO BUILD AN INCLUSIVE SPORT

#### **1. Communication**

Communicating what you are doing to increase diversity and promote inclusive practices in your sporting organisation is one of the most valuable activities you can do. To do this effectively you need to carefully consider how you communicate internally to members and how you communicate externally to the wider community.

Communication can mean reaching out and engaging with the community to promote awareness of how your organisation is committed to inclusion and how people can be part of your club.

Communicating information to members internally via your website, social media, email, bulletins, etc. is also very important. Your organisation's website and social media outlets such as Twitter, Facebook, Instagram and YouTube are great ways to tell and show the community your inclusion story and encourage people to become a part of your club.

#### **2. Key points**

You can't be what you can't see. Make sure the images and graphics on your website, publications and social media reflect your community.

Use inclusive language and terminology.

Ensure your communications are accessible for people with disabilities.

Open events with an Acknowledgement of Country.

#### **3. Benefits**

Effective communication and marketing efforts can play a key role in helping organisations increase membership, attract sponsors, increase awareness and support for their brand and contribute to building stronger, healthier communities.

***Selected from "Inclusive Sport. Creating positive, inclusive experiences for everyone who wants to participate" (Australian Sports Commission)***

<https://www.sportaus.gov.au/integrity-in-sport/inclusive-sport/toolkit/communication>

## Chapter eight

### RACISM, GUIDING PRINCIPLES FOR PROMOTING THE SPECTATOR RACISM GUIDELINES OF AUSTRALIAN HUMAN RIGHT COMMISSION

#### 1. Guiding Principles

When communicating about the Spectator Racism Guidelines and other antiracism messaging throughout your organisation and among players, spectators and other relevant stakeholders, it is important to:

- ensure the inclusion of people and communities impacted by racial discrimination in decision-making processes
- centre the experiences of people and communities impacted by racial discrimination by engaging them in all stages of the creative concept
- identify possible counterarguments or backlash in advance and address these in the communications materials.

In planning the release of the Guidelines, and any campaigns or anti-racism messaging accompanying the Guidelines, it is important to:

- ensure leaders in your organisation fully endorse and support the Guidelines and are committed to taking positive anti-racism action Organisational leaders should actively involve themselves in and take ownership of anti-racism initiatives, and their communication, within the organisation
- establish an advisory group for the campaign comprising of members of the affected group. Ensure that this group is involved in co-designing the campaign and remunerated for their expertise where possible
- provide up-front investment in the planning stages to enable:
  - researching of factors such as current media representations, existing research, demographic and geographic variations that may impact your campaign
  - mapping of the wider environment to identify contextual factors that may influence the campaign's success (e.g. local institutional discrimination or past incidents within your organisation that may resurface when the campaign gets underway) and consideration of how to address these openly and transparently
  - developing specific, tangible and measurable anti-racism objectives.

For more information on effective messaging for social change, you may wish to consider:

- "Passing the Message Stick" for guidance on communicating messages about First Nations self-determination and justice: <https://passingthemessagestick.org/>
- "Race and Racism: doing good better":



<https://www.luminafoundation.org/wpcontent/uploads/2020/12/race-and-racism-doing-good-better.pdf>

- “Messaging this moment: A handbook for progressive communicators”:

<https://communitychange.org/wp-content/uploads/2017/08/C3-Messaging-ThisMoment-Handbook.pdf>

- Tapping into existing campaign materials such as Racism: It Stops with Me and Racism Not Welcome

[https://humanrights.gov.au/sites/default/files/2021-11/ahrc\\_sr\\_2021\\_9\\_principles\\_for\\_promoting\\_a4\\_r3.pdf](https://humanrights.gov.au/sites/default/files/2021-11/ahrc_sr_2021_9_principles_for_promoting_a4_r3.pdf)

[https://humanrights.gov.au/sites/default/files/2021-11/ahrc\\_sr\\_2021\\_9\\_principles\\_for\\_promoting\\_a4\\_r3.pdf](https://humanrights.gov.au/sites/default/files/2021-11/ahrc_sr_2021_9_principles_for_promoting_a4_r3.pdf)

***Selected from “Racism. Nobody wins. Guiding principles for promoting the spectator racism guidelines” (Australian Human Right Commission, Australia)***

## **Chapter nine**

### **RACISM AND FOOTBALL – WHAT ARE THE POSSIBLE SOLUTIONS?, BY YASIN PATEL**

#### **1. Law**

In relation to workers and employees, the Equalities Act 2010 came into force in October 2010 with all other forms of unlawful discrimination prior to this date dealt with by the Race Relations Act 1976. The 2010 Act prohibits, (i) direct discrimination; (ii) indirect discrimination; (iii) harassment; and (iv) victimisation. If any acts of discrimination do take place within the workplace then legal action should be taken. Employers are under a legal duty and as such they should adhere to this requirement.

However, the Equalities Act does nothing to correct the current situation of under representation within the institutions and various positions. Civil action in the courts and Employment tribunals also lend support to employees if discriminated by their employers and there is also the Equality and Human Rights Commission (EHRC) who can investigate any firm.

#### **2. Prosecution**

It is ironic that although there are many pieces of legislation to support the prosecution of racism or racist acts, the numbers of prosecutions are low. This is not because of the lack of racist acts: it is just that many within football feel uncomfortable with the idea of prosecuting such discriminatory behaviour. Because by doing so, you are flagging up the fact that there is a racism problem.

(...)

It is submitted that a lack of action at club level is connected to the position at national and international level. On the pitch, FIFA acted against Russia and they were fined for racist chanting by their fans in a warm up match against France. Racist chanting has been well documented in their national game and club level and the lack of punishment against the teams and perpetrators has been criticised. FIFA acted in this case as sponsors are alive to these issues and did not wish to be associated with the ugly scenes before them. Such a large problem on the pitch has not been faced by the FA for a number of years. However, those running the game have ignored the most obvious acts and examples of discrimination off the field.

(...)

#### **3. Employment**

The fact that the diversity figures are so low in all but on the playing fields underlines one obvious problem: that recruitment and employment of those communities that are underrepresented are either failing or non-existent. The failure can be easily overcome. Many of the structures that are required for what follows are available as templates from the public and private sector. They can be incorporated without any financial cost. The fundamental requirement across the whole board is an Equal Opportunities Policy which is exactly that: one that allows everyone an opportunity to apply for positions and be judged for suitability on an equal footing. An accountable and transparent policy.

#### 4. Education

This is the area that the greatest amount of work is required. Education through articles, examples, punishment, performance, empowerment and more.

Let's look at the example of football clubs: all of the following are just some things that can be done immediately and permanently. By doing them, one is re-iterating the message of anti-racism in every element of the club:

- i) Anti-racism signage all around the grounds
- ii) Anti-racism messages in the match day programme
- iii) Equality and diversity messages on all social media platforms
- iv) Anti-racism pledge that all fans automatically sign up to on entering the ground
- v) Adverts on advertising boards at pitch-sides
- vi) Anti-racism charter signed up to by the players, club employees and staff
- vii) Statistical data collection of ethnicity of: a) staff b) supporters entering the ground c) memberships d) applications for posts e) stewarding f) number of racist incidents and complaints
- viii) Education and courses for those who need it
- ix) Websites highlighting the importance of equality and diversity
- x) Interviews, articles and facts about players, their communities, backgrounds, religions and more: children are sponges and they will seek to learn more about their role models and heroes
- xi) Close communication between local authority education departments and the form of promotion, language and messages that clubs can use.

Further afield, much more work needs to be done. The power of footballers, the messages they communicate and convey and the change they can bring about has been seen through examples in footballing history but we only need look at recent examples of individuals such as Marcus Rashford MBE, Lionel Messi and plenty of other footballers promoting important messages. We should have one or more of the nation's leading footballers to lead on the message of equality and diversity and thereby changing the direction of education and form of role model. And the players should be both black and white. The message has to come from white role models as well. This should be a 5-year programme with a strategy of how this is communicated and presented.

Those at the top of the game need to be educated: as to the power they yield and the potential for good change that they can bring about. People can change the language they use and the way

they communicate to suit an audience, but unless their attitudes and intentions are not changed to bring about the positive change in direction that the game needs, this will not be achieved. Those at the top of the game do not have to agree to bring about change: they need to do more. They should implement the proposals and show through their actions the very changes that they seek to bring about.

## **5. Judge**

So how should one judge whether any of the initiatives, programmes or proposals are going to work or are working? The starting point must be statistics. What is the current position of representation and diversity in all areas of the game: the various boards, clubs, employees and personnel. This data is the foundation upon which one must build. The exercise is one of good practice as it allows all of the bodies to analyse its own organisational make-up and personnel. One can measure change and development against this initial data. Independent panels should annually review what headway organisations have made in achieving change and these findings should be available and in the public domain.

If one is to make change as of immediate effect, suitably qualified persons from Black and Minority Ethnic Communities should be co-opted into governing body boards even on temporary posts until more permanent positions become available. As a bare minimum, the Rooney Rule should be implemented immediately across the whole of the game in order to show that all in the football industry are supporting and behind implementing change for the good.

## **6. Football league diversity code**

Recently, the FA announced the devising of a diversity code that would require football clubs to meet a recruitment diversity target of 15% in new executive jobs and 25% in coaching roles.

The clubs agreed that:

- 15% of new executive appointments will be from a BAME background, with 30% female.
- 25% of new coaching appointments will be BAME and 10% of senior coaching appointments.
- 50% of new coaching appointments at women's football clubs will be female, with 15% BAME.
- Shortlists for interview will have at least one male and one female BAME candidate, provided applicants meeting the job specifications apply.

Clubs will have to publish their diversity data each year and, should they not meet the requirements, give reasons why.

***Selected from "Racism and football - What are the possible solutions" (Church Court Chambers, United Kingdom)***

<https://churchcourtchambers.co.uk/wp-content/uploads/2020/11/RACISM-AND-FOOTBALL-WHAT-ARE-THE-POSSIBLE-SOLUTIONS.pdf>

## Chapter ten

### DISCRIMINATION IN FOOTBALL: ITS MOST FAMOUS CASES, THE EVOLUTION OF ITS REGULATIONS, AND ITS REMEDIES, BY RALPH CHARBEL

According to Oxford dictionary, discrimination is “The unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, or sex.”

Merriam – Webster dictionary defines racism as follows “a belief that race is the primary determinant of human traits and capacities and that racial differences produce an inherent superiority of a particular race”.

Discrimination is always a hot topic in football. Despite all the campaigns against discrimination, this main problem persists.

What are the most famous racism cases that happened in football? How were they sanctioned? What are the regulations concerning discrimination on international and continental level? How did they evolve? How some countries fight against discrimination? What are the possible remedies to reduce it in the future?

In this article, I will answer all these questions.

- **Suarez-Evra Case:** The most famous and debatable racial discrimination case between two players in the last decade. In a premier league clash between Manchester United and Liverpool on the 15th of October 2011, Luis Suarez was accused of the use of racist words towards Manchester United left back Patrice Evra. Suarez reportedly called Evra “Negro”. On December 20, the verdict of the English FA was in: Suarez was to be fined £40,000 and suspended for eight matches. On December 31, the English FA Regulatory Commission then issued its full 115-page report, the headline conclusion of which was that the Liverpool player had “damaged the image of English football around the world”. It suggested that while it had found Evra a credible witness, Suarez’s evidence was unreliable and inconsistent. It found that while Suarez had admitted he had used the term “negro”, his insistence that the term was meant to be friendly and conciliatory was reckoned “unsustainable and simply incredible given that the players were engaged in an acrimonious argument”.
- **Dani Alves Case:** A banana was thrown from a fan of Villarreal on FC Barcelona right back Dani Alves during a game in La Liga in the 2013 / 2014 season. Dani’s reaction was priceless. He grabbed the banana and ate it before taking a corner for his team. The Disciplinary Committee of the Spanish football Association sanctioned Villarreal by fining the “Yellow Submarine” the amount of 12.000 Euros.
- **Kalidou Koulibaly Case:** During a serie A game between Napoli and Inter on the 26th of December 2018, Napoli Center Back Kalidou Koulibaly was the victim of racist chants of Inter Fans. Serie A’s Disciplinary Tribunal sanctioned Inter after that incident by playing behind closed doors in its next two home fixtures.
- **Moise Kean Case:** On the other hand, a case was considered as a scandal, it was the case of Moise Kean, Juventus player then, during a SERIE A game against Cagliari in the 2018 / 2019 season. Racist chants were heard from the stands targeting the young forward. However, Serie A Disciplinary Tribunal decided not to sanction Cagliari because it

estimated that the chants were rare. Thus, this decision provoked the anger of many organizations that fight against racial discrimination.

Those cases show clearly the variety of sanctions inside Europe depending on the country rules and tolerance regarding racism.

**FIFA:** According to Article 4 of the FIFA statutes: “Discrimination of any kind against a country, private person or group of people on account of race, skin colour, ethnic, national or social origin, gender, disability, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation or any other reason is strictly prohibited and punishable by suspension or expulsion.”

According to article 2 of the 2017 version of the FIFA Disciplinary Code, “This code applies to every match and competition organised by FIFA.”

According to article 58.1.a) of the 2017 version of the FIFA Disciplinary Code, “Anyone who offends the dignity of a person or group of persons through contemptuous, discriminatory or denigratory words or actions concerning race, colour, language, religion or origin shall be suspended for at least five matches. Furthermore, a stadium ban and a fine of at least CHF 20,000 shall be imposed. If the perpetrator is an official, the fine shall be at least CHF 30,000.”

According to article 58.2.a) of the 2017 version of the FIFA Disciplinary Code, “Where supporters of a team breach par. 1 a) at a match, a fine of at least CHF 30,000 shall be imposed on the association or club concerned regardless of the question of culpable conduct or culpable oversight.”

French players Ousman Dembele and Paul Pogba were the victims of racial discrimination in a friendly game between France and Russia hosted by Russia in March 2018. Thus, FIFA Disciplinary Committee decided to fine the Russian football federation the amount of CHF 30000, in conformity with articles 2, 58.1.a) and 58.2.a) of the applicable 2017 version of the FIFA Disciplinary Code.

After almost 15 years without any major changes to the Disciplinary Code, on 15 July 2019 the new FIFA Disciplinary Code came into force. Remarkable changes took place on several topics. In fact, FIFA introduced four updates regarding the zero-tolerance principle on racism and any form of discrimination in article 13, namely.

The scope, definition and content of FIFA’s anti-racism and anti-discrimination vision have been fully aligned with the highest international standards. The article 13 of the 2019 FIFA Disciplinary Code is formulated in the following way:

“1. Any person who offends the dignity or integrity of a country, a person or group of people through contemptuous, discriminatory or derogatory words or actions (by any means whatsoever) on account of race, skin colour, ethnic, national or social origin, gender, disability, sexual orientation, language, religion, political opinion, wealth, birth or any other status or any other reason, shall be sanctioned with a suspension lasting at least ten matches or a specific period, or any other appropriate disciplinary measure.

2. If one or more of an association's or club's supporters engage in the behavior described in paragraph 1, the association or club responsible will be subject to the following disciplinary measures:

a) For a first offence, playing a match with a limited number of spectators and a fine of at least CHF 20,000 shall be imposed on the association or club concerned;

b) For reoffenders or if the circumstances of the case require it, disciplinary measures such as the implementation of a prevention plan, a fine, a points deduction, playing one or more matches without spectators, a ban on playing in a particular stadium, the forfeiting of a match, expulsion from a competition or relegation to a lower division may be imposed on the association or club concerned."

The three-step procedure for discriminatory incidents was the object of a letter sent from FIFA to all its Member Associations on the 25th of July 2019. FIFA stated in this letter "Based on Law 5 of the Laws of the Game, FIFA has used the three-step procedure for discriminatory incidents in its competitions since the FIFA Confederations Cup Russia 2017. In accordance with the public call by the FIFA President, FIFA now urges all member associations, leagues, clubs and disciplinary bodies to introduce the three-step procedure in their domestic competitions, to pursue a zero-tolerance policy towards racist and discriminatory incidents in football, and to severely punish such behavior. The three-step procedure allows referees, in the event of serious discriminatory incidents in the stadium, to:

1. Stop the match and instruct the stadium authorities to read out an announcement, calling upon the spectators to stop the discriminatory behaviour;
2. If this announcement does not have the desired effect, make another announcement, suspend the match and send the players to their dressing rooms for a specific period;
3. After consultation, abandon the match if the discriminatory behaviour still does not cease or breaks out again.

Moreover, to guide its members, FIFA has developed a viable model that offers recommendations based on five basic pillars to clearly structure the promotion of diversity and anti-discrimination in football:

Pillar 1: Regulations; Pillar 2: Controls and sanctions; Pillar 3: Education; Pillar 4: Networking and cooperation; Pillar 5: Communications

The rules relating to discrimination were also the object of an important evolution in the confederations as well. A comparison between UEFA and CAF current disciplinary regulations and older versions of the same regulations shows clearly the establishment of much more severe sanctions in order to fight discrimination.

**UEFA:** According to Article 11.bis of the UEFA disciplinary regulations (2011 version):

"1. Anyone who insults the human dignity of a person or group of persons by whatever means, including on grounds of colour, race, religion or ethnic origin, shall incur a suspension for five matches or for a specified period. If a member association or club or

any of their officials is found guilty of such conduct, depending on the circumstances this suspension could be replaced by a fine.

2. If one or more of a member association or club's supporters engage in the behavior described in paragraph 1, the member association or club responsible shall be fined €20,000.

3. If particular circumstances so require, the competent disciplinary body may impose additional sanctions on the member association or club responsible, such as the playing of one or more matches behind closed doors, a stadium closure, a match forfeit, the deduction of points or disqualification from the competition.

4. All forms of ideological propaganda are forbidden. If this provision is breached, paragraphs 1 to 3 above apply."

According to Article 14 of the UEFA disciplinary regulations (2019 version):

"1. Any person under the scope of Article 3 who insults the human dignity of a person or group of persons on whatever grounds, including skin colour, race, religion, ethnic origin, gender or sexual orientation, incurs a suspension lasting at least ten matches or a specified period of time, or any other appropriate sanction.

2. If one or more of a member association or club's supporters engage in the behaviour described in paragraph 1, the member association or club responsible is punished with a minimum of a partial stadium closure.

3. The following disciplinary measures apply in the event of recidivism:

a. a second offence is punished with one match played behind closed doors and a fine of € 50,000;

b. any subsequent offence is punished with more than one match behind closed doors, a stadium closure, the forfeiting of a match, the deduction of points and/or disqualification from the competition.

4. If the circumstances of the case require it, the competent disciplinary body may impose additional disciplinary measures on the member association or club responsible, such as the playing of one or more matches behind closed doors, a stadium closure, the forfeiting of a match, the deduction of points and/or disqualification from the competition.

5. If the match is suspended by the referee because of racist and/or discriminatory conduct, the match may be declared forfeit.

6. The above disciplinary measures may be combined with specific directives aimed at tackling such conduct."

We can conclude from this comparison that the current UEFA disciplinary regulations are much more elaborate and establish much more severe sanctions than the previous ones.



**CAF:** According to Article 132 of the CAF disciplinary regulations (2007 version):

“1. Anyone who publicly disparages, discriminates against or denigrates someone in a defamatory manner on account of race, colour, language, religion or ethnic origin, or perpetrates any other racist and/or contemptuous act, will be subject to match suspension for at least five matches at every level. Furthermore, a stadium ban and a fine of at least three thousand USD (3,000\$) will be imposed on the perpetrator. If the perpetrator is an official, the fine will be at least five thousand USD (5,000\$).

2. If spectators display banners bearing racist slogans, or are guilty of any other racist and/or contemptuous behaviour at a match, the appropriate body will impose a sanction of at least five thousand USD (5,000\$) on the association or club that the spectators concerned support and force it to play its next official match without spectators. If the spectators cannot be identified as supporters of one or the other association or club, the host association or club will be sanctioned accordingly.

3. Any spectator who is guilty of any of the offences specified under par.

1 and/or 2 of this article will be banned from entering any stadium for at least two years.

4. If any player, association or club official or spectator perpetrates any kind of racist or contemptuous act as described by par. 1 and/or 2 of this article, three points will automatically be deducted from the team concerned, if identifiable, after the first offence. In the case of a second offence, six points will automatically be deducted, and for a further offence, the team will be relegated.

In the case of matches without points, the team concerned, if identifiable, will be disqualified.

5. Sanctions imposed on the basis of this article may be reduced or even disregarded if the player, team, club or association concerned can prove that it was not or was only minimally responsible for the offences in question or if other major reasons justify it, particularly if the offences were provoked intentionally to cause a player, team, club or association to be sanctioned in accordance with this article. The procedure for assessing mitigating circumstances shall be governed by this code.”

It is very clear that the sanctions are much more severe in the current CAF disciplinary code than they were in the 2007 version.

On a national level, UK organization Kick It Out, a finalist at the FIFA Diversity Award 2016 and a recipient of support from The Football Association, uses an app that collects complaints and picture/video evidence of discriminatory incidents across the country.

This shows the importance of having national tools to fight discrimination.

I believe that many additional solutions can be established. First, FIFA should prioritize the fighting against discrimination in the schools and football academies all over the world in order to have non-discriminatory environments and players. For example, Contracts with players and coaches could include a clause stipulating a specific number of working hours for diversity and anti-

discrimination work. If they receive information about diversity and anti-discrimination, players and coaches can act as patrons for local schools or educational projects. They can then use their familiar face, their status as a role model, their knowledge and their experience, to connect with people in their region. Spectators can also be encouraged to get involved by initiating a joint action in a stadium. A task force could be used, for xample, to encourage fans to also take action to foster diversity and anti-discrimination in the stadium and in their immediate environment.

On another side, imposing more severe sanctions on discrimination especially towards fans will definitely reduce discrimination in football, because most of the cases are related to fans. I propose to ban for life racist fans, because in this way, other fans will think twice before acting in a racist manner which will reduce automatically the number of racial discrimination cases.

In conclusion, discrimination remains a major problem in the world of football despite all the new amendments that aim to fight it. It seems that the effort should be done also on the educational stage not only the legal one, but more severe legal sanctions can definitely reduce discrimination in football.

**Source: *Discrimination in football: its most famous cases, the evolution of its regulations, and its remedies*, by Ralph Charbel ([www.legal500.com](http://www.legal500.com)) – February 6, 2020**

<https://www.legal500.com/developments/thought-leadership/discrimination-in-football-its-most-famous-casesthe-evolution-of-its-regulationsand-its-remedies/>