

DECISION FORM

To be sent to discipline@rugbyeurope.eu.



Particulars of offence	
Player's Name: Stefan Nedelcu	
Player's number: 10	
Player's union: Romania	
Competition: Rugby Europe Men 7s Trophy Chisinau #2 2025	
Host Team (T1): Türkiye	Visiting Team (T2): Romania
Venue: Dinamo Stadium, Chisinau, Moldova	
Date of match: 29 June 2025	
Rules to apply: Regulation 17 World Rugby Handbook and RE Disciplinary Regulations	
Referee Name: Monray Gilbert (Sweden)	
Plea: Foul play: <input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted; Red Card/Citing: <input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted	
Offence: <input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other	
If "Other" selected, please specify:	
Hearing details	
JO: Val Toma (Romania)	
Hearing date: 1 July 2025	
Hearing venue: Webex	
Appearance Player: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Appearance Union: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Player's Representative(s): Stelian Burcea – Head Coach Romania Men 7s	
Other attendees: David Baird-Smith – RE Disciplinary Coordinator (as observer)	
List of documents/materials considered by the JO:	
Citing report;	
Footage of the incident;	
Letter from Burak Balmuk - Türkiye no 6 (T6), the victim player;	
Letter from the Türkiye medical team;	
Submissions from the match referee Monray Gilbert – Austria no 7 (A7), the victim player.	
Summary of essential elements of citing / Referee's report / Incident footage	
The hearing has been convened as a result of the Player having been cited for an incident in the match for the bronze medal against Türkiye.	
The appointed Citing Commissioner (Palemia Field – Finland) cited the Player for an alleged act of foul play against	
Law 9.18:	
<i>A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.</i>	
The citing report reads:	
<i>"Türkiye 6 is in possession of the ball on the half way line. He advances towards the far touch line when Romania 10 makes first contact on his left shoulder with his right hand, changes grip so his left hand then</i>	

holds onto the BC's shoulder which then rotates the ball carrier."



To maintain the tackle, Romania 10 changes his grip on the ball carrier to bend him over at the waist which results in Turkiye 6's head pointing towards the ground (see screenshot)



This action by both pulling the ball carrier's free arm down with his left arm, and then leveraging him with his right arm results in Romania 10 driving the ball carrier into the ground where his head makes contact first:



While the incident was detected by the officials and a penalty kick was awarded for the high tackle, it is of my opinion that The Player rotated the ball carrier enough and recklessly drove him downwards, which resulted in the ball carrier making contact to the ground with his head first.

After reviewing the video footage several times (in real time and frame by frame) on the Rugby Europe website and consulting with citing colleagues, I am of the opinion that tackle meets the Red Card Threshold and cite the actions of Romania 10 being contrary to Law 9.18."

A preliminary viewing of the footage reveals that:

- T6 receives the ball just inside his own 22 and runs with it forward and to the far touchline;
- After avoiding and overtaking R3 he continues to advance at speed and attempts to outrun the Player who is the next defender;
- Whilst attempting to do so, the Player accelerates and gets a grip with his right hand on the T6's jersey at his left shoulder level;

- The Player tries to grasp T6 with his left hand at the chest/left upper arm level with his left hand, however it slips down and manages to get a second grip on T6's left forearm;
- In the meantime the momentum of T6 and the grasps of the Player on T6 left arm rotates both players to their left such that a full spin is completed;
- The Player starts to pull down T6 and while doing so raises his right elbow such as to drive T6 body to the ground;
- T6 runs five more strides to get close to the 10 metre line while the Player forces T6's body to bend over at the waist such that in the end his head is pointing down to the ground;
- T6 is driven down and sideways, his upper body and head makes contact to the ground while the Player releases his grip such that T6's body rolls on the ground sideways, finally lying on the ground facing down with his legs towards the opponent's try line;
- T6 places the ball back on the ground for his teammates arriving in support but the referee blows his whistle to stop play and sanctions the Player with a penalty for the dangerous tackle;
- T6 shows distress pointing to his left shoulder such that the referee times off and calls for medical assistance.

The JO contacted the referee by messaging and, having regard of the clause 17.26.1 of WR Reg 17 (*In all proceedings heard by a Disciplinary Committee or Judicial Officer and/or Appeal Committee or Appeal Officer, referees and/or assistant referees may only give evidence of fact, not opinion*), asked him to describe what he saw on the field of play and what was his decisional process.

The transcript of the relevant part of the message exchange is as follows:

[6/30, 09:25] Val: You penalised Rom10 for a tackle on Tur6 towards the middle of the first half.

[6/30, 09:25] Val: Do you remember the incident?

[6/30, 09:26] Monray Gilbert Ref Sweden: Yes, I looked at it a few times in review...what did you see

[6/30, 09:28] Val: Rom10 was cited.

Could you please tell me your recollection of that incident and your decisional process?

[6/30, 09:29] Val: If possible what you saw on the field of play, not on the reviewed footage.

[6/30, 09:31] Monray Gilbert Ref Sweden: Initially, he started on the chest and then moved to more of a seat belt type of tackle and brought the player down in an unsafe manner. I did think about yellow but did not clearly see where the first contact with the ground was

[6/30, 09:33] Val: Ok, so you took into account both the grasp above the line of shoulders and the unsafe landing?

[6/30, 09:35] Monray Gilbert Ref Sweden: Correct

[6/30, 09:36] Val: Ok, against what Law you assessed the offence to be?

[6/30, 09:40] Monray Gilbert Ref Sweden: 9.13 dangerous tackle

[6/30, 09:40] Val: Fine, any other factual detail that may be of relevance please?

[6/30, 09:53] Monray Gilbert Ref Sweden: It was tackle that looked wrong, and while refereeing, I felt it was the ball carrier's momentum that "completed the tackle"

Essential elements of other evidence (e.g. medical reports)

The JO also contacted the Türkiye Team Manager – Mr Ferhat Fidan – and requested statements from the victim player and from the Türkiye medical team.

Mr Fidan kindly provided the following two letters:

"Subject: Player Statement – Burak Balmuk (TURKIYE #6)

To Whom It May Concern,

My name is Burak Balmuk, jersey number 6 of the Türkiye Men's 7s Rugby Team.

During the match against Romania at the Chisinau Trophy, I was involved in a tackle incident with the Romanian player number 10. I recall being tackled in a forceful manner and remaining on the ground briefly, for which I received medical attention on the field as a precaution.

I did not lose consciousness and did not feel any serious injury or symptoms afterward. I was able to continue participating in the tournament without any physical or neurological concerns.

*Kind regards,
Burak Balmuk
Türkiye Men's 7s Rugby Team"*

*"Subject: Medical Statement – Burak Balmuk (TURKIYE #6)
To the Judicial Officer,*

Following the tackle incident involving player Burak Balmuk (Jersey #6) during the match against Romania, our medical team promptly assessed the player on the field.

The player showed no signs of concussion, disorientation, or physical trauma. He remained fully conscious and communicative throughout the evaluation. No adverse effects were observed at the time of the incident or in the hours following.

Based on our medical assessment, the player was deemed fit to continue participating in the tournament without restrictions.

*Sincerely,
Türkiye Rugby Medical Team"*

The Tournament Doctor – Mr Alin Popescu – confirmed that the incident did not make the object of a contact to the head medical assessment.

Summary of player's evidence

All the available evidence was shared with the Player in advance and was summarised at the commencement of the hearing.

The JO explained to the Player that he is required to confirm whether he accepts he committed the alleged act of foul play specified in the citing report and whether he accepts that the foul play warranted the issuing of a red card. In such case the JO must consider evidence as to establish a sanction, if any, in accordance with the three-stage sanctioning process. If the player does not accept the citing, the burden is on him to prove to the satisfaction of the JO that the Citing Commissioner's decision to cite was wrong either because his actions do not amount to foul play or, if there was foul play, the act of foul play would not have warranted a red card.

The footage was played at normal speed and frame by frame.

The Player accepted that he committed an act of foul play but denied that it warranted a red card.

In this respect the Player (and his representative) submitted that:

- The act of foul play cannot be against Law 9.18 since there was no lifting of T6 involved in the incident;
- He grasped T6 by the side of his shoulder, not above, and he managed to maintain the grip on T6's jersey, such that the contact and grasp was legal;
- He had no intention of putting T6 in danger, nor to cause him to land in an unsafe manner and to make contact with his head on the ground;
- He wanted to stop his opponent and to bring him to the ground;
- He admits that he put T6 in danger and that the head of T6 made contact with the ground, however at the time of the incident he did not know how T6 had landed as he was already turned with his back to T6;
- The incident was caused mainly by the dynamics and speed of play which is specific to 7s;
- T6 made contact with the ground with his right arm first and with his head only after;
- In terms of foul play classification, the Player admitted that the offence is against both Law 9.13 (*A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes, **but is not limited to**, tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders.*) and Law 9.11 (*Players **must not do anything that is reckless or dangerous to others** including leading with the elbow or forearm, or jumping into, or over, a tackler.*)

Mr Burcea initially submitted that the Player accepts his fault but that his actions were not reckless. The JO explained that an act of foul play can be either intentional or reckless. Reckless means that the Player knew or should have known that by acting as he did he took a risk to put his opponent in danger and to commit an act of foul play. Mr Burcea then admitted that the Player's actions were reckless.

Having been asked by the JO in relation to the level of danger, Mr Burcea submitted that, initially, both players rotated at high speed but then they lost part of their momentum, then T6 landed but did not make direct contact with his head on the ground and did not have additional weight (of the Player) on top of him to amplify the force of the fall and as such, the level of danger associated with the contact between his head and the ground was not high.

Mr Burcea further submitted that T6 did not require any special medical attention as to the contact to his head and he was able to play until the end of the match.

Mr Burcea also highlighted that the Player was involved later in the match in another incident where he started to lift an opponent and, realising the risk, brought him down safely. However, for that incident, the speed of the play was different. The JO asked if, given the higher speed of the game in 7s, players ought especially to be aware of the potential risks of their actions and to exercise their duty of care in relation to their opponents. The Player acknowledged that, however submitted that in this case it was hard for him to control the fall of T6 or even his own fall.

Findings of fact

The standard of proof for all matters under disciplinary procedures is the balance of probabilities.

The JO considered all the evidence and the submissions and, on balance of probabilities, came to the following findings of fact:

- The Player made an effort to catch T6 who was running with the ball at speed. In doing so, the Player grasped T6's jersey at the side of his shoulder (deltoid muscle):



- That was at the very limit, however not “above the line of the shoulders”, therefore legal. There's no clear evidence that there's any other moment when the Player's hand(s) or arm(s) made contact above T6's line of the shoulders such as to amount to a “seat belt tackle”;

- The Player manages to get a second grip on T6's left forearm, whilst the momentum of T6 and the opposing grasps of the Player naturally rotates both players (more like two bodies with comparable mass connected through gravity in space and orbiting each other) to their left such that a full spin is completed;

- After the full spin the players lose momentum and speed as the Player struggles to slow down T6 and to bring him to the ground;

- The Player pulls down T6 and while doing so raises his right elbow such as to bend over and drive T6 body to the ground;

- T6 runs five more strides and, on his last stride with his right foot, the Player gets with his right knee on the floor and makes a final effort to bring T6 to the ground by driving T6's arm down:



- T6 completes his last stride by planting his right foot on the ground whilst he is driven down and sideways to his right:



- T6 makes contact to the ground with his right forearm first:



- There is direct contact between T6 forearm on the ground and the ball that is held and his chest such that the ball is compressed in between by the fall:



- Then T6's head makes visible contact to the ground:



- Upon contact with the ground, T6's head slightly moves sideways, however the contact appears to be rather light;
- As the Player had either lost or released his grasps on T6's left arm, T6 rolls sideways on his right shoulder and lands fully on his right body side with his head in the direction of his own try line;
- The Player attempts and succeeds to roll away from the tackle area;
- After the ref stops playing and penalises the Player, T6 shows signs of distress and points to his left shoulder;
- The Türkiye medical team arrives and within the next 20 to 30 seconds assist T6 on the field of play. Most of the time one medic can be seen ice spraying T6's left shoulder and arm which was most likely overstretched during the incident;
- After the match is resumed T6 goes on to play until the final whistle.

The first objection the Player has raised is that the citing is made for an act of foul play against Law 9.18. when there was no lift from his part.

Law 9.18 reads:

A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.

There are three factual components to Law 9.18. If each element is present the conduct is deemed to be dangerous play and the Player commits an act of foul play commonly referred to as a "lifting tackle" (and sometimes a "tip tackle" or a "spear tackle"): (1) The victim player is lifted off the ground and (2) he is dropped or driven so that (3) his/her head and/or upper body makes contact with the ground.

With no lift there's no act of foul play against Law 9.18. This error alone does not invalidate any aspect of the citing as under provisions of the clause 17.26.2 of WR Reg 17, "*Disciplinary Committees, Judicial Officers, Appeal Committees and Appeal Officers, prior to a hearing or at any stage during a hearing may amend the*

offence for which the Player has been Ordered Off or cited unless, having regard to the circumstances of the case, such amendment cannot be made without causing injustice.”

Accordingly, the Player’s action can be reasonably considered a breach of both Law 9.11 (as admitted by the Player) and Law 9.13 (as assessed by the referee and admitted by the player).

Yet there’s another aspect of Law 9.18 that may be of relevance. The WR guideline on sanctioning acts of foul play against 9.18 hints that any time a tackled player's legs are lifted above horizontal it should result in a yellow card as a minimum whilst if the tackled player is lifted and lands on his head or neck it should result in a red card. Also placing a hand down at the last second to stop a 'head or shoulder area landing' should not generally influence this sanction. This is a very high and strict standard of sanctioning and for several good reasons:

- In cases of players lifted, flipped over and dropped, subject to the body position in the air a significant part of their body weight (if not all in worst cases) contributes to the force of impact of their upper bodies/heads with the ground;
- In cases of players lifted, flipped over and driven to the ground (or “speared”) the force of impact is even more amplified by the action and/or the body weight of the offender;
- But most important, a player lifted from the ground and then dropped or driven down has very little control to none over how he/she would land, which deems the act of foul play extremely dangerous.

However, in any such situation assessment of seriousness of the offence is required from the match officials and/or the disciplinary personnel in order to establish the level of the sanction. By way of example, even if it is always likely, not every offence where the victim lands on his/her neck or head would warrant a red card and, similarly, there are many situations when landing on the shoulder can result in a red card. All such cases are highly fact sensitive and should be decided on their own merits.

Therefore, applying such a high standard for acts of foul play not involving a lift of the victim is in the JO’s opinion not appropriate. Pulling or driving down headlong a player who is on his/her feet allows that player a level of control over his/her fall and landing and there’s a reasonable expectation that the player would use their arms and shoulders to avoid a head contact to the ground. Without this reasonable expectation many soak tackles would potentially be acts of foul play.

In our case, T6 did exactly what was reasonably expected from him, he used his free right arm and shoulder to land and then roll sideways, however the Player’s last effort to force down T6’s left arm further accelerated T6’s fall and made the contact of his head with the ground, albeit secondary, inevitable.

In conclusion, the decision in this case is also fact sensitive and must be reached on its merits following an assessment of seriousness.

The JO accepts that the Player’s action was reckless rather than intentional.

The JO accepts that the spinning momentum of both players, although has some influence, does not play a crucial role in the incident because, as submitted by the Player, after the rotation their forward movement is slowed down on the next five strides of T6. It is rather the momentum on those five strides that counts.

After bending over T6’s body, the Player made a final effort to drive down T6’s left arm. Albeit from a short height, that drive was energetic. T6 landed forcefully on his right forearm with the ball held between his forearm and his chest. Then his head made contact to the ground.

The JO accepts and is of the view that most of the collision force went through T6's forearm, ball and chest and then further dissipated through T6's roll on his right shoulder such that the level of danger associated with his secondary head contact with the ground was not high. This finding is supported by the rest of the evidence (the referee's real time perception of the overall act of foul play and the medical statements).

Accordingly, the JO is satisfied, on the balance of probabilities, that the Player, by raising the key objections, that the Citing Commissioner erred by picking the wrong Law (such as to, in the JO's view, likely apply a standard of sanctioning higher than necessary) and also erred by finding that T6 made contact to the ground with his head first, and by subsequently showing that the level of danger as to the contact between T6's head and the ground was not high, successfully discharged his burden of proving that the Citing Commissioner was wrong and that the red card threshold has not been met. Therefore, the citing is dismissed and the Player is free to play at once.

Two additional considerations are necessary.

1. Until late during the hearing, the JO perceived that the Player and his representative formally accepted the commission of the act of foul play (perhaps as a precautionary measure in the case the citing was upheld) but in fact they considered that what happened was no more than a rugby incident (that is an accident, not an act of foul play) that commonly occurs in a highly dynamic sport. Hopefully they will learn from this experience that players must always exercise their power of choice and their duty of care as to the welfare of their opponents, and that they will apply this learning in practice.

2. In reaching this decision, it is important to record that the JO makes no criticism of the Citing Commissioner. The mission of the Citing Commissioners in 7s tournaments is not an easy task, with tight deadlines and stressful conditions.

In the particular circumstances of Chisinau 7s this task was even harder. The Citing Commissioner did not have the benefit of the high-resolution video recording of the match which was usually made available by the TV producer two hours after the final whistle, way after the end of the citing window. The clip provided to the JO by the Citing Commissioner (recorded by the Citing Commissioner from the RE website) simply lacks the quality required to make a clear finding as to the precise nature of T6 landing.

Having regard of the aspects highlighted in the paragraph (1.) above, the citing, albeit dismissed, may prove to have constituted a genuine gain for the Player, his teammates and his coaches.


Decision

☐ Accepted/Proven ☒ Not proven ☐ Other disposal (please state)

SANCTION

NOTE: Players ordered off or cited by a citing commissioner are provisionally suspended pending the hearing of their case, such suspension should be taken into consideration when sanctioning – RE Discipline Regulations 4.1.4 / 4.4 (or equivalent Tournament rule)

Total sanction: Citing dismissed. The Player is free to play immediately.	<input type="checkbox"/> Sending off sufficient
Sanction commences:	
Sanction concludes:	
Costs: n/a	

Signature
Name of the JO: Val Toma
Date: 4 July 2025
Signature: <div style="text-align: center; margin-top: 20px;">  </div>

NOTE: You have 48 hours from notification of the decision of the chairman/jo to lodge an appeal with the tournament director – RE Discipline Regulations 4.6.2 (or equivalent Tournament rule)