

# **AIBA DISCIPLINARY COMMITTEE**

## **2020 / 2021 REPORT**

This report covers the activities of the AIBA Disciplinary Committee (DC) for the period October 2020 until December 2021.

### **1. Mandate**

The DC is a standing committee of AIBA (now IBA), one of the judicial authorities and empowered to sanction any violation of the **AIBA Disciplinary Code** by commencing disciplinary proceedings *ex officio* or upon receipt of a complaint of an infringement brought to its attention by any competent body or person. The DC conducts its proceedings in accordance with the **AIBA Procedural Rules**. (See further AIBA Constitution art 36.5).

### **2. Membership of the DC**

2.1 In October 2020 the members of the DC were appointed by the AIBA Interim President and thereafter confirmed by the AIBA Congress at the time of the adoption of the new AIBA Constitution in December 2020.

2.2 The active members of the DC during 2021 were:

- Francois Strydom (RSA) – Chairman
- Alexandra Monkhouse (CAN) – Member
- Glenn Feldman (USA) – Member

2.3 The following DC member was inactive and unreachable:

- Hassan Ali Bin Ali (QAT)

2.4 The adoption of a new AIBA Constitution on 13 December 2020 brought the following implications for the DC:

- A name change from “*Disciplinary Commission*” to “*Disciplinary Committee*” (Constitution art 36.1(b));
- The number of members (subject to transitional arrangements) have been reduced from 5 to 3 (Constitution art 36.4);
- In future, subject to transitional arrangements, all DC members must be qualified lawyers (Constitution art 36.4);
- The term of office will roughly be 4 years (depending on the exact dates of the respective Congresses) and runs from one non-elective Congress to the next one about 4 years later, i.e. the selection of DC members is disconnected

from the Presidential and Board members elections at the elective Congresses every 4 years (Constitution art 36.12);

- On terms of the transitional measures, the DC members as at 12 December 2020 (4 in number; only 2 lawyers) remain in office until the next non-elective Congress (Constitution art 50.18).

### **3. Meetings**

- 3.1 On 15 May 2021 a meeting of the DC took place on the Zoom platform at the request of and attended by the AIBA President, Mr. Umar Kremlev as well as other members of the President's office in Moscow.
- 3.2 The Agenda of the meeting was as follows:
  - a. Roll call & welcome by DC Chairman;
  - b. Confirmation of DC membership composition & term;
  - c. Address by AIBA President;
  - d. Review of case 2020/1 – Caribbean federations matter;
  - e. New AIBA Procedural Rules (with effect from 8 April 2021);
  - f. Proposed new AIBA Disciplinary Code;
  - g. Co-operation with Ethics Commission, AIBA Legal Counsel & external legal advisors;
  - h. Further sports law training of DC members;
  - i. Publications on AIBA website;
  - j. Other matters.
- 3.3 The DC members also had private deliberations (on a virtual platform) on each occasion of reaching a decision in the disciplinary cases finalised by the DC.

### **4. Cases decided**

- 4.1 In DC case 2020/01 : AIBA v Caribbean National Federations the DC considered a complaint from the AMBC regarding the possible impropriety of a group payment of AIBA and AMBC membership fees made by the Dominican Republic Boxing Federation on behalf of nine other Caribbean federations in the context of the 2020 AIBA Presidential elections. The DC received written defensive statements from most of the respondents and further conducted oral examinations of the Presidents of the respondent federations. On 10 December 2020 all of the respondents were found not guilty and their provisional suspensions, imposed by the DC on 4 December 2020, were lifted. Full reasons for the DC's decision was released on 30 January 2021 and also published on the AIBA website.

- 4.2 In **DC case 2021/01** : AIBA v Jarno Mustonen (an AIBA referee and judge from Finland), Mr Mustonen was accused of threatening and disrespectful conduct towards a hotel staff member on occasion of the 2021 Youth World Boxing Championship held in Kielce, Poland during April 2021. Following a full exchange of written statements, the accused party was found guilty and sanctioned to a temporary ban from all boxing activities at international level for a period of 12 months, half of which was suspended. The DC's decision was released on 30 June 2021 and also published on the AIBA website.
- 4.3 In **DC case 2021/02** : AIBA v Alex Arturo Gonzalez Gutierrez (an AIBA Board member and President of the Ecuadorian Boxing Federation), Mr Gonzalez was accused of a violation of art 5.1 of the Disciplinary Code read with art 46.3 of the AIBA Constitution for having accepted an appointment of and acting as an ITO at the AMBC Youth Boxing Qualifier in Mexico whilst the Constitution prohibits any AIBA director from being a competition official. Following a full exchange of written statements, the accused party was found guilty and sanctioned to a fine of CHF 1,500 and a one year ban from all boxing activities, both of which was suspended on certain conditions. The DC's decision was released on 31 August 2021 and also published on the AIBA website. At Mr Gonzalez' request, the DC supplied a full motivation for its decision on 14 September 2021.
- 4.4 The decision of the DC in case 2021/02 has been appealed by Mr Gonzalez to the Court of Arbitration for Sport (CAS). These proceedings are still pending.

## **5. Pending cases**

- 5.1 In **DC case 2021/03** : Michael Conlan v AIBA, the DC has to decide a request for reconsideration of the decision in DC case 2016/02 where the DC (in a previous composition) found Mr Conlan (an Irish boxer) guilty of causing harm to AIBA's reputation and interests, as well as misbehaviour directed at the judges of the boxing match which Mr Conlan controversially lost during the 2016 Rio Olympics. Mr Conlan claims that he has been vindicated by the findings in the recent McLaren report. The matter is ongoing.

## 6. **Election Committee**

Pursuant to art 36.5 of the 2018 AIBA Statutes (replaced by the new AIBA Constitution on 13 December 2020), the DC Chairman served *ex officio* as a member of the AIBA Election Committee which oversaw the Presidential elections in December 2020. The DC Chairman has also been invited to serve on the Selection Committee for purposes of the 2022 Board elections.

## 7. **Name change**

Following the decision of the AIBA Extraordinary Congress on 12 December 2021, AIBA changed the acronym of its name to IBA. Henceforth, the DC will be known as the IBA Disciplinary Committee.

## 8. **Boxing Integrity Unit**

The AIBA Extraordinary Congress held on 12 December 2021 also approved the creation of a new Boxing Independent Integrity Unit, which is expected to become operational in the course of 2022. The BIU will ultimately replace the current Ethics and Disciplinary Committees.

Johannesburg, 17 January 2022

The Chairman of the Disciplinary Committee  
Francois Strydom