

Case: trib\_2023/16

**Decision**

delivered by the  
**Boxing Independent Integrity Unit's Tribunal,**  
Sitting in the composition of  
Malek Badri, Chairperson;  
Sally Clark, Member; and  
Adrian Stangaciu, Member,

on  
**11 December 2023**

Regarding  
**disciplinary proceedings**

involving  
**Mr. Davit Tsiklauri** (Georgia), former President of the Georgian Boxing Federation, and former  
member of the EUBV Executive Committee,

Represented by Mr. Hayk Ghazayan, attorney-at-law in Yerevan, Armenia

[info.geoboxing@gmail.com](mailto:info.geoboxing@gmail.com) , [haykghazazyan@gmail.com](mailto:haykghazazyan@gmail.com)

**- Accused Party -**

and

**Mr. Giulio Palermo**, an Italian attorney, member of the Geneva Bar,

[gpalermo@archipel.law](mailto:gpalermo@archipel.law)

**- Accusing Party -**

## **I. Parties**

1. According to Art. 18 of the Amateur International Boxing Association (AIBA) Procedural Rules adopted by the AIBA Board on 8 April 2021 (AIBA Procedural Rules) [substantially equivalent to Art. 18 of the Boxing Independent Integrity Unit Procedural Rules adopted by the International Boxing Association (IBA) Board on 25 August 2023 (BIIUPR (Current))], the parties are the accusing and the accused party.

According to Art. 18 AIBA Procedural Rules, the accused party is a person bound by the AIBA Code of Ethics and/or the AIBA Disciplinary Code, who allegedly committed a breach of the regulations made by the IBA Board in accordance with the IBA Constitution.

2. Claude Ramoni, an AIBA Integrity Officer (AIBA/IBA Integrity Officer), who originally filed an application for a provisional sanction to the IBA Ethics Committee, which has been replaced by the Boxing Independent Integrity Unit's Tribunal (Tribunal), alleged that Mr. Davit Tsiklauri breached:
  - Article 33 of the AIBA Code of Ethics (adopted by the AIBA Board on 30 June 2021 (AIBA CoE)). Manipulation of Boxing Matches or Competitions
  - Article 25 of the AIBA CoE. Bribery and Corruption [equivalent to 47 of the IBA Disciplinary and Ethics Code adopted by the IBA Board on 17 July 2023 (Disciplinary and Ethics Code (Current))]
  - Article 3.2 of the AIBA Policy on the Prevention of the Manipulation of Competitions (adopted by the AIBA Board on 30 June 2021 (Manipulation Policy)). Manipulation of Boxing Matches or Competitions.
  - Article 3.3 of the Manipulation Policy. Corrupt conduct.
  - Article 3.5 of the Manipulation Policy. Failure to report.
3. Mr. Davit Tsiklauri (Accused Party) is the party accused by the AIBA/IBA Integrity Officer. The Accused Party was, at the time of the alleged facts, the President of the Georgian Boxing Federation and a member of the EUBV Executive Committee. Whether or not he has since relinquished these roles, according to Art. 2.2 AIBA CoE [equivalent to Art. 2.2 Disciplinary and Ethics Code (Current)], the Ethics Committee (hereafter as the "Tribunal") is entitled to investigate and judge the conduct of persons who were bound by the current or previously applicable AIBA CoE at the time the relevant conduct occurred, regardless of whether the person remains bound by the AIBA CoE at the time proceedings commence or any time thereafter.
4. According to Art. 18 AIBA Procedural Rules, Mr. Giulio Palermo (Italian attorney, member of the Geneva Bar, whose address is Ruelle du Couchant 11, 1207 Geneva, Switzerland) is the accusing party (Accusing Party), who replaced the AIBA/IBA Integrity Officer by the decision of the BIIU Managing Director (based on Art. 24.2 BIIUPR (Current), which is not regulated under the AIBA Procedural Rules) as an Investigation and Prosecution Officer (IPO) responsible for investigating and prosecuting the case based on the applicable regulations.
5. According to Art. 18 BIIUPR (Current) read in conjunction with Art 93.3 BIIUPR (Current), the IPO participates in the proceedings as accusing party.

## **II. Factual background**

1. From 24 October 2021 to 6 November 2021, the AIBA Men's World Boxing Championships (2021 MWCH) were held in Belgrade, Serbia.
2. Marko Marovic was the Technical Delegate at the 2021 MWCH. The Accused Party was present at the 2021 MWCH as President of the Georgian Boxing Federation and Executive Board Member of the EUBC. Both Marko Marovic and the Accused Party are Officials of the AIBA/IBA.
3. On 3 November 2021, which was a rest day before the finals started at the 2021 MWCH, Marko Marovic took a car together with Chris Roberts, then Chairman of the AIBA R&J Committee, to first

drive to the hotel Hyatt to drop an athlete and continue to go together for dinner. When arriving at the Hyatt hotel, Marko Marovic mentioned to Chris Roberts that he needed to see somebody. Entering the Hyatt hotel lobby, Marko Marovic and Chris Roberts met representatives of the company Greenhill. A few minutes later, the Accused Party came to meet them and he took Marko Marovic away for another meeting. Only about 10 minutes later, Marko Marovic came back and together with Chris Roberts, they went for dinner in a restaurant.

4. It was undisputed that the meeting that Marko Marovic attended during this short time was with Arman Jumageldiyev (the Kazakh individual). It was also undisputed that the meeting was planned and organized by the Accused Party. The Accused Party arranged a date and brought Marko Marovic to the meeting in the private hotel room.
5. On 5 November 2021, the first day of the finals, Marko Marovic seemed to be extremely stressed and concerned and approached Chris Roberts to explain that he had received death threats on his mobile phone. Based on Chris Roberts' advice, Marko Marovic informed the IBA General Secretary about these threats.
6. On 15 November 2021, based on the request of the IBA Head Office, Marko Marovic provided a detailed report about the incidents that occurred on 3 and 5 November 2021 at the 2021 MWCH.
7. In this report, Marko Marovic explains that:
  - During the rest day (3 November 2021), he was sitting in the lobby of the Hyatt hotel with Chris Robert, having a meeting with Green Hill representatives. He then received a phone call from Davit Tsiklauri asking him to come to meet the president of the Kazakh boxing federation;
  - He went with Davit Tsiklauri to a room in the hotel to meet this alleged member of the Kazakh federation. The discussion was about concerns with respect to the tournament and decisions by officials. When he was about to leave the room, the Kazakh individual attempted to give him money, first in his hand and then in his pocket. He refused and returned the money;
  - He immediately asked Davit Tsiklauri about what was going on. Davit Tsiklauri told him that he had been right to refuse the money; he also contended to have told Chris Robert in the car leaving the hotel that he had been offered a bribe which was rejected;
  - After bout number #3 on the first final day, two persons approached him and asked him to file a protest in order to overturn the result of the bout lost by a Kazakh boxer, threatening to show the video of him in the hotel room. He refused to do so;
  - After the time for lodging the protest expired, and as he did not file any protest, he received by WhatsApp a video and a threatening message.

### **III. Proceedings**

1. On 17 November 2021, based on the request of the IBA Head Office, Marko Marovic sent the screenshot of his mobile phone showing the message and video received from a Kazakh phone number on 5 November 2021.
2. On 30 November 2021, the AIBA/IBA Integrity Officer interviewed Marko Marovic in relation to the incidents of 3 and 5 November 2021.
3. On 2 December 2021, the AIBA/IBA Integrity Officer interviewed the Accused Party with the assistance of an interpreter in relation to the incidents of 3 and 5 November 2021.
4. On 26 December 2021, the AIBA/IBA Integrity Officer received the list of accreditations of persons from Kazakhstan for the 2021 MWCH. Based on this list, the person meeting with Marko Marovic could be identified as Arman Jumageldiyev, VVIP, based on the comparison of the video taken in the Hyatt hotel room and pictures found on the Internet.

5. On 31 December 2021, the Kazakh Federation informed the AIBA/IBA Integrity Officer that Arman Jumageldiyev was not part of the Kazakh delegation, providing the list of persons accredited by the Kazakh Federation.
6. On 17 February 2022, the AIBA/IBA Integrity Officer interviewed Chris Roberts in relation to the incidents of 3 and 5 November 2021.
7. The Serbian Federation refused to give any information about the accreditation of the two persons from Kazakhstan called “Arman”.
8. The AIBA/IBA Integrity Officer had was supported by the McLaren investigation team.
9. On 8 March 2022, the AIBA/IBA Integrity Officer sent the request for provisional sanction and all evidence to the Chairman of the IBA Ethics Committee.
10. On 8 March 2022 as well, the Chairman of the IBA Ethics Committee sent the formal opening of the proceedings together with a request for receiving the statement of Marko Marovic and the Accused Party within 36 hours to the Parties.
11. On 10 March 2022, the Chairman of the IBA Ethics Committee informed in an email to the Parties that no statement was received by Marko Marovic and the Accused Party within the timeline set.
12. Still on 10 March 2022, the Chairman of the IBA Ethics Committee, based on the request of Marko Marovic, extended his timeline to send his statement until noon of 10 March 2022.
13. Even within the extended timeline, the Chairman of the IBA Ethics Committee did not receive any feedback from either Marko Marovic or the Accused Party.
14. On 10 March 2022, the Chairman of the IBA Ethics Committee issued an Order on Provisional Sanction imposing 90 days suspension from all boxing activities on Marko Marovic and the Accused Party.
15. On 10 June 2022, the AIBA/IBA Integrity Officer filed applications against Marko Marovic and the Accused Party requesting the IBA Ethics Committee to issue provisional suspensions to both of them, suspending them from all boxing activities and to rule those persons’ breaches of Art. 33 and Art. 25 AIBA CoE and Art. 3.2, Art. 3.3 and Art. 3.5 Manipulation Policy.
16. On 13 June 2022, the Chairman of the IBA Ethics Committee issued an Order, including but not limited to, (i) deciding to split the proceedings of Marko Marovic and the Accused Party; (ii) asking the Accused Party to send his written statement and evidence against the allegations made in the statement of the AIBA/IBA Integrity Officer; and (iii) extending the Accused Party’s Provisional Sanction for the duration of these proceedings, but for a maximum of 90 days.
17. On 10 November 2023, the BIIU Managing Director replaced the AIBA/IBA Integrity Officer with Mr. Giulio Palermo as an IPO according to Art. 24.2 BIIUPR (Current).
18. On 24 November 2023, the Tribunal’s Chairperson (Tribunal Chairperson), according to Art. 33.1 AIBA Procedural Rules [substantially equivalent to Art. 32.1 BIIUPR (Current)], Art. 36.2 AIBA Procedural Rules [substantially equivalent to Art. 35.2 BIIUPR (Current)], Art. 45 AIBA Procedural Rules [substantially equivalent to Art. 44 BIIUPR (Current)] and Art. 46.1 AIBA Procedural Rules

[substantially equivalent to Art. 45.1 BIIUPR (Current)], issued a decision on closing of proceedings and provisional measures namely:

- informing the Accused Parties about the appointment of Mr. Giulio Palermo as an IPO;
- informing the Parties about the closing of the proceedings;
- announcing that the Tribunal would deliberate by videoconference and in-person on 11 December 2023;
- announcing the Tribunal's composition;
- informing that any request for the removal of any of the arbitrators must be submitted in substantiated writing to BIIU Managing Board within five (5) days from the discovery of the grounds of challenge; and
- imposing to the Accused Party a provisional suspension from all boxing activities for the duration of thirty (30) days.

19. There has been no request for the removal of any of the arbitrators.

#### **IV. Submissions of the Parties**

##### **A. The AIBA/IBA Integrity Officer's Submissions and Requests for Relief**

1. On 10 June 2022, the AIBA/IBA Integrity Officer submitted the application to the IBA Ethics Committee and requested what follows:

*"The undersigned Integrity Officer applies for the IBA Ethics Committee to rule as follows:*

*2) Davit Tsiklauri breached articles 25 and 33 CoE, as well as articles 3.2, 3.3, 3.5 and 3.6 of the Manipulation Policy.*

*3) Davit Tsiklauri shall be banned from all boxing activities, in any capacity (including Official, Competition Official, official of a National Federation or Confederation) for a period of at least four years, starting on 10 March 2022;*

*4) Davit Tsiklauri shall be condemned to pay a fine of CHF 10,000;"*

##### **B. The Accused Party' Submissions and Requests for Relief**

2. On 7 July 2022, the Accused Party submitted the request for extension of the time limits against the Order of the Chairman of the IBA Ethics Committee issued on 13 June 2022 requesting the Accused Party to send his written statement and evidence against the allegations made in the statement of the AIBA/IBA Integrity Officer through his attorney (Hayk Ghazazyan, Yerevan, Armenia), and on 22 July 2022, the Accused Party submitted the response to the AIBA/IBA Integrity Officer's request to the IBA Ethics Committee through his attorney what follows:

*"33. Mr. Tsiklauri did not have any advance knowledge regarding proposed unlawful purpose of the meeting initiated by the Kazakh representative. He was directly communicated that the purpose of the meeting is a discussion on bout review process, being thus misled and misinformed on the real purpose of it.*

*(...)*

*38. Taking into consideration all the above, we hereby request the Ethics Committee:*

*a) Dismiss all the accusations against Mr. Davit Tsiklauri. Alternatively issue a warning to him.*

*b) Based on the Order of the Chairman of the Ethics Committee as of 8 July 2022, to hold a hearing for the present case."*

#### **V. Jurisdiction**

1. According to Art. 9.1 the AIBA CoE [substantially equivalent to Art. 25.1 of the Boxing Independent Integrity Unit Rules adopted by the IBA Board on 23 September 2022 (BIIUR)], the Tribunal has jurisdiction to hear cases where a breach of the rules of conduct defined in the AIBA CoE allegedly accrued.

2. According to Art. 11. AIBA Procedural Rules [substantially equivalent to Art. 11.1 BIIUPR (Current)], the Tribunal shall declare whether it is competent to hear the case.
3. On 8 March 2022, the AIBA/IBA Integrity Officer filed an allegation against the Accused Party.
4. Disciplinary proceedings against the Accused Party were opened on 8 March 2022 by the Chairman of the IBA Ethics Committee as a result of the aforementioned allegation. The proceedings are related to alleged breaches of Art. 33 (Manipulation of Boxing Matches or Competitions) and Art. 25 (Bribery and Corruption) AIBA CoE and Art. 3.2 (Manipulation of Boxing Matches or Competitions), Art. 3.3 (Corrupt conduct) and Art. 3.5 (Failure to report) Manipulation Policy.
5. The AIBA/IBA Integrity Officer's allegation relates to an alleged breach of the regulations made by the IBA Board in accordance with the IBA Constitution.
6. According to Art. 2.1 AIBA CoE [substantially equivalent to Art. 2.1 Disciplinary and Ethics Code], the AIBA CoE applies to all officials, boxers, coaches, managers, promoters, and other persons elected, appointed, contracted or accredited by the IBA, a Confederation or a National Federation. In addition, according to Art. 2.2 AIBA CoE, the Tribunal is entitled to investigate and judge the conduct of persons who were bound by the current or previously applicable AIBA CoE at the time the relevant conduct occurred, regardless of whether the person remains bound by the AIBA CoE at the time proceedings commence or any time thereafter.

## **VI. Applicable Law**

1. According to Art. 93.3 BIIUPR (Current): *"The procedures which are pending before adoption of these Procedural Rules remain subject to the IBA Procedural Rules approved by the IBA Board on 8 April 2021 and 5 November 2022 respectively, unless both Parties request the application of these Procedural Rules. In case the IBA Procedural Rules approved by the IBA Board on 8 April 2021 and/or 5 November 2022 do not regulate any matter significant for the proceedings, these Procedural Rules shall apply"*.
2. Since the disciplinary proceedings against the Accused Party were opened on 8 March 2022, the AIBA Procedural Rules shall be applied to these proceedings.
3. According to Art. 52.2 Disciplinary and Ethics Code (Current): *"This Code applies to any Disciplinary or Ethics proceedings which have been formally opened after the date when this Code came into force. Any offence shall be governed by the substantive rules in force on the date of which the offence has been committed, unless the principle of lex mitior applies (implying that this Code is more favourable to the offender than prior regulations)."*
4. Since it is alleged by the AIBA/IBA Integrity Officer that the breaches of the Accused Party were conducted on 3 and 5 November 2021, the AIBA CoE shall be applied in these proceedings.

## **VII. Merits**

1. According to Art. 47.2 AIBA Procedural Rules [substantially equivalent to Art. 27.2 BIIUR], in principle, the Tribunal issues the terms of decisions without grounds.

## **VIII. Costs**

1. According to Art. 48 AIBA Procedural Rules [substantially equivalent to Art. 47 BIIUPR (Current)], no procedural costs shall be imposed. The Tribunal therefore does not impose procedural costs.



2. According to Art. 49 AIBA Procedural Rules [equivalent to Art. 48 BIIUPR (Current)], no costs of the parties related to the proceedings are awarded. Therefore, the Parties shall bear their own costs incurred by this procedure.

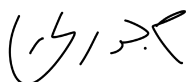
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**The Boxing Independent Integrity Unit's Tribunal,  
decides what follows.**

1. The Accused Party attempted manipulation and also failed to report the attempt of manipulation to any of the then Ethics Committee, the Integrity Officer, any Official, the AIBA, the Confederations or National Federations, and as a result breached Art. 33 of the AIBA CoE and Art. 3.2 and 3.5 of the Manipulation Policy.
2. The Accused Party is suspended from taking part in all boxing activities (including administrative and executive functions) for the period of three (3) years starting on 10 March 2022 according to Art. 12.1 (g) of the AIBA CoE. Consistent with Art. 13.2 of the AIBA CoE, the Accused Party shall be given credit for the duration of his provisional suspension already served against his total period of ineligibility.
3. The Accused Party is ordered to pay a fine to the amount of CHF 25,000 according to Art. 12.1 (b) of the AIBA CoE.
4. The other requests by the IPO are dismissed.
5. No procedural costs are imposed.
6. The Parties shall bear their own costs incurred by this procedure.
7. The present decision is notified to the Parties by email, immediately.

**Boxing Independent Integrity Unit's Tribunal**



**Malek Badri,**  
Chairman



**Sally Clark,**  
Member



**Adrian Stangaciu,**  
Member

Request for grounds of decision

According to Art. 47.2 of the AIBA Procedural Rules adopted by the AIBA Board on 8 April 2021 [substantially equivalent to Art. 27.2 of the Boxing Independent Integrity Unit Rules adopted by the IBA Board on 23 September 2022], the parties have **ten (10) days from receipt of this to request**, in writing, the grounds of the decision, and that failure to do so will result in the said decision becoming final and binding.

According to Art. 47.2 and 47.3 of AIBA Procedural Rules [substantially equivalent to Art. 27.3 of the Boxing Independent Integrity Unit Rules], if a party requests the grounds of the decision, the motivated decision will be communicated to the parties in full, written form. The time limit to lodge an appeal, where applicable, begins upon receipt of this motivated decision.



Notice of appeal

According to Art. 52 of the AIBA Procedural Rules adopted by the AIBA Board on 8 April 2021 [substantially equivalent to Art. 89 of the Boxing Independent Integrity Unit Procedural Rules adopted by the IBA Board on 25 August 2023], the decision may be appealed **within thirty (30) days after its reception** before the Court of Arbitration for Sport in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with its procedural rules.

Copy by email to:

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