

Case: trib_2024/03

Decision

delivered by the
Boxing Independent Integrity Unit's Tribunal,

Sitting in the composition of:

Malek Badri, Chairperson;
Sally Clark, Member; and
Ennio Bovolenta, Member,

on **06 May 2024**

Regarding
disciplinary proceedings

involving

Ionel Orzoi, a Referee & Judge affiliated with the Romanian Boxing Federation,

ionel.orzoi@gmail.com

- Accused Party -

and

Ms. Manal Rmeity, Investigation and Prosecution Officer

West Bay, Al Bidaa Tower, Doha 27277, Qatar

manal.shakron@gmail.com

- Accusing Party -

I. Parties

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

According to Art. 18 AIBAPR, 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. Mr. Claude Ramoni, the IBA Integrity Officer, ("Integrity Officer") who originally filed a report of a case of bout manipulation to the IBA Ethics Committee, which has been replaced by the BIUU's Tribunal ("Tribunal"), requested the Tribunal to open disciplinary proceedings against Mr. Ionel Orzoi and alleged that he breached Article 33 of the AIBA Code of Ethics adopted by the AIBA Board on 30 June 2021 ("AIBA CoE") [substantially equivalent to Article 36 of the Disciplinary and Ethics Code adopted by the IBA Board on 8 December 2023 ("DEC")], 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") and Articles 4.1 and 4.3 of the AIBA Code of Conduct ("CoC").
3. Mr. Ionel Orzoi ("Accused Party") is the party accused by the Integrity Officer. The Accused Party is a Referee & Judge affiliated with the Romanian Boxing Federation. The Accused Party is bound by the AIBA CoE according to Art. 2.1 AIBA CoE [substantially equivalent to Art. 2.1 DEC] and therefore falls under the Tribunal's jurisdiction.
4. According to Art. 18 AIBAPR, Ms. Manal Rmeity (Lebanese in-house Legal Counsel, based in Doha, Qatar) is the accusing party ("Accusing Party"), following her appointment by the Managing Director (under Art. 24 BIUUPR) as an Investigation and Prosecution Officer ("IPO") responsible for investigating and prosecuting the case based on the applicable regulations.

II. Factual background

1. From 20 to 27 February 2022, the 73rd Strandja International Boxing Tournament was held in Sofia, Bulgaria.
2. On 26 February 2022, the members of McLaren Independent Inquiry Team ("MIIT") interviewed the Accused Party.
3. On 7 April 2022, Mr. Martin Dubbey, Chief Investigator IBA McLaren Enquiry, provided the Integrity Officer with a report for consideration of disciplinary proceedings against the Accused Party issued by the McLaren Independent IBA Investigation and drafted by Mr. Martin Dubbey from Harod Associates dated 7 April 2022 and its Appendixes, which alleged:

"• Ionel Orzoi was involved in four separate incidents of suspicious scoring/suspected bout manipulation at the Strandja Tournament.

- Two incidents involved his activities as a judge, and the third as a referee.*
- The fourth incident involved the alleged attempts to influence the scoring of another R&J.*

- *All four incidents occurred on the same day, that being quarter final rounds, where the winner will be guaranteed at least a bronze medal and prize money.*
- *Orzoi's judging against the consensus of other officials led to one result being swung in the favour of a Russian boxer who would otherwise have lost.*
- *Incidents of Orzoi's officiating were reported in social media posts, and concerns were raised separately to McLaren Investigators through other sources.*
- *McLaren Independent Investigation Team (MIIT) investigators reported the initially identified incidents to the Chair of the R&J Commission who, in consultation with the tournament's Technical Delegate (TD), stood Orzoi down from any further officiating.*
- *The TD voiced her own concerns about the officiating of Orzoi and noted this in her post-competition report.*
- *Another R&J stated during interview that Orzoi had approached him prior to a bout with a Romanian boxer, intimating that this official should score in his favour.*
- *Due to language difficulties, Orzoi was unable to take the MIIT's AI (artificial intelligence) integrity assessment test which had been applied to the vast majority of other officials.*
- *Orzoi was interviewed but could not provide any satisfactory mitigating reasons for his actions, admitting he had made mistakes but suggesting these were as a result of being tired or distracted.*
- *During interview, Orzoi maintained his innocence, denying any deliberate bout manipulation. He also stated that he had not been intimidated/pressured by others nor taken a bribe.*
- *An expert has reviewed the bouts in question and confirms that Orzoi made the wrong decisions, stating that his actions were 'protecting' certain boxers.*
- *It is the view of the MIIT, that these incidents, which occurred in the run up to the medal rounds, go beyond distraction and/or incompetence.*
- *It is assessed that Orzoi's actions either alone, but more likely in collusion with persons unknown, was a deliberate attempt to manipulate bout results in favour of certain boxers/nations.*
- *The MIIT recommends that, in light of this report, the IBA review the bouts in question with a view to commencing disciplinary action against Ionel Orzoi."*

III. Proceedings

1. On 02 May 2022, the Integrity Officer filed the "Report of a Case of Bout Manipulation" ("Integrity Officer's Report") to the IBA Ethics Committee.
2. On 03 May 2022, disciplinary proceedings against the Accused Party were opened by the decision of the Chairperson of the IBA Ethics Committee as a result of the Integrity Officer's Report. The said proceedings are related to alleged breaches of Art. 33 AIBA CoE, Art. 3.2 Manipulation Policy and Art. 4.1 and 4.3 CoC.
3. On 28 February 2024, the Chairperson of the Tribunal issued the decree of "Request for Submission" which informed the Accused Party of the appointment of Ms. Manal Rmeity as an Investigation and Prosecution Officer ("IPO") and allowed the IPO to submit a written submission before the Tribunal,

the Tribunal being the successor of the IBA Ethics Committee with full competence to settle the present case.

4. On 08 March 2024, the IPO filed her submission ("IPO Submission") to the Tribunal.
5. On 18 March 2024, the Chairperson of the Tribunal issued the decree of "Request for Submission" which requested the parties to make a submission if:
 - the Accused Party wishes to submit a written reply to the IPO Submission;
 - they wish a physical or an online hearing of the Tribunal to be held; and
 - they wish the application of the current BIIUPR to these proceedings, instead of the AIBAPR.
6. On 26 March, the Accused Party sent an email to the Tribunal, but other than that, there had been no submission by the parties.
7. On 12 April 2024, the Chairperson of the Tribunal, according to Art. 33.1 AIBAPR [substantially equivalent to Art. 32.1 BIIUPR], Art. 36.2 AIBAPR [substantially equivalent to Art. 35.2 BIIUPR], Art. 45 AIBAPR [substantially equivalent to Art. 44 BIIUPR] and Art. 46.1 AIBAPR [substantially equivalent to Art. 45.1 BIIUPR], issued a decision on the closing of proceedings namely:
 - informing the parties about the closing of the proceedings;
 - announcing that the Tribunal would deliberate by videoconference on 26 April 2024 solely based on the documentary evidence;
 - announcing the Tribunal's composition; and
 - informing that any request for the removal of any of the arbitrators must be submitted in substantiated writing to the BIIU Managing Board within five (5) days from the discovery of the grounds of challenge.
8. There has been no request for the removal of any of the arbitrators.
9. On 26 April 2024, the Tribunal decided to postpone the deliberations to 06 May 2024.

IV. Submissions of the Parties

A. The IPO's Submissions and Requests for Relief

1. On 08 March 2024, the IPO filed the IPO Submission to the Tribunal as follows:

"2. Based on the IBA integrity Officer report, the following facts were established:

i. On the 7th of April 2022, McLaren Independent IBA Investigation (MIIT) submitted a comprehensive report for the consideration of Disciplinary Proceedings against Mr. Ionel Orzoi. This report is supported by Investigation minutes, a report from the European Boxing Confederation's Technical Delegate of the concerned competition, and the Report for the 73rd Strandja International Boxing Tournament 2022 in Sofia, Bulgaria. These documents are deemed an integrated part of the report and serve as crucial evidence in the case.

ii. Mr. Ionel Orzoi is under suspicion of manipulating bout scoring on four (4) separate occasions during the quarter-final rounds of the mentioned competition. These alleged manipulations are believed to have unfairly benefited boxers from a particular nation.

iii. Mr. Orzoi's judging decisions notably deviated from those of other officials, resulting in an undeserved win for a Russian boxer. Such discrepancies raised significant concerns regarding the integrity of the officiating and judging process.

iv. Furthermore, Mr. Orzoi's failure to complete the integrity assessment and his lack of a satisfactory explanation for his actions only serve to amplify suspicions surrounding his conduct.

v. An expert review confirmed Orzoi's biased decisions, indicating intentional "protection" of certain boxers.

(...)

6. In light of the IBA Integrity Officer conclusions and the aforementioned findings, the undersigned IPO believes that the Accused Party shall be found guilty for violation of Art. 33 of the A/IBA Code of Ethics adopted by the IBA Board on 30 June 2021 and Art. 3.2 of the A/IBA Policy on the Prevention of the Manipulation of Competitions adopted by the IBA Board on 30 June 2021. Additionally, the Accused Party is found to be in breach of Art. 4.1 and Art. 4.3 of the IBA Code of Conduct outlined in the IBA Referees & Judges Regulations.

7. Taking all aforementioned factors into consideration, including (...) the obligations to uphold the integrity of sport, the BIUU Tribunal may consider the following sanctions:

i. The immediate application of a provisional sanction in compliance with Article 13.1 of the then IBA Code of Ethics, namely, that Mr. Orzoi be immediately suspended from any official activity related, in any way, to IBA, in order to prevent him from manipulating any future bout.

ii. Suspension from exercising any IBA-related or supported activities for a minimum of 4 years, considering the seriousness of his actions."

B. The Accused Party's Submissions and Requests for Relief

2. On 26 March, the Accused Party sent an email to the Tribunal as follows:

"I don't know English at all and you can find this from my list of exams. (...)

This is very important because if I don't know any other foreign language I can not communicate with other referees.

(...) I can go to any test who is detecting lies and I can prove this. Also in my profesional carrier I was police man. My formation is to make justice not to do any injustice.

Regarding second issue with my score at one bout UKR vs RUS I need to tell you that my score is what I saw in the ring. The score of last round was a mistake. I pressed the wrong button. I tried to tell this to the officials of Strandja imidiately after that bout using body language. Nobody said this."

V. Jurisdiction

1. According to Art. 9.1 AIBA CoE [substantially equivalent to Art. 25.1 of the Boxing Independent Integrity Unit Rules adopted by the IBA Board on 8 December 2023 ("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. 11.1 AIBAPR [substantially equivalent to Art. 11.1 BIIUPR], the Tribunal shall declare whether it is competent to hear the case.
3. On 02 May 2022, the Integrity Officer filed the Integrity Officer's Report against the Accused Party.
4. Disciplinary proceedings against the Accused Party were opened on 03 May 2022 by the Chairperson of the IBA Ethics Committee as a result of the aforementioned allegation. The proceedings were related to alleged breaches of Art. 33 AIBA CoE (Manipulation of Boxing Matches or Competitions), Art. 3.2 Manipulation Policy (Manipulation of Boxing Matches or Competitions) and Art. 4.1 and 4.3 CoC (Responsibilities of Boxing Competition Officials).
5. The IPO'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 DEC], 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.

VI. Applicable Law

1. According to Art. 93.3 BIIUPR: *“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, 5 November 2022 and 15 July 2023 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 and/or 15 July 2023 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 03 May 2022, the AIBAPR shall be applied to these proceedings.
3. According to Art. 52.1 DEC: *“This Code is adopted by the Board on 8 December 2023 and comes into force immediately”.*
4. According to Art. 52.2 DEC: *“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).”*
5. Since it is alleged by the Accusing Party that the breaches of the Accused Party were conducted on 24 February 2022, the AIBA CoE shall be applied in these proceedings.

VII. Merits

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

VIII. Costs

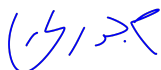
1. According to Art. 48 AIBAPR [substantially equivalent to Art. 47 BIIUPR], no procedural costs shall be imposed. The Tribunal therefore does not impose procedural costs.

2. According to Art. 49 AIBAPR [equivalent to Art. 48 BIUUPR)], no costs of the parties related to the proceedings are awarded. Therefore, the parties shall bear their own costs incurred by this procedure.

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

1. The Accused Party is found to have breached Art. 33 AIBA CoE, Art. 3.2 Manipulation Policy, and Art. 4.1 and 4.3 CoC. Therefore, he is banned from taking part in all boxing activities (including administrative and executive functions) for the period of forty-two (42) months according to Art. 12.1 (g) and 12.4 AIBA CoE, with the last 12 months of the ban being suspended.
2. The other requests made by the Accusing Party are dismissed.
3. No procedural costs are imposed.
4. The parties shall bear their own costs incurred by this procedure.
5. The present decision is notified to the parties by email, immediately.

Boxing Independent Integrity Unit's Tribunal



**Malek Badri,
Chairman**



**Sally Clark,
Member**



**Ennio Bovolenta,
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 8 December 2023], the parties have **ten (10) days from receipt of this decision** 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:

- Boxing Independent Integrity Unit, Managing Director, director@biiu.sport
- International Boxing Association (IBA), represented by its CEO and Secretary General, info@iba.sport
- Romanian Boxing Federation: officefrbox@gmail.com