

# UWW DISCIPLINARY CHAMBER

## DECISION

Case:

United World Wrestling (UWW)

v.

Mr Eldaniz AZIZLI (GR wrestler, AZE)

Sole Member:

Mr Beltcho Goranov

Prosecutor: UWW General Secretary

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### **I. Introduction**

1. This is the final Decision of the UWW Disciplinary Chamber as between United World Wrestling (“UWW”) and Mr Eldaniz AZIZLI (also referred to as the “Athlete”) relating to a violation arising from the Disciplinary Procedure & Dispute Resolution Regulations and other relevant rules.
2. United World Wrestling (UWW) is the governing body for the sport of Wrestling. It is based in Corsier-sur-Vevey, Switzerland.
3. Mr Eldaniz AZIZLI is a wrestler in Greco-Roman style (55 kg), member of the national team of Azerbaijan. He holds the passport of Azerbaijan. He is a multiple European Championship medalists in Junior and Senior, as well as Senior World Champion in 2018. He is active on the international level since 2007 and has held the UWW international licence every year since 2007 (except 2017). As a holder of a UWW international licence and as an athlete regularly entered in official international sanctioned events, he is subject to the jurisdiction of UWW and bound to comply with all Regulations, rules and directives.

### **II. Facts**

4. On the occasion of the 2020 Individual World Cup in Belgrade (SRB), during medal ceremony in his category, the Athlete exchanged the mask that was provided to you by the organizer for the medal ceremony and wore a mask with the message “*Karabakh is Azerbaijan*”.

5. Videos and pictures confirm the facts described above. The scene has been witnessed by the UWW officials present during the ceremony.
6. The footage and pictures were gathered by the UWW staff and the facts were reported to the Secretary General. In view of the recent events in the Caucasus region, this potential violation of the UWW rules for the demonstration of a political message during a UWW Event was referred to the Chairman of the Disciplinary Chamber. The latter decided to initiate disciplinary proceedings.
7. On 8 January 2021, the Athlete was formally notified of the facts, the potential violation the UWW rules and regulations, namely a violation of the UWW Code of Ethics (article A “Rules concerning conflicts of interests – Rules of conduct”) and the Rules of Conduct in UWW Events & Olympic Games (article I “Wrestlers”).
8. The athlete as offered a deadline of ten (10) days to provide a statement of defense in response to the notification.
9. On 14 January 2021, explanations were received by the Athlete’s National Federation. In substance, it was mentioned that Athlete did not intend to send a political message by wearing the mask. He claimed that he *“was not presented UWW mask during the award ceremony, thus he had to use the one that he was given by the federation delegate without paying attention to the logo on it”*.
10. Given these explanations, further investigation was initiated and more details were requested on 14 January 2021 from the UWW manager for protocols.
11. On the same day, a response was received. According to the responsible for medal ceremonies, the Athlete was given a plain mask, but *“after we delivered these masks, we saw that the Azeri sportsmen changed this mask on the way to podium with the one he brought”*.

### **III. Applicable rules**

12. These proceedings are conducted in application of the UWW Regulations, rules and directives. This decision is rendered by the Chairman of the Disciplinary Chamber acting as the sole judge in this case, in accordance with article 17 of the Disciplinary and Dispute Resolution Regulations and given the case and the elements at hand to review the matter.
13. The UWW Rules of Conduct in UWW Events & Olympic Games provide, under title “Code of Conduct” the following:
 

*“Pursuant to the UWW Constitution, it is prohibited for any leader, official, wrestler or any other individual or member of an affiliated or associated federation taking part in a UWW sanctioned event and/or appearing on the Official Calendar (including competitions, courses, seminars, congresses, conference and other events), to demonstrate, by any means whatsoever, his/her political, racial, religious or gender-based convictions, or beliefs that are irrelevant to the UWW’s aims”*.
14. Article 3 of the Disciplinary and Dispute Resolution Regulations provide the following:
 

*“Without prejudice to violations specifically set forth in these Regulations or in other regulations of the Federation, persons or entities subject to these Regulations (art.1) shall have the obligation to:*

- *comply with all their obligations deriving from the Constitution and/ or from any other Regulations of the Federation, as well as from directives and decisions issued by the Federation based on the Statutes and regulations;*
- *comply with the fundamental principles of integrity and fair play;*
- *avoid any act, behaviour or declaration, which may harm the reputation and interests of the Federation.*

*Any violation of the above obligations may be sanctioned in application of these Regulations”.*

15. Article 9 (“Violations and sanctions against the wrestlers”) of the Disciplinary and Dispute Resolution Regulations provide the following:

*“9.1. Sanctions (general)*

*The following sanctions are applicable in case of violations of their obligations by wrestlers, subject to specific sanctions being provided in these Regulations or in any other applicable regulations:*

- *warning;*
- *reprimand;*
- *fine, up to CHF 10,000;*
- *disqualification from the competition;*
- *suspension for a period of time between 1 month and 3 years;*
- *disqualification of any event held under the control of the Federation for life”.*

16. Article 10 (“Sanctionable Infringements”) of the Disciplinary and Dispute Resolution Regulations provide the following:

*“Unless otherwise specified, sanctions are applicable regardless of whether infringements have been committed intentionally or negligently”.*

#### **IV. Discussion**

17. The facts described above and submitted to this Sole Member were evidenced by videos and photos of the athlete during the said event. This was clearly identified in the material received by the Sole judge.
18. Considering the war that took place between Azerbaijan and Armenia, both countries disputing the sovereignty over the territory of Karabakh in the weeks before the event, it makes no doubt that the Azeri Athlete deliberately exchanged the mask that was given to him for the medal ceremony by his own mask in order to take advantage of the ceremony to show the message on his mask to everyone.
19. The explanations of the Athlete are not convincing. It was confirmed by the responsible for medal ceremonies that a plain mask, without any marking was provided to the athletes of that particular ceremony.
20. For the reasons above, given the facts presented, the profile of the athlete and the level of the competitions where the facts occurred, the athlete should be imposed a period of ineligibility of three (3) months to any event under the control of United World Wrestling as well as a financial penalty of 5’000 Swiss Francs.

## V. Decision

Considering the above, pursuant to the UWW Regulations and rules as described here above, this Sole Member decides:

Mr Eldaniz AZIZLI:

- I. Is found to have committed violation of the Rules of Conduct in UWW Events & Olympic Games;
- II. Is imposed a period of ineligibility of 3 months, starting from the date of the medal ceremony (until 12 March 2020 included).
- III. Is imposed a financial penalty of 5'000 Swiss Francs, to be addressed to his national federation.

## VI. Right to Appeal

The conditions to appeal against this decision are described in the Disciplinary and Dispute Resolution Regulations.

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To be notified to the Athlete (c/o the National Federation).



Beltcho Goranov  
Sole Member  
Chairman of the UWW Disciplinary Chamber

Sofia, 4<sup>th</sup> February 2021