



Arbitration CAS 2011/A/2421 & 2450 General Taweeep Jantararoj v. International Boxing Association (AIBA), award of 10 October 2011

Panel: Prof. Luigi Fumagalli (Italy), President; Prof. Brigitte Stern (France); Prof. Petros Mavroidis (Greece)

Boxing

Disciplinary sanction taken by an IF against a member of its Executive Committee and President of a NF

CAS “appellate” Jurisdiction

Absence of breach of the “ne bis in idem” and “res judicata” principles

Burden of proof with regard the violation of rules of a federation

1. In the absence of a specific arbitration agreement, in order for the CAS to have jurisdiction to hear an appeal, the statutes or regulations of the sports federation against whose decision the appeal is being made must expressly recognize the CAS as an arbitral body of appeal and the appellant must have exhausted all internal remedies of the federation concerned. The fact that at the time the purported disciplinary offence allegedly occurred the former statutes of the federation were in force is irrelevant. The CAS “appellate” jurisdiction is in fact linked, and becomes actual only by reference to the adoption of decisions by sports bodies. In addition, rules on jurisdiction are mainly procedural in nature: therefore, they apply immediately upon entering into force and regardless of when the facts at issue occurred. As a result, unless they otherwise provide, federation rules, modifying the scope of the CAS arbitration, apply to define the CAS jurisdiction (only) with respect to decisions rendered after their entry into force. There would be only one possible limitation to such conclusion, with respect to the situation in which the proceedings in front of the disciplinary body are already pending at the time the modification to the CAS jurisdiction is adopted by the federation. In that event, in fact, aspects of fairness to the parties, and the necessity to respect their legitimate expectations, would lead to conclude that CAS jurisdiction would always be found according to former applicable rules providing for CAS jurisdiction, notwithstanding the modifications to the arbitration clause.
2. Decisions rendered by a federation against the same person dealing with different infringements do not breach the obligation to respect the “*ne bis in idem*” and the “*res judicata*” principles.
3. The establishment of the facts that would constitute a violation by a party of the rules of an International Federation (IF) remains with the IF. As long as an IF has not proved its assertion with regard to a party violation of its rules, that party cannot be held responsible for the infringement it was sanctioned for.

General Taweep Jantararoj (“Gen. Jantararoj” or the “Appellant”) was the President of the Amateur Boxing Association of Thailand (ABAT) in the period the facts giving rise to the dispute occurred. Gen. Jantararoj was also a member of the Executive Committee of the International Boxing Association. At the Ordinary Congress held on 1 and 2 November 2010 in Almaty, Kazakhstan, Gen. Jantararoj, however, was not re-elected to such position.

The International Boxing Association (AIBA or the “Respondent”) is an association pursuant to Articles 60 *et seq.* of the Swiss Civil Code, with seat in Lausanne, Switzerland. Its object is, amongst others, to improve, promote, and spread worldwide the sport of boxing in all its forms, as well as to regulate boxing in all its aspects.

The circumstances stated below are a summary of the main relevant facts, as submitted by the parties in their written pleadings or in the evidence given in the course of the proceedings. Most of such facts are also mentioned in the CAS award of 3 August 2011, in the joined proceedings CAS 2010/A/2243, 2358, 2385 & 2411 *General Taweep Jantararoj & Amateur Boxing Thailand v. AIBA*. Additional facts may be set out, where relevant, in connection with the legal discussion which follows¹.

On 20 August 2010, the AIBA Executive Director sent to the “*AIBA National Member Federations qualified to participate to the 2010 AIBA Congress*” the agenda of the Ordinary Congress of AIBA to be held on 1 and 2 November 2010 in Almaty, Kazakhstan (“2010 Congress”), together with, *inter alia*, some forms (i.e., the “*Registration Form for National Federation’s Delegates*”, the “*Application Form for AIBA Election Candidate(s)*”; the “*Compliance Form for AIBA Election Candidate(s)*”; the “*Nomination Form for AIBA Election Candidate(s)*”) and the instruction for their filling and return.

On 21 September 2010, Gen. Jantararoj applied to be a candidate for a position in the AIBA Executive Committee, to be elected at the 2010 Congress.

On 26 September 2010, Gen. Jantararoj sent an email to several Asian national boxing associations, which had not received the AIBA’s communication of 20 August 2010. Such communication reads *verbatim* as follows:

“Dear Presidents/ Secretaries,

Please urgently kindly find an attached letter and make a notice that you have a legal right to nominate, attend and vote in 2010 AIBA Congress. (Please find a document named AIBA Congress 1020).

After you have understand, please kindly urgently pay the AIBA fee (US\$250) and urgently find the three attached AIBA Election Forms and urgently send your Forms to AIBA as soon as as possible to keep your rights of being AIBA member!

Referring to nomate the right ones for 2010 AIBA presidency and vice-presidency for AIBA congress 2010, and to develop the boxing sport we share and love in the better way, may we kindly ask you to nimate Mr.

¹ The Panel is fully aware of the complexity of the sequence of facts that are involved in the dispute between the parties to the present consolidated arbitration proceedings. The succession of decisions and appeals against them is actually one of the peculiarities of such dispute, and is in itself one of the element of that dispute. In an effort to make the present award more intelligible, therefore, the Panel attaches an Appendix, intended to list the decisions issued by AIBA and the CAS mentioned in the present award.

PAUL KING, the Life – Vice President of Amateur Boxing Association of England for the Presidency position and Mr. GOFUR ARSLONBEK RAKHIMOV, the vice-president of Uzbekistan Boxing Federation for the Vice-presidency position. (please see the example: How to write the Nomination Form).

To nominate accordingly the right procedure, you MUST write this nominated candidates on Nominate Form and send the FORM (which we attached the example form for you this email) by handwriting with black pen (ink) only within 30 September 2010 referred to the election rule.

As you see in the example form, please kindly fill the nominate names of Mr. Paul and Gofur as described. And please do not forget to have your association/federation's President sign his/her name and stamp and attached the passport copy of your president with this Form to verify the authority as requests by AIBA. If not, the form might be rejected!

To send this Form, please kindly urgently send to AIBA HQ by airmail (DHL or any registered mail) at this adress:

Ms. Patricia Steulet

INTERNATIONAL BOXING ASSOCIATION (AIBA)

Maison du Sport International

Avenue de Rhodanie 54 – CH-1007 Lausanne

About the Registration Form for National Federation's Delegates, please wrtie down names of delegates whoi will represent your association to participate in the Election and voting. You have to send them together with the Nomination Form within 30 September 2010. And please aware that the airmail may take time 3-5 days for a sending.

After you send Nomination Form, please send us a copy by email".

Such email was signed by Gen. Jantararoj as "President of ABA Thailand", was copied also to AIBA, and had attached the following letter:

"Dear Friends and Colleagues,

You must take notice that if you pay your outstanding affiliation dues, you will be eligible to attend the AIBA 2010 Congress in Almaty.

You have been misled and your rights to fully participate in the Congress in all aspects such as nomination and participation have been removed without adhearance to the current AIBA statutes.

Your AIBA statutes are as follows:

Article 16 Suspension

3. A member will be suspended if it is not up to date with its dues before an Ordinary Congress convenes: Any suspension will be lifted when dues are paid.

Therefore, if your pay your fees before the meeting convenes (assemble, meets or gathers). This means current National Boxing Federations under the impression, they are currently suspended are not, according to the AIBA statutes.

The decision of the AIBA Executive Committee led by CK. Wu, to time limit nomination, participation and attendance rights, is not enforceable or legal.

The AIBA statutes can only be amended and implemented by the AIBA Congress (the Supreme Power).

Please action your rights by submitting your outstanding dues to AIBA immediately to gain nomination and participation rights to attend the 2010 AIBA Congress in Amaty, Kazakhstan”.

On 27 September 2010, the AIBA President sent a letter to the AIBA Member Federations as follows:

“Dear Presidents,

I was shocked by receiving attached email communication sent by Gen Taweep Jantararoj, President of the Amateur Boxing Association of Thailand, inviting some non qualified national federations to participate to the Congress, sending them copies of the AIBA official forms and requesting those Federations to submit these forms to the AIBA HQs Office.

This is a clear intention to challenge the decisions of the AIBA Executive Committee and an obvious criminal act because he forced some national federations to fill fake Congress forms which were copied by him. As this is not the first time he challenges a movement initiated by AIBA, I would like to strongly encourage you not to be trapped by any ill proposals made by him.

He brought AIBA to CAS on his suspension which was due to his groundless accusations on AIBA over the R&J's performance in the 2008 Beijing Olympic Games. I truly believe that the justice will prevail and be on our side in order to reveal his hidden agendas to bring down all of current AIBA programs to further damage the sport of boxing.

As we are all aware, the AIBA Statutes have been issued to set the overall framework to govern the organization and the AIBA Bylaws complete these Statutes as stated ahead of Chapter 1 of the AIBA Statues, Therefore, since Article 16-3 only sets the principles, the AIBA Executive Committee decided to set the detail of these principles in Article 15 of the AIBA Bylaws in order to complete the terms and conditions related to the annual membership fee.

In addition, Article 16 of the AIBA Bylaws states that a national federation which has not fulfilled its obligation to participate in AIBA events between 2 Ordinary Congresses will also lose its membership rights including voting rights as the Ordinary Congress.

In the last AIBA Extraordinary Executive Committee meeting held from July 9-11, 2010 in Marrakech, the Election Procedure was approved by the AIBA EC in order to follow all rules stated in both the AIBA Statutes and, specifically, Articles 10 and 11 of the AIBA Bylaws, and national federations were then informed to submit their applications and nominations by filing the AIBA Congress Forms sent by the AIBA HQs Office.

AIBA is very sorry for those national federations having not been and which will not be qualified to participate to the Congress. AIBA rights are fulfilled based on non-payment (or late payment) of membership fee and non-participation in AIBA events. However, the AIBA HQs Office gave its best efforts by informing well advance and sometimes on several occasions about the membership fee and it is believed national federations had all necessary opportunities to amend themselves.

The Congress should be the site for unity of AIBA national member federations and global boxing family. The elections at the Congress should also be conducted in the most transparent and democratic way. Therefore, I will ensure the recent manipulative movements initiated by Gen. Taweep Jantararoj will not further damage current development programs both in AIBA and in your country”.

In a letter dated 29 September 2010, the AIBA Executive Director advised Gen. Jantararoj of the following decision, adopted by the Bureau of the AIBA Executive Committee on 27 September 2010 (the “Bureau Decision of 27 September 2010”):

“Due to your continuous violations of AIBA Ethics and Disciplinary Codes by sending an email to AIBA National Member Federations forcing them to use fake Congress forms which represents an evidence of forgery and also due to the fact that this clearly demonstrates your attempt to challenge the election procedure approved by the AIBA Executive Committee as the President of Amateur Boxing Association of Thailand, the AIBA Executive Committee Bureau decided on September 27 to:

- *Provisionally fully suspend you as President of the Amateur Boxing Association of Thailand from any AIBA activities including your status as an AIBA EC member;*
- *Provisionally fully suspend the Amateur Boxing Association of Thailand with immediate effect;*
- *Put this case for review and decision by the AIBA Disciplinary Commission”.*

On 7 October 2010, Gen. Jantararoj and ABAT filed a statement of appeal with the CAS pursuant to Article R47 of the Code of Sports-related Arbitration (the “Code”) against AIBA to challenge the Bureau Decision of 27 September 2010. The arbitration proceedings so started were registered by the CAS Court Office as CAS 2010/A/2243. In filing their statement of appeal, Gen. Jantararoj and ABAT also applied for a stay of the Bureau Decision of 27 September 2010, pursuant to Article R37 of the Code, requesting that ABAT be authorized to take part in the 2010 Congress and that the candidacy of Gen. Jantararoj for a position at the AIBA Executive Committee be submitted to the vote of the 2010 Congress.

On 28 October 2010, the Deputy President of the CAS Appeals Arbitration Division issued an Order on Provisional and Conservatory Measures as follows:

1. *The application for provisional and conservatory measures filed by General Taweep Jantararoj and the Amateur Boxing Association of Thailand on 7 October 2010 in the matter CAS 2010/A/2243 General Taweep Jantararoj & Amateur Boxing Federation of Thailand v. AIBA, is partially granted.*
2. *The decision of the AIBA Executive Committee Bureau of 27 September 2010 is stayed pending the final resolution of the present case by the CAS.*
3. *General Taweep Jantararoj’s request that his candidature for a position at the AIBA Executive Committee be submitted to the vote at the AIBA ordinary Congress of 1 and 2 November 2010 is dismissed.*
4. *The costs of the present order shall be determined in the final award or in any other final disposition of this arbitration”.*

On 30 October 2010, the AIBA Executive Committee (the “Executive Committee” or “EC” or “ExCo”), at its meeting in Almaty, in its decision No. 9 (the “ExCo Decision of 30 October 2010”), ratified the Bureau Decision of 27 September 2010 and the suspension thereby imposed “*for having tried to manipulate the Congress election procedure approved by the AIBA EC by forcing chosen National Federations to use fake Congress Forms*”.

On 29 November 2010, the Chairman of the AIBA Disciplinary Commission (the “Disciplinary Commission”) informed Gen. Jantararoj and ABAT of the opening of disciplinary proceedings against them on the basis of the Bureau Decision of 27 September 2010 and of the ExCo Decision of 30 October 2010.

On 31 January 2011, the Chairman of the Disciplinary Commission, following a brief submitted by the AIBA administration on 20 January 2011, opened disciplinary proceedings against 13 National Federations, including ABAT, and some individuals, including Gen. Jantararoj. The brief upon which such proceedings were opened mentioned the fact that before a civil court in Lausanne, Switzerland, a petition had been filed, seeking the immediate cancellation and postponement of the 2010 Congress: in their submission to the Lausanne court, the applicants, which included the 13 National Federations and involved some named individuals, had alleged that the Executive Committee’s decision to suspend the voting rights for the National Federation which had not paid their membership rights by 30 April 2010 was not legitimate and that AIBA deliberately withheld publication of its financial reports.

On 23 February 2011, Gen. Jantararoj and ABAT filed with the CAS pursuant to Article R47 of the Code a statement of appeal to challenge the ExCo Decision of 30 October 2010. The arbitration proceedings so started were registered by the CAS Court Office as CAS 2011/A/2358 and joined to the proceedings already pending as CAS 2010/A/2243.

On 25 March 2011, the Disciplinary Commission rendered a decision (the “DC Decision of 25 March 2011”) in the disciplinary proceedings started on 29 November 2010 (see above), sanctioning Gen. Jantararoj and ABAT as follows:

- “1. *Gen. Taweep Jantararoj is suspended from any activity at AIBA, Continental, other International and National (Amateur Boxing Association of Thailand) levels, for a period of 24 months, starting today.*
2. *ABAT officials (all ABAT representatives, except for athletes, coaches and referees & judges: President, Secretary General, Vice-President, Executive Committee Member, Secretary, Treasurer and anyone who holds a titled ABAT governance position, to include all board members) are barred from any activity at AIBA, Continental and other International levels for a period of 12 months, starting today, and no official representing the ABAT shall be allowed to take part in any such activity for the same period.*
3. *The costs of the procedure shall be borne by Gen. Taweep Jantararoj and the ABAT, joint and severally liable (CHF 2’500.-). ...”.*

In support of such decision, the Disciplinary Commission made reference to the email sent by Gen. Jantararoj on 26 September 2010 and held *inter alia* that:

“... having acted as mentioned above, the General and ABAT have failed to ‘respect the entirety of the Statutes and regulations of AIBA’; failed to ‘submit to the final decisions of AIBA’ and failed to ‘respect the principles of honesty, integrity and sportsmanship’, according to Art. 3 of the AIBA Disciplinary Code (Code). They have committed punishable acts, failed to respect decisions and disparaged AIBA’s reputation and interests (Art. 4, 46 and 47 of the Code). The decision made by the EC, not to allow specific National Federations (NFs) to participate in the 2010 Congress was final. None of the NFs concerned had appealed this decision. The General and the ABAT had to respect it. With their email, they misled the NFs as for their rights, with the result that for example the Laos NF sent a form, which had to be disregarded. They disseminated untrue facts. This was

prone to damage AIBA's reputation, among the NFs, their officials and the public, in case the message became public. The General and the ABAT acted to serve their own interests, in trying to influence the elections in a way they thought would be in their favour. The DC will not consider the attachments to the 26 September 2010 email as a 'forgery', because the senders did not represent that the forms they were sending would be original or genuine (the message uses the wording 'example forms' for them).

... As for the sanction to be imposed according to Art. 5 of the Code, ... the General shows no sign that he would recognize his wrongdoings: he has been sanctioned before and did not learn from that; a suspension for 24 months for all boxing activities must be considered as a minimum sanction in his case. Suspending the ABAT as a whole would prevent many boxers and coaches to compete at international level, and judges & referees to participate, despite the fact that they had nothing to do with their president's wrongdoings. That would be disproportionate. Therefore ... the sanction must only affect the ABAT officials, not including coaches, athletes and referees & judges ...”.

On 28 March 2011, a hearing was held in Lausanne in the CAS proceedings 2010/A/2243 & 2011/A/2358, pending at that time. At the hearing, Gen. Jantararoj and ABAT filed with the CAS, pursuant to Article R47 of the Code, a statement of appeal to challenge the DC Decision of 25 March 2011. The arbitration proceedings so started were registered by the CAS Court Office as CAS 2011/A/2385 and joined to the appeals already pending.

On 30 March 2011, Gen. Jantararoj and ABAT applied for a stay of the DC Decision of 25 March 2011, pursuant to Article R37 of the Code.

On 1 April 2011, the Panel, after reviewing the parties' submissions, issued an order on provisional measures as follows:

- “1. *The application for provisional and conservatory measures filed by General Taweep Jantararoj and the Amateur Boxing Association of Thailand on 7 October 2010 in the matter CAS 2011/A/2385 General Taweep Jantararoj & Amateur Boxing Federation of Thailand v. AIBA concerning the decision of the AIBA Disciplinary Commission of 25 March 2011, is granted.*
2. *The decision of the AIBA Disciplinary Commission of 25 March 2011 is stayed pending the final resolution of the present cases by the CAS.*
3. *The costs of the present order shall be determined in the final award or in any other final disposition of this arbitration”.*

On 19 April 2011, Gen. Jantararoj and ABAT were informed that the ExCo had adopted on 17 April 2011 a decision (the “ExCo Decision of 17 April 2011”) to dismiss their appeal against the DC Decision of 25 March 2011.

On 20 April 2011, Gen. Jantararoj and ABAT filed with the CAS a statement of appeal, with 10 exhibits, to challenge the ExCo Decision of 17 April 2011. The arbitration proceedings so started were registered by the CAS Court Office as CAS 2011/A/2411 and joined to the appeals already pending.

On 27 April 2011, the Disciplinary Commission rendered a decision (the “DC Decision of 27 April 2011”) in the disciplinary proceedings opened on 31 January 2011 (see above), as follows:

“General Taweep Jantararoj is suspended from any activity at AIBA, Continental, other international and National (Amateur Boxing Association of Thailand) levels, for a period of 24 months, starting today (in addition to the other sanctions already imposed on him by DC decisions)”.

In support of the DC Decision of 27 April 2011 the following reasons were indicated:

“Gen. Taweep Jantararoj is a long-time opponent to the actual AIBA leadership. It’s his good right, but he has no right to mislead NFs, to undermine the EC’s authority and to try to bring the NFs to not follow the EC’s decisions regarding the 2010 AIBA Congress Acting like he did, as an EC member at that time, he at least severely harmed the image of boxing and AIBA (Art. 4 par. 1 of the AIBA Disciplinary Code). Gen. Taweep Jantararoj has already been sanctioned by the DC for various disciplinary offences, the DC’s decisions being now reviewed by the CAS. The CAS considers him as a repeated offender and also considers the fact that he has been an EC member and should have looked better after AIBA’s – and not his own – interests. A suspension of 2 years, in addition to the other sanctions already pronounced by the DC against him, seems appropriate”.

On 13 May 2011, Gen. Jantararoj and ABAT filed an application to the CAS within the consolidated CAS proceedings CAS 2010/A/2243, 2358, 2385 & 2411, to inform the Panel of the DC Decision of 27 April 2011, and to ask that:

- “1. The CAS request the assistance of the judicial authorities with jurisdiction in Lausanne according to article 183 par. 2 of the Swiss Private International Law Statute in order to enforce against AIBA and its organs the Order on provisional measures issued on 1 April 2011. More precisely, the judge shall be requested to issue an injunction toward AIBA to comply with the Order on provisional measures issued by the CAS on 1 April 2011, under the threat of the sanction provided for under article 292 of the Swiss Criminal Code for insubordination to a judicial decision.*
- 2. The CAS order AIBA to bear all costs associated with such proceedings before the judicial authorities”.*

On 20 May 2011, Gen. Jantararoj was informed of a decision taken by the Executive Committee (the “ExCo Decision of 20 May 2011”) rejecting his appeal against the DC Decision of 27 April 2011.

On 7 June 2011, the Panel issued an order as follows:

- “1. The request, filed by General Taweep Jantararoj on 13 May 2011, that this Panel seeks the judicial assistance of Swiss Courts to enforce the order on provisional measures of 1 April 2011 is denied.*
- 2. The costs of the present order shall be determined in the final award or in any other final disposition of this arbitration”.*

On 4 July 2011, a second hearing was held in Lausanne in the joined proceedings CAS 2010/A/2243, 2358, 2385 & 2411.

On 3 August 2011, the award in the joined proceedings CAS 2010/A/2243, 2358, 2385 & 2411 *General Taweep Jantararoj & Amateur Boxing Thailand v. AIBA*, was issued. The CAS Panel decided as follows:

- “1. The appeals filed by General Taweep Jantararoj and the Amateur Boxing Association of Thailand against the decision of 25 March 2011 of the Disciplinary Commission of the International Boxing Association (AIBA) (CAS 2011/A/2385) and against the decision adopted on 17 April 2011 by*

- the Executive Committee of the International Boxing Association (AIBA) (CAS 2011/A/2411) are granted.*
2. *The decision of 25 March 2011 of the Disciplinary Commission of the International Boxing Association (AIBA) and the decision adopted on 17 April 2011 by the Executive Committee of the International Boxing Association (AIBA) are set aside.*
 3. *The CAS does not have jurisdiction to hear the appeals in the cases CAS 2010/A/2243 and CAS 2011/A/2358.*
 4. *This award is pronounced without costs, except for the Court Office fees paid by General Taweep Jantararoj and the Amateur Boxing Association of Thailand, which are retained by the CAS.*
 5. *The International Boxing Association (AIBA) is ordered to pay General Taweep Jantararoj and the Amateur Boxing Association of Thailand a total amount of CHF 2,500 (two thousand five hundred Swiss Francs) as contribution towards the expenses they have incurred in connection with these arbitration proceedings.*
 6. *All other prayers for relief are dismissed”.*

On 2 May 2011, Gen. Jantararoj filed a statement of appeal with the CAS pursuant to Article R47 of the Code against AIBA to challenge the DC Decision of 27 April 2011. The arbitration proceedings were registered by the CAS Court Office as CAS 2011/A/2421.

In a letter of 6 May 2011, the Respondent informed the CAS that it did not agree to the joinder of such appeal with the proceedings (CAS 2010/A/2243, 2358, 2385 & 2411) pending at that time. As a result, on 12 May 2011, the parties were informed that the Deputy President of the CAS Appeals Arbitration Division had decided not to consolidate CAS 2011/A/2421 with CAS 2010/A/2243, 2358, 2385 & 2411.

On 23 May 2011, Gen. Jantararoj filed a statement of appeal with the CAS pursuant to Article R47 of the Code against AIBA to challenge the ExCo Decision of 20 May 2011. The arbitration proceedings were registered by the CAS Court Office as CAS 2011/A/2450. Gen. Jantararoj requested that the new appeal be consolidated with CAS 2011/A/2421 and heard by the same Panel.

In a letter of 26 May 2011, the Respondent confirmed that it had no objections to the consolidation of these two procedures.

On 9 June 2011, Gen. Jantararoj filed his appeal brief, with respect to the consolidated appeals registered under CAS 2011/A/2421 and CAS 2011/A/2450.

On 4 July 2011, the Respondent filed its answer brief in CAS 2011/A/2421 and CAS 2011/A/2450.

On 15 September 2011, the CAS Court Office informed the parties of the decision of the Panel that no hearing would be held, the Panel considering itself to be sufficiently well informed, according to Art. R 44.2 para. 8 of the Code. This award is therefore rendered on the basis of the parties' written submissions only.

LAW

CAS Jurisdiction

1. The jurisdiction of the CAS to hear the appeal brought by Gen. Jantararoj against the DC Decision of 27 April 2011 (CAS 2011/A/2421) is disputed by the Respondent. On the other hand, the Respondent concedes that CAS has jurisdiction to hear the appeal lodged against the ExCo Decision of 20 May 2011 (CAS 2011/A/2450).
2. In accordance with Article 186 of the Swiss Private International Law Act, the CAS has the power to decide upon its own jurisdiction.
3. Article R47 of the CAS Code states that *“an appeal against the decision of a federation, association or sports-related body may be filed with the CAS insofar as the statutes or regulations of the said body so provide or as the parties have concluded a specific arbitration agreement and insofar as the Appellant has exhausted the legal remedies available to him prior to the appeal, in accordance with the statutes or regulations of the said sports-related body”*.
4. In the absence of a specific arbitration agreement, therefore, in order for the CAS to have jurisdiction to hear an appeal, the statutes or regulations of the sports federation against whose decision the appeal is being made must expressly recognize the CAS as an arbitral body of appeal; and the appellant must have exhausted all internal remedies of the federation concerned.
5. The provisions that are relevant, or have been invoked, in these proceedings with regard to the CAS jurisdiction are the following:
 - i. Article 59 of the 2008 Statutes, in force at the time the email of 26 September 2010 (see above) was sent, which provides that:

“ AIBA recognizes the Court of Arbitration for Sport (CAS), with headquarters in Lausanne, Switzerland, as the only authority to resolve appeals, after exhaustion of all other appeals, against decisions made by AIBA’s legal bodies and against decisions made by AIBA’s Confederations, and National Federations.

CAS however, will not deal with appeals arising from:

 - a) *violations of Technical & Competition Rules;*
 - b) *suspension of up to three months (with the exception of doping decisions).*

² *Recourse to ordinary courts of law is prohibited unless it is mandated by state law.*

³ *Appeals must be filed in accordance with the provisions of the CAS Code of Sports-Related Arbitration. Appeals shall be lodged with CAS within 30 days of notification of the written decision in question. The appeal shall not have a injunctive effect.*

⁴ *CAS shall primarily apply the various regulations of AIBA and the Swiss law”;*

ii. Article 63 of the 2010 Statutes, in force at the time (see above) of the opening of the disciplinary proceedings that led to the Challenged Decisions, and at the time of the adoption of such decisions, which provides that:

⁴ *AIBA recognizes the Court of Arbitration for Sport (CAS), with headquarters in Lausanne, Switzerland, as the authority to resolve appeals against decisions made by the Executive Committee of AIBA. Each Confederation and National Federation must recognize CAS as the authority of appeal against decisions made by the legal bodies of such Confederation or National Federation.*

² *CAS will not have authority to deal with appeals relating to:*

(A) *decisions under the AIBA Technical & Competition Rules, including any pronouncements of violations of the AIBA Technical & Competition Rules;*

(B) *suspension of less than three (3) months (with the exception of decisions made in accordance with the World Anti-Doping Code);*

³ *Recourse to ordinary courts of law is prohibited unless it is mandated by state law.*

⁴ *Appeals must be filed in accordance with the provisions of the CAS Code of Sports- Related Arbitration. Appeals shall be lodged with CAS within 30 days of notification of the written decision in question. The appeal shall not have an injunctive effect. The Disciplinary Commission, the Executive Committee or CAS may order the appeal to have injunctive effect.*

⁵ *CAS shall primarily apply the these Statutes, the AIBA Bylaws, the AIBA Technical & Competition Rules, the Code of Ethics, the Disciplinary Code and Procedural Rules, as well as to the Anti-Doping Rules of the World Anti-Doping Agency, and shall secondarily apply Swiss law”;*

iii. Article 70 of the Organization and Procedural Rules of the Judicial Authorities of AIBA, in force since 29 January 2010 (the “Procedural Rules”), pursuant to which:

⁴ *Once all the internal channels have been exhausted, the decisions of the judicial authorities of AIBA are subject to an appeal to the Court of Arbitration for Sport (CAS), the headquarters of which are in Lausanne (Switzerland), except for the cases dealing with:*

- *the breach of sporting rules;*

- *suspension of less than or equal to three months and fines less than or equal to CHF 5000.--, except in doping cases;*

- *decisions against which an appeal to an ordinary court of the country is mandatory in the country in which AIBA, the Confederations or the Federations are seated.*

² *The provisions of the CAS Code of Sports-related Arbitration shall apply to the appeal proceedings. The CAS shall primarily apply the AIBA Statutes and regulations and subsidiarily Swiss law.*

³ *The appeal does not have a suspensive effect, except if the case concerns the payment of a sum of money. However, the judicial authorities of AIBA or the CAS may grant such an effect”.*

6. In light of the foregoing (see above), the question that the Panel has to consider in these proceedings with regard to the AIBA provisions is whether they recognize the CAS as a body of appeal with respect to the DC Decision of 27 April 2011 challenged by Gen. Jantararoj. It is

in fact conceded by the Respondent that this Panel has jurisdiction to decide on the dispute concerning the ExCo Decision of 20 May 2011: actually, jurisdiction would be found in its respect under all mentioned rules.

7. The first question to be decided relates to the identification of the arbitration clause applicable to evaluate whether jurisdiction is granted to this Panel. In fact, AIBA rules changed over time: according to the 2008 Statutes, appeals could be filed with the CAS against “*decisions made by the AIBA’s legal bodies*”, while the 2010 Statutes limit the CAS jurisdiction to appeals (only) against “*decisions made by the Executive Committee*”.
8. The Panel finds that jurisdiction with regard to the appeal against the DC Decision of 27 April 2011 (CAS 2011/A/2421) is defined by the 2010 Statutes. In fact, the 2010 Statutes were in force not only when the DC Decision of 27 April 2011 was issued, but also when (on 31 January 2011: see above) the disciplinary proceedings that led to the DC Decision of 27 April 2011 were opened. The fact that at the time the purported disciplinary offence allegedly occurred (be that the moment Gen. Jantararoj sent the email or the Lausanne court proceedings were brought) the 2008 Statutes were in force is irrelevant. The CAS “appellate” jurisdiction is in fact linked, and becomes actual only by reference, to the adoption of decisions by sports bodies (CAS 2006/A/1206, § 25). In addition, rules on jurisdiction are mainly procedural in nature: therefore, they “*apply immediately upon entering into force and regardless of when the facts at issue occurred*” (CAS 2005/A/817, § 53; CAS 2000/A/274, § 209). As a result, unless they otherwise provide, federation rules, modifying the scope of the CAS arbitration, apply to define the CAS jurisdiction (only) with respect to decisions rendered after their entry into force [the Panel could see only one possible limitation to such conclusion, with respect to the situation in which the proceedings in front of the disciplinary body are already pending at the time the modification to the CAS jurisdiction is adopted by the federation. In that event, in fact, aspects of *fairness* to the parties, and the necessity to respect their *legitimate expectations*, would lead the Panel to conclude that CAS jurisdiction would always be found, notwithstanding the modifications to the arbitration clause. In light of the foregoing, the conclusion reached in this award is not in contradiction with the award of 3 August 2011 (CAS 2010/A/2243, 2358, 2385 & 2411), where the Panel held that the jurisdiction (which the Panel positively found) on the DC Decision of 25 March 2011 had to be evaluated under the 2008 Statutes. In the case considered in the award of 3 August 2010, in fact, the Panel held that the provisions on jurisdiction of the 2008 Statutes could be applied also to a disciplinary decision (such as the DC Decision of 25 March 2011) rendered after the 2010 Statutes had entered into force, when, as in that case, the disciplinary decision was issued within disciplinary proceedings started at the time the 2008 Statutes were in force].
9. In such framework, the Panel notes that the DC Decision of 27 April 2011 is a decision issued by a “legal body” of AIBA (Article 21 para. 1 (c) of the 2010 Statutes), but not a decision of the Executive Committee. As a result of the foregoing, therefore, Gen. Jantararoj’s request falls outside the arbitration clause contained in the 2010 Statutes, in force at the time the disciplinary proceedings that led to the DC Decision of 27 April 2011 were started.

10. Based on the foregoing, the Panel concludes that it has jurisdiction to decide on the appeals brought against the ExCo Decision of 20 May 2011, which is not disputed. On the other hand, the Panel does not have jurisdiction to review the DC Decision of 27 April 2011. Such conclusion makes it unnecessary for the Panel to verify whether the appeal to the Executive Committee was an “effectively available” remedy, to be exhausted before an appeal to the CAS. The Panel only notes that the point was addressed in the award of 3 August 2011 (CAS 2010/A/2243, 2358, 2385 & 2411).
11. The Panel underlines that the above conclusion concerning the DC Decision of 27 April 2011 does not prevent it from examining the merits of the dispute, i.e. whether a sanction was properly imposed on Gen. Jantararoj: the examination of such issue, in fact, is involved in the review of the ExCo Decision of 20 May 2011, which simply confirmed the DC Decision of 27 April 2011. Reference to the DC Decision of 27 April 2011, insofar it described the infringements for which Gen. Jantararoj was sanctioned, shall therefore be made. In any case, the jurisdiction on the ExCo Decision of 20 May 2011 suffices to give this Panel the power to decide on the sanction imposed on Gen. Jantararoj.

Appeal Proceedings

12. As these proceedings involve an appeal against a decision in a dispute relating to a disciplinary infringement, issued by an international federation (AIBA), which statutes provide for an appeal to the CAS, they are considered and treated as appeal arbitration proceedings in a disciplinary case of international nature, in the meaning and for the purposes of the Code.

Compliance with Time Limits

13. The statement of appeal against the ExCo Decision of 20 May 2011 was filed within the deadline set in the 2010 Statutes. Accordingly, the appeal filed by Gen. Jantararoj is timely.

Scope of the Panel’s Review

14. According to Article R57 of the Code, the Panel has full power to review the facts and the law of the case. Furthermore, the Panel may issue a new decision which replaces the decision challenged, or may annul the decision and refer the case back to the previous instance.

Applicable Law

15. Pursuant to Article R58 of the Code, the Panel is required to decide the dispute:
“according to the applicable regulations and the rules of law chosen by the parties or, in the absence of such a choice, according to the law of the country in which the federation, association or sports-related body which has

issued the challenged decision is domiciled or according to the rules of law, the application of which the Panel deems appropriate. In the latter case, the Panel shall give reasons for its decision”.

16. According to Article 63 para. 5 of the 2010 Statutes and Article 70 para. 2 of the Procedural Rules, the Panel shall apply the AIBA rules and regulations and, subsidiarily, Swiss law.

17. More specifically, the substantive AIBA rules within the Disciplinary Code that are relevant in these proceedings are the following:

- Article 3 “Principles of conduct”:

¹ *Every physical or legal person to whom this Code is applicable shall, in particular:*

- *Respect the entirety of the Statutes and regulations of AIBA, the Confederations and Members;*
- *Submit to the final decisions of AIBA, its Confederations or Members as well as to the World Anti-Doping Code of the World Anti-Doping Agency (WADA);*
- *At all times behave with respect towards each other;*
- *Respect the principles of honesty, integrity and sportsmanship;*
- *Respect the prohibition on maintaining sports relationships with Members who have been expelled or suspended by AIBA; in addition, not to take part in competitions in which the expelled or suspended Members take part;*
- *Take part in competitions organized by AIBA. [...].*

- Article 4 “Punishable acts”:

¹ *The following offences can be sanctioned, in particular:*

- *Violation of the principles of conduct as mentioned in the Statutes and regulations of AIBA, in the present Code and in the Technical & Competition Rules;*
- *Infringements of the Statutes and regulations of AIBA, its Confederations and Members as well as the non implementation of their executive decisions;*
- *Violations of the rules related to the publicity and the equipment;*
- *Offensive behavior or behavior in violation of fair-play;*
- *Misconduct against officials;*
- *Violation of the Anti-Doping Code, notably the Code from AIBA;*
- *Unjustified refusal to take part in a competition and unjustified abandonment;*
- *Corruption and any other violations of the principles of loyalty, integrity and fair-play;*
- *Any behavior which harms the image of boxing, AIBA, the Confederations or the Members. [...].*

- Article 5 “Disciplinary sanctions”:

¹ *The disciplinary sanctions are the following:*

- *Warning;*
- *Reprimand;*
- *Fines from CHF 500.-- to CHF 100'000.--;*

- *Cancellation of the result of a bout;*
 - *Deprivation of a title/ Return of an award;*
 - *Disqualification of a boxer or expulsion of his or her seconds during a competition;*
 - *Suspension of a boxer from a current competition, future competition(s) or for a predetermined time period;*
 - *Exclusion of a Member from a competition;*
 - *Suspension or exclusion from the exercise of certain activities (referee, judge, official, second, etc.);*
 - *Ban from any boxing activity;*
 - *Ban from competition grounds;*
 - *Suspension of a competition location.*
- ² *The sanctions may be cumulated.*
- Article 21 “General rule”:
 - ¹ *The body pronouncing the sanction shall fix the type and duration of the sanction based on the gravity of the infringement and the degree of the offender’s guilt.*
 - ² *The body shall take into account possible extenuating circumstances such as the young age of the offender as well as any aggravating circumstances such as recurrence.*
 - ³ *If the nature of the sanction implies certain duration, it is in principle limited in time, unless indicated otherwise. Sanctions may also be limited to a geographical area or to one or more specific category of competitions.*
 - Article 47 “Disparagement of AIBA’s reputation and interests”:

Subject to specific provisions of the present Code and of the Statutes, any action affecting the reputation or interests of AIBA, its Confederations or Members will be sanctioned with:

 - a) *If the action is committed by a Confederation or a Member*
 - o a fine of CHF 1’000.-- to 10’000.--, or a suspension of 6 months to 2 years;*
 - b) *If the action is committed by a person*
 - o a fine of CHF 500.-- to 10’000.--;*
 - o or a suspension of 6 months to 2 years;*
 - o or a temporary or definitive ban from any boxing activity.*
 - Article 48 “Relationship with a suspended or excluded Member”

Any AIBA Confederation or Member who maintains sport relationships with suspended or excluded Members shall be fined CHF 5’000.-- to 10’000.--.

The Merits of the Dispute

18. The issues raised by Gen. Jantararoj in this arbitration concern the infringement for which a sanction has been imposed on him, and the measure of such sanction. Gen. Jantararoj submits, in fact, a number of reasons to support his claim that no sanction could be imposed and that

no violation of any AIBA rule was committed. In any case, in the Appellant's opinion, the sanction imposed is too severe. On the other side, AIBA maintains that Gen. Jantararoj committed the violations for which he was sanctioned in a proper measure.

19. As a result of Gen. Jantararoj's submissions, there are two questions that the Panel needs to answer:
 - i. the first question is whether Gen. Jantararoj could be found to have committed the violations of the AIBA rules for which he was sanctioned;
 - ii. the second question, to be addressed in the event the Panel finds that a sanction could be imposed on Gen. Jantararoj, concerns the measure thereof.
20. The Panel shall consider each of said questions separately. In light of the conclusion reached above, the mentioned questions shall be answered with respect to the ExCo Decision of 20 May 2011. As already noted, however, the content of the ExCo Decision of 20 May 2011 is limited to a simple confirmation of the DC Decision of 27 April 2011, which describes the reasons supporting the finding of a disciplinary infringement and the imposition of a sanction. Such findings shall be considered by the Panel in the exercise of its jurisdiction to review the ExCo Decision of 20 May 2011 and to assess the disciplinary responsibility of the Appellant.
 - A. *Could Gen. Jantararoj be found to have committed the violations of the AIBA rules for which he was sanctioned?*
21. In the DC Decision of 27 April 2011, the Disciplinary Commission found that Gen. Jantararoj by his acts misled National Federations, undermined the Executive Committee's authority, and tried "to bring the NFs not to follow the EC's decisions regarding the 2010 AIBA Congress" (see above). As a result, Gen. Jantararoj was found responsible of severely harming the image of boxing and AIBA, a "punishable act" under Article 3 para. 1 of the Disciplinary Code, as well as under Article 47 of the Disciplinary Code.
22. Such finding is disputed by the Appellant under two main perspectives (in its challenge to the DC Decision of 27 April 2011, the Appellant submitted also that the Disciplinary Commission was not competent to impose sanctions on Gen. Jantararoj. To the extent this submission could be found to be relevant (notwithstanding the Panel's finding that it lacks jurisdiction to decide on the DC Decision of 27 April 2011), the Panel notes that the award of 3 August 2011 (CAS 2010/A/2243, 2358, 2385 & 2411), confirmed the competence of the Disciplinary Commission to adopt disciplinary decisions with respect to Gen. Jantararoj. The first refers to the principles of "ne bis in idem" and "res indicata", as preventing the AIBA from adopting disciplinary measures against Gen. Jantararoj in the case. The second directly concerns the commission of a breach of the AIBA rules.
 - a) As to "ne bis in idem" and "res indicata"
23. The Appellant contends that an alleged violation of the mentioned principles was committed by AIBA, because the disciplinary offence for which he was sanctioned by the ExCo Decision

of 20 May 2011 (confirming the DC Decision of 27 April 2011), i.e. the sending of the email of 26 September 2011, had already been considered in the DC Decision of 25 March 2011, stayed by the CAS order of 1 April 2011.

24. The Panel does not agree with the Appellant's submission.
25. The Panel notes that the DC Decision of 27 April 2011, while referring to the email sent by Gen. Jantararoj to some Member Federations on 26 September 2010, does not deal with the same infringement for which the Appellant was sanctioned by the DC Decision of 25 March 2011. In fact:
 - i. the DC Decision of 25 March 2011 refers to the email sent by Gen. Jantararoj on 26 September 2010 as an instrument of dissemination of untrue facts, in order to influence to his advantage the elections to be held at the 2010 AIBA Congress; while
 - ii. the DC Decision of 27 April 2011 describes the email sent by Gen. Jantararoj on 26 September 2010 as "*misleading*" and having the purpose (and the effect) "*to undermine the EC's authority and to bring NFs to not follow the EC's decisions regarding the 2010 AIBA Congress*" in the context of an action brought before the Lausanne court to prevent the 2010 AIBA Congress from taking place. The Respondent explains (on this point see below), *inter alia*, that Gen. Jantararoj failed to exercise due diligence allowing misleading allegations to be made in court also on the basis of his email of 26 September 2011.
26. As a result, the Panel concludes that AIBA, by starting on 31 January 2011 new disciplinary proceedings against Gen. Jantararoj and adopting the DC Decision of 27 April 2011, confirmed by the ExCo Decision of 20 May 2011, did not sanction twice Gen. Jantararoj for the same infringement, and therefore did not breach the "*ne bis in idem*" principle.
27. For the same reasons, the Panel finds that AIBA did not breach the obligation to respect the "*res iudicata*". Previous decisions rendered by AIBA dealt with different infringements. Nor did AIBA breach the obligation to comply with the orders on provisional measures issued by CAS with respect to different disciplinary proceedings.
 - b) As to the commission of a breach of the AIBA rules
28. According to the DC Decision of 27 April 2011, as confirmed by the ExCo Decision of 20 May 2011, Gen. Jantararoj, by sending the email of 26 September 2010 (and therefore misleading the Member Federations, undermining the authority of the Executive Committee and trying to bring the Member Federations not to follow the decisions of the Executive Committee with regard to the 2010 Congress), "*severely harmed the image of boxing and AIBA*" (Article 4 para. 1). The Respondent, then, explains in this arbitration that the Appellant associated with a suspended person and allowed, by failing to exercise due diligence, misleading allegations to be made in court. In summary, it is AIBA's contention that the email of 26 September 2010 (allegedly having a misleading content and serving an unlawful purpose) was one of the elements underlying the proceedings brought before a court in Lausanne by some Member Federations.

29. Such contention poses two questions for the Panel: whether Gen. Jantararoj's actions actually match the AIBA's contention; and (assuming they do) whether they constitute an infringement of Gen. Jantararoj's disciplinary obligations.
30. The Panel, however, does not need to answer such second question. It is the Panel's conclusion, in fact, that AIBA has not proved in this arbitration that the Appellant's actions actually correspond to the AIBA's assertion that Gen. Jantararoj associated with a suspended person and allowed, by failing to exercise due diligence, misleading allegations to be made in court. And the establishment of the facts that would constitute a violation by the Appellant of the AIBA rules remained with AIBA.
31. In that respect, the Panel remarks that the DC Decision of 27 April 2011, however intending to sanction Gen. Jantararoj for an infringement related to the court proceedings brought before the Lausanne court, does not offer any punctual explanation as to the alleged link between the email of Gen. Jantararoj of 26 September 2010 and the Lausanne proceedings. Indeed, the DC Decision of 27 April 2011 mentions the Gen. Jantararoj's email and then describes the court proceedings, but does not link the latter to the former, nor does it allude to an alleged failure by Gen. Jantararoj to exercise due diligence to prevent the use of his email in the court proceedings or even to his association in that respect with a suspended person. The Respondent, indeed, deals with the point in his submissions before this Panel and claims (see above) that Gen. Jantararoj associated with a suspended person (Mr Doganelli), spreading misleading allegations about AIBA. The portion of the DC Decision of 27 April 2011 mentioning the point, however, refers to an email sent by, and to the behaviour of, Mr King and not of Gen. Jantararoj.
32. In addition, the Panel cannot reach the conclusion advanced by the Respondent even in the exercise of its powers to review the facts and the law under Article 57 of the Code. The examination of the "*Requête de Mesures Provisionnelles*" dated 8 October 2010, filed in this arbitration as an exhibit to the Respondent's answer, shows in fact that:
 - i. Gen. Jantararoj was not, in his personal capacity, one of applicants, even though ABAT, in the same way as twelve other Member Federations, was one of them;
 - ii. the application does not mention explicitly the email sent by Gen. Jantararoj on 26 September 2010: it only mentions an email of Mr Paul King. The email of Gen. Jantararoj might have been one of the exhibits attached to the application, but no evidence has been adduced on the point;
 - iii. the application is based on several contentions, brought against AIBA: it was not centred on the matter dealt with in the email of Gen. Jantararoj (i.e. the exclusion from participation to the 2010 Congress of Member Federations that had not timely paid their dues and the possibility to regain the right to participate following a late payment), but also (if not primarily) made reference to, and disputed, the change in the venue for the 2010 Congress, the modalities in which the 2010 Congress had been convened, the failure of AIBA to distribute its annual accounts, the presentation of Congress attendance forms, and the proposed statutory changes, to be discussed at the 2010 Congress.

33. In other words, the Panel cannot find, in the application to the Lausanne court, or in any other document filed by AIBA, any indication that the case was built on the email sent by Gen. Jantararoj on 26 September 2010. This probably explains also why in the DC Decision of 27 April 2011 no such indication can be found.
 34. In light of the foregoing, and of the available evidence, the Panel cannot reach the conclusion that Gen. Jantararoj associated with a suspended person or failed to exercise due diligence in order to prevent the use of his email in the Lausanne court proceedings, allowing a court case to be built on it, to the detriment of AIBA's image and reputation (the Panel notes that in the award of 3 August 2011 (in CAS 2010/A/2243, 2358, 2385 & 2411), the question of the "abusive" purpose and content of the email of Gen. Jantararoj *outside* the framework of the Lausanne court proceedings was examined. In that award, the mentioned email was described to be only an invitation to the Member Federations to pay the annual fee, so as to be allowed to regain their "*membership rights*", and not an attempt to deceive the Members Federations or to disregard the AIBA decisions suspending them. It was therefore concluded that such invitation was not contrary to AIBA's interests, which are satisfied by the payment of annual fees and the largest possible participation in its Congress, or AIBA's image and reputation. This Panel subscribes to this conclusion also with respect to the email of Gen. Jantararoj as allegedly used *within* the framework of the Lausanne court proceedings). AIBA should have brought evidence to support its case against Gen. Jantararoj. In the absence of such evidence, Gen. Jantararoj cannot be held responsible for the infringement he was sanctioned for.
 35. No sanction could therefore be imposed on Gen. Jantararoj by the AIBA disciplinary bodies.
- B. *What is the appropriate sanction to be imposed on Gen. Jantararoj?*
36. In light of the foregoing, there is no need to answer this question.

Conclusion

37. The Panel finds that the ExCo Decision of 20 May 2011 is to be set aside. The appeal brought by Gen. Jantararoj against it (CAS 2011/A/2450) is therefore upheld. On the other hand, the Panel finds that it has no jurisdiction to hear the appeal brought against the DC Decision of 27 April 2011.

The Court of Arbitration for Sport rules:

1. The appeal filed by General Taweep Jantararoj against the decision adopted on 20 May 2011 by the Executive Committee of the International Boxing Association (AIBA) (CAS 2011/A/2450) is granted.
 2. The sanction imposed on General Taweep Jantararoj by the decision adopted on 20 May 2011 by the Executive Committee of the International Boxing Association (AIBA) is set aside.
 3. The CAS does not have jurisdiction to hear the appeal in the case CAS 2011/A/2421.
- (...)
6. All other prayers for relief are dismissed.

APPENDIX

Chronological list of the AIBA and CAS decisions referred to in this award

1. AIBA

Date	Issuing body	Object	Appeal to CAS
27 September 2010	Bureau of the Executive Committee	Provisional Suspension of Gen. Jantararoj and ABAT. Case put for review before the Disciplinary Committee	CAS 2010/A/2243
30 October 2010	Executive Committee	Ratification of the decision of 27 September 2010 of the Bureau of the Executive Committee	CAS 2011/A/2358
25 March 2011	Disciplinary Commission	Suspension of Gen. Jantararoj from any activity at AIBA, continental, other international and national levels for a period of 24 months	CAS 2011/A/2385
17 April 2011	Executive Committee	Dismissal of the appeal against the decision of 25 March 2011 of the Disciplinary Commission	CAS 2011/A/2411
27 April 2011	Disciplinary Commission	Suspension of Gen. Jantararoj from any activity at AIBA, continental, other international and national levels for a period of 24 months	CAS 2011/A/2421
20 May 2011	Executive Committee	Dismissal of the appeal against the decision of 27 April 2011 of the Disciplinary Commission	CAS 2011/A/2450

2. CAS

Date	Proceedings	Object
28 October 2010	CAS 2010/A/2343	Order issued by the Deputy President of the CAS Appeals Arbitration Division on the application for a stay of the decision of the AIBA Executive Committee Bureau of 27 September 2010
1 April 2011	CAS 2011/A/2385	Order of the Panel on the application for a stay of the decision of the AIBA Disciplinary Committee of 25 March 2011
7 June 2011	CAS 2010/A/2243 CAS 2011/A/2358 CAS 2011/A/2385 CAS 2011/A/2411	Order of the Panel on the application for a request of judicial assistance by the Swiss courts
3 August 2011	CAS 2010/A/2243 CAS 2011/A/2358 CAS 2011/A/2385 CAS 2011/A/2411	Award