

# **UWW DISCIPLINARY CHAMBER**

## **DECISION**

**Case:**

**United World Wrestling (UWW)**

**v.**

**Mr Murad Gaidarov**

**(BLR, Personal Coach for Indian wrestler during Tokyo OG 2020)**

**Sole Member:**

**Mr Belcho Goranov**

**Prosecutor: UWW General Secretary**

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### **I. Introduction and jurisdiction**

1. This is the final Decision of the UWW Disciplinary Chamber between United World Wrestling (“UWW”) and Mr Murad Gaidarov relating to a violation arising from the Disciplinary Procedure & Dispute Resolution Regulations (hereinafter referred to as “the Disciplinary rules”).
2. United World Wrestling (UWW), with headquarters in Corsier-sur-Vevey, Switzerland is the international governing body for the sport of Wrestling. As such, and as an international non-governmental organization recognized by the International Olympic Committee, it assumes the responsibility for the control and direction of the sport at the Olympic Games.
3. Mr Murad Gaidarov (herein after also referred to as the “Coach”) is a former athlete from Belarus. He held an athlete’s licence for Belarus from 2004 to 2019 and has been active since 1996 according to UWW’s database. His major achievements as an athlete were a silver medal in Freestyle wrestling at the 2008 Olympic Games and a Silver medal at the European Championship 2014. He became a wrestling coach after ending his sporting career in 2019. Since 2020, he holds a UWW Coach’s licence for India.
4. Mr Gaidarov is the personal coach of Indian wrestler Deepak Punia. For the Olympic Wrestling tournament, he was enrolled as the assistant coach for this wrestler. In that capacity, he was a member of the Indian delegation and accredited accordingly.

5. The Tokyo 2020 Olympic Games is an event entered in the UWW calendar. The facts and violation detailed in this decision took place during this event.
6. Considering the foregoing, in view that Mr Gaidarov he is a member of the UWW affiliated Wrestling Federation of India (“WFI”), the holder of a UWW licence and a participant in the Olympic Games as assistant coach, he is subject to the jurisdiction of UWW and bound by its regulations, rules and directives.

## **II. Facts**

7. On 5 August 2021 in the evening, after the bronze medal bout between IND and SMR (FS 86kg), the Coach went with his Athlete and the Head Coach out of the field of play (“FOP”) using the dedicated path. At the exit of the FOP using this path, he changed his way and headed towards the tribune where all referees sit, next to the FOP exit.
8. At that moment he started shouting at the referees and asked the referee who officiated during his Athlete’s match to come over. As he approached, Mr Gaidarov violently grabbed him and try to bring him in the Back of House.
9. Other referees tried to stop him, but the Coach started yelling, insulting and threatening the referees sitting in their tribune.
10. A UWW Staff also tried to intervene.
11. A coach of another country who witnessed the scene finally managed to put an end to Mr Gaidarov’s actions and make him leave the place.
12. These facts were witnessed by several referees, UWW staff, volunteers, and other persons.
13. The Chairman of the UWW Disciplinary Chamber, also present in Tokyo during these events, was immediately informed. The case was immediately referred to him. Given the facts, he ordered the imposition of provisional measures on the coach, namely a provisional suspension.
14. The President of the WFI was also called in the evening of the facts and was informed thereof. The India Olympic Association was also informed through a forwarded email from the UWW Sports Director who had informed the Tokyo 2020 Sports Operations Center and the IOC Sports Department.
15. In the morning of the next day (on 6 August 2021), the Coach was notified by email through the WFI. The provisional suspension was imposed.
16. Although the disciplinary rules allow for provisional measures being imposed without hearing, a hearing of the Coach was convened for 6 August 2021 at 11h00 at the competition venue.
17. At 13h15, the President of the WFI and his assistant arrived at the venue. They informed the Chairman of the Disciplinary Chamber (acting as Sole Judge in this matter), that the Coach had been contacted and that measures had been taken, i.e. the immediate termination of his working agreement with the

WFI. He also expressed the apologies of the WFI for this incident and informed that Mr Gaidarov had been hired only to assist one athlete (Deepak Punia) and that his competition was now over.

18. Mr Gaidarov did not come to this preliminary hearing. The provisional suspension was confirmed and notified again to the coach. A deadline to 8 August 2021 was set for him to provide an explanation.
19. On 13 August and 31 August, two reminders were sent to the athlete. The federation of Belarus, his former national federation, was copied in these reminders. On 2 September, the Wrestling Federation of Belarus replied that the email address used for the notifications to the coach was incorrect. They provided a new email address and added: *“We have contacted Mr. Gaidarov to clarify the situation with him. The email indicated in your letter is a wrong email, therefore he never received your letters and was unable to reply to them. His current email address is [...], so you can reach him at this email. He really regrets that such situation happened and apologizes for it. Mr. Gaidarov is one of the most titled and respected athletes in our country and in the world of wrestling. We hope that he will not succumb to his emotions in the future and such situation won’t happen again”* [SIC].
20. A new deadline for 7 September 2021 was given to the coach to submit any statement or explanation. The coach never replied.

### **III. Relevant rules**

21. These proceedings are conducted in application of the UWW Regulations, rules and directives. The present 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. It is based on all elements at hand, namely testimonies, reports, written and oral submissions, and correspondence.
22. The *Foreword* of the International Wrestling Rules provides as follows:

*“The Rules set forth herein must be known and accepted by all wrestlers, coaches, referees and leaders. They call upon those who practice the sport to fight totally and universally, with complete honesty and fair play for the pleasure of the spectators”.*
23. The UWW Code of Ethics defines a general framework for UWW members, including National Federations, athletes and coaches, in respect to values such as ethics, integrity and dignity.
24. Art. 7.2 letter b (*“Impropriety and Assault”*) of the Disciplinary and Dispute Resolution Regulations provides as follows:

*“Any official or coach found guilty of impropriety or assault shall be subject to suspension from accreditation at events under the control of the Federation for a period of 1 month to 3 years and shall be subject to a fine of CHF 1,000 to CHF 20,000”.*
25. Article 7 (*“Sanctions against officials and coaches”*) of the Disciplinary and Dispute Resolution Regulations provides as follows:

#### *7.1. Sanctions (in general)*

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

- *warning;*
- *reprimand;*
- *fine, up to CHF 10,000;*
- *suspension, from 1 month to 3 years;*
- *prohibition to represent his/her national federation during events held under the control of the Federation, from 1 month to 3 years;*
- *exclusion events held under the control of the Federation for life.*

26. Article 13 (“*Determination of the sanction*”) of the Disciplinary and Dispute Resolution Regulations provides as follows:

*“The disciplinary body shall determine the type and duration of the sanction based on the seriousness of such infringement and the degree of fault. The disciplinary body may take into consideration aggravating and mitigating circumstances”.*

#### **IV. Discussion**

27. All facts and evidence presented to this Sole Member depict without any possible doubt an intentional assault by the Coach.
28. The facts were reported by the Technical Delegates as well as the Refereeing Delegated in their respective reports. They were witnessed by all referees seating at the stand, volunteers and UWW Staff.
29. The coach has chosen not to answer. At the most, vague regrets and apologies were expressed in an email sent by the Belarus Wrestling Federation, if these words were not those of the federation.
30. Mr Gaidarov has a heavy past of assaults and aggressions: in 2004 during the Athens Olympic Games, he was involved in a fight against Russian wrestler Mr Saitiev right after their bout, in the mixed-zone area (similarly to the present case), no without abundantly insulting the referees. A sanction was imposed at that time. Again, in 2014, Mr Gaidarov was sanctioned to three (3) years suspension for a disciplinary violation during the 2014 World Championship in Tashkent (UZB), where he physically assaulted the UWW Secretary General (who was acting as one the Technical Delegates during this competition) in the competition venue. In the same competition, he also committed an assault on a wrestler from Japan in the warmup area. In 2016, after serving two-thirds of the sentence, Mr Gaidarov asked for a remission. This remission was granted to Mr Gaidarov, who was warned that any repeated offence in the future would lead to a lifetime ban.
31. The range of sanctions for an assault (article 7.2) is up to three years’ suspension. This being, article 7.1 provide for a wider range of applicable sanctions, in particular where the seriousness of the violation and aggravating circumstances are to be considered in the determination of the sanction.
32. It clearly appears that previous sanctions for the same acts of brutality have had no effect on Mr Gaidarov. The repeated offences must be considered in the present instance as aggravating circumstances.
33. In order to protect the physical and moral integrity of all the participants (whether referee, officials, coaches or athletes) in UWW events against such acts, this Sole Judge cannot envisage another solution than to exclude Mr Murad Gaidarov for life.

## **V. Decision**

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

Mr Murad Gaidarov :

- I. Is found to have committed violation of article 7.2 letter b of the Disciplinary and Dispute Resolution Regulations;
- II. Is excluded from events held under the control of United World Wrestling (i.e., all events on the UWW calendar) for life;
- III. Is imposed a financial penalty of 3'000 Swiss Francs, to be invoiced to the Belarus Wrestling Federation, the latter being entitled to claim reimbursement to Mr Gaidarov.

## **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 Coach (c/o the National Federation).



Beltcho Goranov  
Sole Member  
Chairman of the UWW Disciplinary Chamber

Sofia, 6 October 2021