

## THE FIVB DISCIPLINARY PANEL

composed by

<b>Ms. Sabinah Clement (IVB)</b>	Chairperson
<b>Ms. Margaret Ann Fleming (SCO)</b>	Member
<b>Mr. Mounir Ben Slimane (TUN)</b>	Member

### I. FACTUAL BACKGROUND

1. The 2017 CEV Cup match between Vojvodina NS Seme Novi SA and C.S. Arcada Galati (3-0; 25-16; 25-21; 25-22) took place on 11 January 2017, at 19:00, in Novi Sad, Serbia (hereinafter "the Match").
2. On 11 January 2017, the International Olympic Committee (IOC) Integrity Betting Intelligence System (IBIS) received an alert with regards to an alleged breach of sports integrity in the sport of Volleyball and, accordingly, informed the IBIS Single Point of Contact for FIVB, Mr. Yann Hafner. The alleged breach of the FIVB regulatory framework arose from a bet which has been placed on the Match.
3. On 11 January 2017, the FIVB and CEV requested the CEV Supervisor on site to read a declaration concerning betting and manipulation of matches before the start of the Match and to have it signed by the captain and the team manager of each team. The captain and the team manager of each team signed the declaration.
4. On 20 January 2017, the IOC Ethics and Compliance Office provided the FIVB with a Report (hereinafter "the First Report") confirming that Mr. Alexandru Muscina had placed one (1) bet with a betting operator (hereinafter "the Bet"). The details of the Bet were as follows:
  - The Bet was placed on 10 January 2017 at 12:14:13. Type of bet: Handicap bet – Novi Sad to win by 5 or more points [when adding all point of the Match together] (Odds: 1.95). Stake: EUR 150.-. Winnings: EUR 298.86.-.Player account login details show that the Bet was placed from an IP address located in Serbia.

5. On 10 March 2017, the IOC Ethics and Compliance Office provided the FIVB with another Report (hereinafter "the Second Report") confirming that Mr. Alexandru Muscina (C.S. Arcada Galati) had placed a bet against his own team.
6. On 5 May 2017, the FIVB Board of Administration approved the FIVB Disciplinary Regulations 2017, which entered into force on 8 June 2017. Relevant changes to the FIVB Disciplinary Regulations 2017 with regards to the present case were as follows:
  - The FIVB Board of Administration confirmed FIVB's exclusive jurisdiction to adjudicate disciplinary cases with regards to betting and match manipulation; and
  - The FIVB Board of Administration adopted new procedural provisions with regards to disciplinary cases.
7. On 21 June 2017, the FIVB Disciplinary Panel Secretariat notified Mr. Alexandru Muscina of the opening of disciplinary proceedings. The deadline to provide the FIVB Disciplinary Panel with a response was 5 July 2017.
8. On 5 July 2017, Mr. Alexandru Muscina filed his statement of defense (including supporting documentation) with the FIVB Disciplinary Panel Secretariat.
9. On 10 and 21 July 2017, the FIVB Disciplinary Panel Secretariat informed Mr. Alexandru Muscina of the next steps of the procedure (i.e. whether he would be heard in person or in writing) and of the composition of the FIVB Disciplinary Panel in the present case, namely:
  - Ms. Sabinah Clement, Chairperson;
  - Mr. Mounir Ben Slimane and Ms. Margaret Ann Fleming, Members.
10. On 8 August 2017, the FIVB Disciplinary Panel Secretariat informed Mr. Alexandru Muscina of the following:
  - a) Date of the hearing: 23 August 2017; and
  - b) Presence of an expert during the hearing: Mr. Friedrich Martens, Head of Integrity Betting Intelligence System at the IOC.
11. On 23 August 2017, the FIVB Disciplinary Panel heard Mr. Alexandru Muscina. Mr. Alexandru Muscina was assisted by Ms. Catalina Muscina for translation purposes (from

English to Romanian and Romanian to English). During the hearing, the Respondent admitted having placed a bet against his own team and regretted his actions. The Respondent denied being complicit of any action by Mr. Alexandru Cerseamba and informed the FIVB Disciplinary Panel that he refused to play in the Match, when made aware by the CEV Supervisor of the content of the FIVB Disciplinary Regulations 2016. Mr. Alexandru Muscina stated that he tried to delete the account but provided no evidence to that effect.

12. On 29 August 2017, the IOC Ethics and Compliance Office confirmed that it is not possible to delete an account once created by the customer (i.e. Mr. Alexandru Muscina in the present case). The account can be closed by the customer, but details of the account will remain. The IOC further confirmed that the bet was placed, and the winnings are frozen in the account (hereinafter "the Third Report").

13. On 5 October 2017, the FIVB Disciplinary Panel decided to provisionally suspend Mr. Alexandru Muscina.

14. On 10 October 2017, Mr. Alexandru Muscina requested the FIVB Disciplinary Panel to lift the provisional ban imposed upon him by the FIVB Disciplinary Panel.

15. On 10 October 2017, the FIVB Disciplinary Panel Secretariat acknowledged receipt of the request by Mr. Alexandru Muscina.

16. On 20 October 2017, the FIVB Disciplinary Panel Secretariat informed Mr. Alexandru Muscina that the FIVB Disciplinary Panel had dismissed his request.

## **II. COMPETENCE**

17. The FIVB Disciplinary Panel is competent to hear this case as per Article 17.5 of the FIVB Disciplinary Regulations 2016 (now Article 26.5 of the FIVB Disciplinary Regulations 2017).

18. In addition to the above, the FIVB Disciplinary Panel notes that the FIVB Board of Administration clarified the exclusive jurisdiction of the FIVB with regards to betting and match manipulation cases in May 2017. Article 26.7 of the FIVB Disciplinary Regulations 2017 reads as follows:

*“The Confederations are competent to impose sanctions at the continental level provided that the matter does not fall within the competence of an FIVB body are has been delegated expressly to them by the FIVB in a specific case. For this purpose, they must adopt the same procedural provisions as provided herein. FIVB has exclusive jurisdiction in:*

- [...]
- Cases of betting and manipulation of competitions” (emphasis added).

19. The FIVB Disciplinary Panel further notes that the Respondent did not challenge the competence of the FIVB Disciplinary Panel to hear the present case.

### III. APPLICABLE LAW

20. The FIVB Disciplinary Panel notes that the FIVB Constitution and Regulations apply to this case. Since FIVB has its seat in Switzerland, Swiss law may apply subsidiarily.

21. The FIVB Disciplinary Panel further notes that two set of FIVB Disciplinary Regulations may apply to the resolution of the case at hand:

- The FIVB Disciplinary Regulations 2016, which were approved by the FIVB Board of Administration on 7 April 2016 and entered into force on 8 April 2016 (hereinafter “FIVB DR 2016”); and
- The FIVB Disciplinary Regulations 2017, which were approved by the FIVB Board of Administration on 5 May 2017 and entered into force on 8 June 2017 (hereinafter “FIVB DR 2017”).

22. The Match took place on 11 January 2017, i.e. when the FIVB DR 2016 were in force. Consequently, the FIVB Disciplinary Panel finds that the conduct of Mr. Alexandru Muscina is to be reviewed under the FIVB DR 2016. The FIVB Disciplinary Panel finds however that the FIVB DR 2017 apply to the present case insofar as they concern the procedure governing these proceedings.

23. In the Charge Letter dated 21 June 2017, the FIVB Disciplinary Panel reserved its right to expand factually the disciplinary proceedings against Mr. Alexandru Muscina and to refer to other regulations.

24. In light of the statement of defense submitted by Mr. Alexandru Muscina and the declarations by Mr. Alexandru Muscina during the disciplinary hearing, the FIVB Disciplinary Panel has decided to requalify the alleged violation of the FIVB DR 2016 by Mr. Alexandru Muscina as follows:

- Article 12 of the FIVB DR 2016 in conjunction with Appendix B, Article B.2.1 of the FIVB DR 2016.

The substantives rules which are relevant for the resolution of this dispute are quoted in the following paragraphs.

25. Article 12.1 of the FIVB DR 2016 prohibited the following conduct:

*“The conduct described in Appendix B, Articles B.2.1 and B.2.2, shall be sanctioned as a major offence, subject the specific provisions set out below”.*

26. Appendix B, Article B.2.1 of the FIVB DR 2016 read as follows:

*“Direct or indirect involvement of a Participant in any form of Betting related to a Competition, including Betting with another Person on the result, progress, outcome, conduct of any other aspect of such a Competition” (emphasis added).*

27. Appendix B, Article B.1 of the FIVB DR 2016 defined the terms underlined above as follows:

*“[...]*

*“Betting”: shall mean making, accepting, or laying a wager of money or any other form of financial speculation and shall include, without limitation, activities commonly referred to as sports betting such as fixed and running odds, totalizator/toto games, live betting exchange, spread betting and other games offered by sports betting operators;*

*“Competition” shall mean any competition organised or recognised by FIVB, as mentioned in the Sports Regulations;*

*[...];*

*“Participant” means any Player, Player Support Personnel, judge referee, delegate, technical official, FIVB representative, Control Committee or Appeal Sub-Committee member, competition official, National Federation team or delegation member and any other accredited person;*

*[...]”.*

28. Article 12.4 of the FIVB DR 2016 provided the following sanction with regards to betting and manipulation of results:

*“Individual persons found responsible for a violation under this Article shall be sanctioned with a fine of a minimum of CHF 50,000 and a suspension from participation in any official activity within the sphere of the FIVB at national, continental and world-wide level for a period of between five (5) years and a life ban”.*

#### **IV. PROCEDURE**

29. By letter of 21 June 2017, the FIVB Disciplinary Panel informed Mr. Alexandru Muscina (hereinafter “the Respondent”) that disciplinary proceedings were opened against him and that the FIVB Disciplinary Panel would adjudicate this case. The FIVB Disciplinary Panel provided the Respondents with the opportunity to submit his position in writing by no later than 5 July 2017.

30. On 5 July 2017, the Respondent submitted his position directly to the FIVB Disciplinary Panel Secretariat, whereby he wrote “being foreseeable the defeat of my team, I did a bet, by the *betfair* system, from my account, depositing the amount of 150 euros for this operation”. The Respondent explained the circumstances behind the bet, in particular that:

- more than half of the first stringers, the coach and assistant coach did not do the travel to attend the Match;
- he asked the team coach not to be fielded in the Match, when made aware of the prohibition to bet on the sport of Volleyball;
- he did not seek to ensure the defeat of his own team, namely C.S. Arcadia Galati;
- the regulations enacted by the Romania Volleyball Federation do not prohibit betting on the sport of Volleyball and he had never been informed of said prohibition at club and national levels;
- he is not complicit of any action by Mr. Alexandru Cerseamba.

The Respondent further stated that he tried “to delete permanently the account from the website, but it was too late because I saw that it was blocked”. The Respondent called to the attention of the FIVB Disciplinary Panel that this is a first offence, that the amount of the bet is particularly low and he did not try to conceal his actions by using an account with a false name. Consequently, the Respondent called for the application of the principle of

proportionality and requested the sanction be a warning or a suspended sanction. The Respondent notably pointed that i) the Romania Volleyball Federation already cancelled his participation in the 29<sup>th</sup> Summer Universiade – Taipei City 2017 and ii) any suspension would certainly lead to the cancellation of the agreement he had with CSA Steaua Bucuresti until 2019. The Respondent stated that he had earned approximately EUR 10'000.- since the beginning of his professional career in 2015.

31. On 23 August 2017, the FIVB Disciplinary Panel heard Mr. Alexandru Muscina by telephone. During the hearing, Mr. Alexandru Muscina admitted having bet against his own team but denied having sought the defeat of C.S. Arcadia Galati. Mr. Alexandru Muscina acknowledged that placing a bet against his own team was a mistake and stated numerous times that he regretted his actions. Mr. Alexandru Muscina confirmed that the Romania Volleyball Federation did cancel his participation in the 29<sup>th</sup> Summer Universiade – Taipei City 2017 due to the present proceedings. Mr. Alexandru Muscina reiterated however that he was unaware of the disciplinary consequences of placing bets on the sport of Volleyball before the day of the Match (i.e. until after the CEV Supervisor read the declaration in the locker room). Mr. Alexandru Muscina indicated that he had not bet on his own team in the past but had placed bets on the sport of Volleyball (for the sake of completeness, bets included national team competitions and competitions outside of Romania). Mr. Alexandru Muscina further indicated that he declared himself unable to play in the Match to avoid being accused of manipulating the results of the Match and because he was scared of the consequences of his actions. Mr. Alexandru Muscina acknowledged that his actions were morally wrong and stated that he would have done its best efforts to win the Match had he not been aware of the disciplinary consequences of his actions. Mr. Alexandru Muscina denied being aware of any actions by Mr. Alexandru Cersemba. More specifically, Mr. Alexandru Muscina did not know that Mr. Alexandru Cersemba had placed a bet until after both players received notification by the FIVB Disciplinary Panel Secretariat of the opening of the present disciplinary proceedings. Mr. Alexandru Muscina confirmed that the betting account was in his own name and that he attempted to delete the betting account. Mr. Alexandru Muscina stated that the sport of Volleyball was his only source of income (without the sport of Volleyball he would have to rely on his parents to pay the registration fee with to attend university) and that the club Army Sports Club Steaua was awaiting the conclusion of the present proceedings before deciding on the continuation of the

employment agreement. Mr. Alexandru Muscina pointed out that the sanctions provided for in the FIVB Disciplinary Regulations were extremely severe compared to the amount betted and that a suspension would certainly mean the end of his sporting career. Mr. Alexandru Muscina studies physical education and sports at "Ovidius" University of Constanta.

32. On 29 August 2017, the IOC Ethics and Compliance Office confirmed to the FIVB Disciplinary Panel that it is not possible to delete an account once created by the customer (i.e. Mr. Alexandru Muscina in the present case). The account can be closed by the customer, but details of the account will remain. The IOC further confirmed that the bet was placed, and the winnings are frozen in the account (hereinafter "the Third Report").
33. On 5 October 2017, the FIVB Disciplinary Panel decided to provisionally suspend the Respondent from all volleyball related-activities at world-wide level.
34. On 20 October 2017, the FIVB Disciplinary Panel dismissed a request by the Respondent to have the provisional suspension lifted.

## **V. LEGAL CONSIDERATIONS**

### **(a) Violation: Betting**

35. The FIVB Disciplinary Panel notes that Appendix B, Article B.2.1 of the FIVB DR 2016 requires the direct or indirect involvement of a Participant in any form of Betting related to a Competition.
36. The FIVB Disciplinary Panel is satisfied that the Respondent is a Participant under the definition of Appendix B, Article B.1 of the FIVB DR 2016 because the Respondent is a volleyball player (<http://www.cev.lu/Competition-Area/PlayerDetails.aspx?TeamID=8549&PlayerID=48705&ID=697>).
37. The FIVB Disciplinary Panel is satisfied that the Respondent participated in a Betting activity under the definition of Appendix B, Article B.1 of the FIVB DR 2016 because the Respondent placed one (1) bet using a *Betfair* account (Statement of defense; the First Report; the Second Report and the Third Report).

38. The FIVB Disciplinary Panel is satisfied that the Respondent placed a bet in relation with a Competition under the definition of Appendix B, Article B.1 of the FIVB DR 2016 because the Match is recognized by the FIVB. The FIVB Disciplinary Panel notes that the Match was part of the 2017 CEV Cup – Men organised by the European Volleyball Confederation (CEV) and Article 2.7.3 of the FIVB Event Regulations 2016 stated that international competitions, such as the CEV Cup, must be approved by the relevant Confederation (i.e. CEV in the present case). Thus, the FIVB Disciplinary Panel finds that the FIVB delegated the authority to CEV to recognize international competitions within its jurisdiction and, by doing so, that the Match is a competition recognized by the FIVB for the purpose of the application of the FIVB DR 2016.

39. The Respondent has recognized the violation. The Respondent challenged however having sought to ensure that the team C.S. Arcadia Galati would lose the Match. The FIVB Disciplinary Panel would like to clarify that the intent of the Respondent is not relevant in relation with the present rule violation because intent is not a constitutive element of said rule violation.

40. Based on the above, the FIVB Disciplinary Panel finds that the Respondent is liable for the violation of Article 12.1 of the FIVB DR 2016 in connection with Appendix B, Article B.2.1 of the FIVB DR 2016 due to a bet placed against his own team, namely C.S. Arcadia Galati.

**(b) Sanction**

41. When determining the applicable sanctions, the FIVB Disciplinary Panel must look at the sanctions provided in Article 12.4 of the FIVB DR 2016.

42. The FIVB Disciplinary Panel notes that Article 12.4 of the FIVB DR 2016 provide for i) a suspension from participating in any official activity within the sphere of the FIVB at national, continental and world-wide level for a period between five (5) years and a life ban and ii) a minimum fine in the amount of CHF 50'000.-.

43. The FIVB Disciplinary Panel notes that Article 28.4.1(a) of the FIVB DR 2017 states that "When determining the appropriate sanctions applicable, the competent FIVB body shall

take into consideration all aggravating and mitigating circumstances and shall detail the effect of such circumstances on the final sanction that the sanction”.

44. Consequently, the FIVB Disciplinary Panel will use the sanctions provided for in Article 12.4 of the FIVB DR 2016 as the starting point for the sentencing of the Respondent and adapt the final sanctions taking into consideration the principles referred to in Article 28.4.1(a) of the FIVB DR 2017, which includes that of proportionality in the opinion of the FIVB Disciplinary Panel.

**(1) Suspension from participating in any official activity within the sphere of the FIVB at national, continental and world-wide level**

45. Article 12.4 of the FIVB DR 2016 provides for a suspension from participating in any official activity within the sphere of the FIVB at national, continental and world-wide level for a period between five (5) years and a life ban.
46. The FIVB Disciplinary Panel recognizes that the wording of the FIVB DR 2016 make it clear that five (5) year constitutes the minimum duration of the suspension. A life ban being the maximum sanction in the present case. In light of the foregoing, the FIVB Disciplinary Panel finds that Article 12.4 of the FIVB DR 2016 institutes a scenario of mandatory sentencing.
47. The FIVB Disciplinary Panel understands and accepts that the concept of separation of powers applies in disciplinary proceedings and that the selection of sanctions to be applied for a specific offence does not lie with the FIVB Judicial Bodies but with another branch of the FIVB, i.e. with the FIVB Board of Administration.
48. The FIVB Disciplinary Panel is however concerned that the suspension provided for in Article 12.4 of the FIVB DR 2016 (and by the same in Articles 21.1 of the FIVB DR 2017) may prove to be extremely severe compared to the seriousness of the infringements by the player. In other words, the FIVB Disciplinary Panel would like to stress the importance of the concept of proportionality in the application of the FIVB DR 2016 by the FIVB Disciplinary Panel [TAS 2007/A/1252 Fédération Internationale de Natation (FINA) c. M. & Fédération Tunisienne de Natation (FTN) dated 11 September 2007, at para 32 ff].

49. When determining the appropriate sanction, the FIVB Disciplinary Panel shall take into consideration all aggravating and mitigating circumstances (i.e. behavior of the athlete, past betting history, personal situation). The FIVB Disciplinary Panel shall also take into consideration the fact that a violation of Article 12.4 of the FIVB DR 2016 carries a mandatory fine. Thus, the suspension shall be appraised as part of a global sanction (i.e. the duration of the suspension and the amount of the fine shall not be disproportionate) [TAS 2011/A/2325 UCI c/ Roel Paulissen & Royale Ligue Vélocipédique Belge (RLVB) dated 23 December 2011, at para 185].
50. The FIVB Disciplinary Panel notes that the Respondent admitted during the hearing that betting on the sport of Volleyball was a mistake and regretted his actions. The Respondent pointed out that a five (5) year suspension would – in effect – end his professional career, which is his only revenue stream. The FIVB Disciplinary Panel further notes that the FIVB and CEV had not conducted any integrity seminar with regards to betting and match-manipulation before the Match.
51. In light of the above, the FIVB Disciplinary Panel finds that the minimum five (5) years suspension provided for in Article 12.4 of the FIVB DR 2016 is not proportionate to the violation by the Respondent, especially in connection with the monetary fine provided in the same provisions.
52. Therefore, the Respondent shall be sanctioned with a suspension from participating in any official activity within the sphere of the FIVB at national, continental and world-wide level for a period of twelve (12) months. The *dies a quo* of the suspension shall be discussed next.
53. Article 28.7.2 of the FIVB DR 2017 mandates that where a provisional measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed.
54. For the record, the FIVB Disciplinary Panel has provisionally suspended Mr. Alexandru Muscina as of 5 October 2017.

55. In light of the above, the FIVB Disciplinary Panel finds that the time already served by Mr. Alexandru Muscina shall be taken into account and, accordingly, that the *dies of quo* of the suspension shall be 5 October 2017.

56. Therefore, the Respondent shall be sanctioned with a suspension from participating in any official activity within the sphere of the FIVB at national, continental and world-wide level until 4 October 2018.

## **(2) Minimum fine**

57. Article 12.4 of the FIVB DR 2016 provides for a minimum fine in the amount of CHF 50'000.- (fifty thousand Swiss Francs).

58. The FIVB Disciplinary Panel recognizes that the wording of the FIVB DR 2016 make it clear that CHF 50'000.- (fifty thousand Swiss Francs) constitutes the minimum amount of the fine. There is no maximum amount indicated in the FIVB DR 2016. In light of the foregoing, the FIVB Disciplinary Panel finds that Article 12.4 of the FIVB DR 2016 institutes a scenario of mandatory financial sentencing.

59. The FIVB Disciplinary Panel reiterates the general concerns exposed in the previous section but this time with a particular focus on the existence of a regime of mandatory financial sentencing and the application of the principle of proportionality. For instance, the FIVB Disciplinary Panel notes that the Respondent provided copies of previous contracts with clubs headquartered in Romania and that the salary of the player reflected the national minimum wage of EUR 500 (five hundred Euros) per month in Romania ([http://ec.europa.eu/eurostat/statistics-explained/index.php/Minimum\\_wage\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Minimum_wage_statistics)).

60. The Respondent indicated to the FIVB Disciplinary Panel that the sport of volleyball was his only source of income and that money generated by the sport of Volleyball served to finance his studies. The Respondent further indicated that the club Army Sports Club Steaua was awaiting the outcome of the current proceedings to decide on the continuation of the employment relationship.

61. The FIVB Disciplinary Panel notes that the Respondent would not have been in a position to (ever) pay the minimum fine had the Respondent been sanctioned with a five (5) year

suspension. Thus, the FIVB Disciplinary Panel shall fine the Respondent in an amount which is proportionate and does not jeopardize the financial future of the Respondent while being a proper sanction at the same.

62. Because the sanction must be assessed globally (i.e. the duration of the suspension and the amount of the fine shall be appraised together by the FIVB Disciplinary Panel), the FIVB Disciplinary Panel held that the amount of the fine shall correspond to the amount betted by the Respondent and the winnings stemming from the bet the Respondent has placed had it been paid by the betting operator. For the sake of clarity, the bet and potential winning were as follows:

- Bet: Stake: EUR 150.-. Winnings: EUR 298.86.- = Total Be: EUR 448, 86.-

The total of amount of the Bet, including the potential winnings, was of EUR 448,86.- (four hundred and forty eight Euros and eighty-six cents).

63. Based on the principle and amount stated above, the FIVB Disciplinary Panel finds that the fine to be paid by the Respondent shall be EUR 448,86.- (four hundred and forty eight Euros and eighty-six cents).

\* \* \*

**Taking all the above into consideration**

**THE FIVB DISCIPLINARY PANEL**

**Concludes and Decides**

1. The athlete Mr. Alexandru Muscina (Romania) has committed a disciplinary rule violation (betting and manipulation of results: Betting) according to Article 12 of the FIVB DR 2016 in conjunction with Appendix B, Article B.2.1 of the FIVB DR 2016.
2. A sanction of twelve (12) months of ineligibility shall be imposed on Mr. Alexandru Muscina.
3. The period of ineligibility shall start on 5 October 2017 and end on 4 October 2018, as per Article 28.7.2 of the FIVB DR 2017.
4. A monetary fine of EUR 448,86.- shall be imposed on Mr. Alexandru Muscina.
5. This decision may be appealed in accordance with the attached Notice of Appeals.

Lausanne, 26 January 2018

**For the FIVB DISCIPLINARY PANEL**

Ms. Sabinah Clement  
Chairperson

## NOTICE OF APPEALS

1. Parties who are affected by a decision of a FIVB body (e.g. the President, the Board of Administration, the Disciplinary Panel etc.) can file an appeal to the FIVB Appeals Panel unless otherwise provided in the FIVB Constitution and Regulations.
2. Appeals must be made in writing and must be received by the FIVB Secretariat within fourteen (14) days from notification of the decision, failing which the appeal will be considered inadmissible.
3. Appeals shall be accompanied by a copy of the decision appealed against and a bank certificate confirming payment of the administrative fee of CHF 2,000 into the following account:

Banque Cantonale Vaudoise (BCV)  
Place Saint-François 14  
CH-1001 Lausanne / Switzerland  
Account: T 5344.53.25  
IBAN: CH33 00767 000T 5344 5325  
BIC Code (Swift Address): BCVLCH2LXXX  
Bank clearing: 767

4. Failure to pay the administrative fee within the deadline fixed by the FIVB Secretariat will result in considering the appeal withdrawn. The FIVB Appeals Panel may decide that the administrative fee be reimbursed in the event that the appeal is successful.
5. The appeal can be filed by a proxy if he/she presents a written power of attorney.
6. For details of the appeals procedure please refer to Section III of the FIVB Disciplinary Regulations (<http://www.fivb.org/EN/FIVB/Legal.asp>).
7. A further appeal against the decision by the FIVB Appeals Panel can only be lodged with the Court of Arbitration for Sport in Lausanne, Switzerland, within twenty-one (21) days following receipt of the decision.