



WORLD ASSOCIATION OF KICKBOXING ORGANIZATIONS

DISCIPLINARY & ETHICAL COMMITTEE

Mr. Arbis VJERDHA

President of Albania Kick & Thai Boxing Federation

DC00022023

By email: federcombatalbania@hotmail.com

Dear Mr. Arbis VJERDHA

DECISION:

The Disciplinary and Ethical Committee of WAKO decides that:

1. Mr. Arbis VJERDHA has violated the WAKO Code of Ethics by sending offensive and aggressive emails and has to pay a fine of € 500,--.
2. Mr. Arbis VJERDHA is warned to comply with the WAKO regulations for events, in particular to conduct all events by means of Sportdata and RSpportz.

REASON:

On 18th of January 2023, Mr. Dejan Mitrovski Urko, President of Kickboxing and Muaythai Federation of Macedonia made a complaint against Mr. Arbis VJERDHA to the WAKO Disciplinary and Ethical Committee as follows:

Dear Mr. Gstaettner, I want to address you and the Disciplinary Committee of WAKO, as the President of Kickboxing and Muaythai Federation of Macedonia and also as the president of WAKO BALKAN Federation. There was communication in the last days between some of the members of WAKO, including president Roy Baker, regarding the kickboxing event which was held in Tirana, organized by Albania Kickboxing Federation, where I have been named with very offensive terms, which has caused very much damage to my reputation and my personal image. The email communication was public, available for reading to all to whom it was sent, so I want to place an official complain to Disciplinary Committee of WAKO. In the communication addressed above, I recognize that violation conduct has happened, there were public statements which were insulting for me, I have suffered verbal abuse from the President of WAKO member country, who is, according to the Art. 2 of the WAKO disciplinary code is a person subject to the application of the Code. Moreover, here has happened one more level of violation of the WAKO rules not only insulting myself but also violation of the WAKO rules that come in force from 2023, where all national and international events planned in member countries has to have consent from WAKO, using R sports and



Sportdata for registration and all planned in advance (WAKO Disciplinary code art 4.) Prior to the insulting statements the only communication between me and Mr. Arbis Vjerdha are as follows: On January 12th 2023 I have received a request from Mr. Arbis Vjerdha to help him by sending our Macedonian judges to be present at an event named: "Tirana City of Sport 2023" tournament. The letter from Mr. Arbis VJERDHA is cited below: "Dear Mr. Dean Mitrevski I want to inform you that our Federation is organizing the "Tirana City of Sport 2023" tournament. I want every member of the WAKO family to be present and see that WAKO Albania is also part of the family and knows how to organize events. We need your support, because this is the only way we can be strong and successful. For this event to be as serious as possible and within the rules, we need you to support us with 10 judges licensed by WAKO. I hope to have your support. I hope that some of the leaders of the WAKO family to be present at this event on January 15, 2023. Best regards Arbis VJERDHA President of Albania Kick&Thai Boxing Federation"

As a longtime member of the WAKO Family I know the rules very well, so I have replied to Mr. Arbis VJERDHA and advised him that he should take into consideration WAKO Rules for organising international events.

Listed below is my answer to his request:

"Dear Mr. Arbis VJERDHA First of all, let me express my greetings and the support I value for your efforts to promote kickboxing, as well as the WAKO Organization. I also feel deep respect towards you as the President of your National Federation. Let me advise you that according to WAKO criteria, if you wish to organize International Event - Championship, you must be granted an authorization from WAKO and you need to hire international WAKO judges who will also be accredited by WAKO. If you wish to organize National Championship which will be accredited by WAKO, you need national judges who will be specially trained at seminars organized by WAKO and thus prepare these judges to be legitimate and ready to judge. If you do not invite national judges, i.e. if you invite judges from other country, than this championship becomes international, and as I mentioned above, you need special permission to organize international event. This is why we will not be able to meet your request to send our judges from our country to your national championship. Please accept my greatest regards and be aware of my support to your efforts to promote kickboxing and the WAKO organization."

This was the LAST and ONLY conversation I have had with Mr. Arbis VJERDHA. I want this to be clearly and undoubtfully stated and taken into consideration when receiving this disciplinary note. But, few days later, I have been informed by my friends from WAKO that Mr. Arbis Vjerdha is spreading strange and inappropriate letters all over WAKO family, excluding me, with the following content:

On 2023-01-15 12:35, Arbis Vjerdha wrote:

Dear colleagues

I am obliged to inform you about a totally personal action and against any sports ethics of the President Wako Balkan Dean Mitrevski. This man who has never had anything to do with sports in his life has been elected president of the federation in North Macedonia and can



command this federation as he wants to, but the unforgivable mistake is that he was elected president of the Balkans. Politicians only cause wars, divisions and incidents, while sportsmen are the best ambassadors of peace in the whole world. He is exerting pressure and has threatened sanctions to all ethnic Albanian teams not to participate in the event organized by the Albanian Kick Boxing Federation and he does this with malicious intent and ethnic hatred towards the Albanian people. I ask all the presidents of the Balkan federations, the president of wako world , wako europe, wako mediterranean and the disciplinary commission to take a decision as soon as possible to dismiss him from the position of the president of wako the Balkans, as a politically indoctrinated person with religious or ethnic hatred should categorically not be part of wako. Such people damage the image of wako and complicate the cooperation relations between the federations. We all know the problems between Albanians and Serbs, but I guarantee you that sports relations and the support from the leaders of Serbia for the Albanian federation have never been absent and we have an excellent relationship inherited by Mr. Borislav Pelevič who was the one who directly contacted the president of the Kosovo federation to invite him to wako. War and politics are separated from sport. War separates people while sport unites them. Wako must take urgent measures for this individual who abuses and exploits the position of the president of Wako Balkan for personal interests. Wako Albania has been surviving for years and now wants to stand up and to be more active, but there is an individual who, with intrigues and pressures, seeks to bring disunity and discontent in sport by tarnishing the name of wako. The Albanian Olympic Committee insists on informing the World Olympic Committee about this, but does wako need a denunciation of such that after so many years of efforts, we are waiting to become an Olympic sport??? And all this for the fault of an individual who has never been a sportsman and has no sensitivity for sports but wants to carry political problems in them. This is very unacceptable and denigrating. I ask you to position yourself and give your opinion and take measures for this individual. Best regards for all of you Arbis VJERDHA President of Albania Kick-Thai Boxing Federation

Particularly, I want to pay your attention to the statement that Mr. Arbis Vjerdha is giving to the President of WAKO where he said: “The laws and orders from the sport leaders in my country prevail over those to WAKO, and I have nothing left but to implement what Ministry of sport orders me”. This is unacceptable. This is flagrant misunderstanding of the basic principles of WAKO Statute and for me, this statement is very dangerous concerning relations between WAKO members. Additionally, I want to point out that never have I had a telephone contact with this man who is making all these accusations and lies about me, but my communication was exclusively via email (I have presented the communication to you in this letter above). On the other hand, Mr. Arbis Vjerdha communicated by phone with a person



named Mr. Arben Yonuzi (president of the TETOVO club from Tetovo, trainer in the club of the same name and licensed WAKO judge) without my presence. The Albanian President doesn't speak Macedonian language, I don't speak Albanian, and probably because of the language barrier, he decided to talk to Arben in Albanian, without my presence. I cannot know what was said between the two of them and how I was presented in front of him, but one thing is certain that I will not allow this type of communication to continue and for someone to continue to publicly degrade, insult, belittle me and represent me as a racist, a nationalist and a political figure before the WAKO public. I am part of the WAKO since 1992 first of all as competitor then like trainer and as president of federation. On the other hand I have information from Mr. Arben Yonuzi that Albanian President has communication with some persons from our country that are not part of our federation but do something like sport here. At the same time, I want to point out that in the email conversation I do not know if that person is addressing me as the president of the Kickboxing and Muaythai Federation of Macedonia or as the president of the Wako Balkan Federation. Things are mixed and complicated to understand, but regardless, I want to emphasize that I work in both positions according to rules and regulations and they are in line with the Statute and regulations of the Wako Europe and Wako World Federation, both in terms of participation in competitions, as well as in view contest rules and conditions. I am asking the WAKO family and the Wako Disciplinary Commission to take action and sanction this man for unethical, unsportsmanlike and unfair behaviour towards a member of the WAKO family. Additionally, I want to emphasize that until I receive a public apology from this man in front of all the persons involved in the communication, I do not want to have any cooperation and communication with him! I would like to emphasize that as long as I am member of WAKO, I shall follow the WAKO Rules for any event that occurs, and requires highest standards. The WAKO Family shall be our only guide in developing sports in Macedonia and in the world, and we shall always do our best to spread friendship, sports spirit and success in sports. Sports ARENA is the only arena I have ever been part of! I shall also not comment my qualities as an athlete or professional. Everyone in the WAKO Family who knows me can be my advocate, or if officially necessary I shall submit my CV to the relevant authorities. I sincerely hope that these accusation will be seriously considered by the Disciplinary Committee of WAKO and we shall all learn from this unfortunate event that false and misleading accusations can only bring darkness into sports and the WAKO family. I also hope that we shall overcome any misunderstandings and continue working on the primal goal of WAKO. Sincerely, Dejan Mitrovski Urko

Attached to the complaint were screenshots of several emails of the derogatory content.



On 13th of March 2023 the fee for the proceedings in the amount of 490,11 USD was transferred by Kickboxing Muaythai Federation of Macedonia to the account of WAKO.

On 21th of March 2023, an online meeting of the WAKO DEC was held and it was decided to open the case against Mr. Arbis VJERDHA and to appoint Mrs. Lamija Ogrić as secretary of the case.

On 29th of March 2023, Mrs. Lamija Ogrić - as a secretary for this case - contacted, Mr. Arbis Vjerdha by email as follows:

*Greetings, Mr Arbis Vjerdha,
I am addressing you as the secretary of the Disciplinary and Ethical Committee in front of the proceeding initiated against you. The procedure was initiated due to offensive terms, which has caused damage to reputation and personal image toward Mr.Dejan Mitrovski Urko. Please give us your explanation regarding the current situation and explain your side of the story in order to end this case as soon as possible. Please have in mind to send us the explanation until 12 of April.
Best regards, Lamija Ogrić, member of WAKO Disciplinary and Ethical Committee*

The complaint with the exact allegations was sent to Mr. Arbis VJERDHA together with the request for comments.

On 26th of April 2023 - given that we did not receive a response to that email - Mrs. Lamija Ogrić send another email as follows:

*Greetings, Mr Arbis Vjerdha
I am addressing you as the secretary of the Disciplinary and Ethical Committee in front of the proceeding initiated against you. The procedure was initiated due to offensive terms, which has caused damage to reputation and personal image toward Mr. Dejan Mitrovski Urko. In the first email that I sent on March 30, we gave you time until April 12. Since you did not respond to that email, please respond to the email within the next 48 hours and send us your explanation regarding the current situation.
Best regards, Lamija Ogrić, member of WAKO Disciplinary and Ethical Committee*

On 27th of April 2023, Mrs. Lamija Ogrić send a message on facebook to Mr. Arbis VJERDHA to make him aware that he has received a letter from the WAKO DEC.

No statement was sent by the accused.

On 10th of May 2023, the WAKO Disciplinary- and Ethical Committee had a meeting by video-conference in order to discuss the item.



APPLICABLE RULES :

WAKO Statutes, Article 39. Disciplinary Committee

6. The Disciplinary and Ethical Committee is competent to deal with any disciplinary and ethical matters.

7. Further and more detailed provisions regarding the Disciplinary and Ethical Committee and the disciplinary and ethical proceedings under its competence are set forth in regulations issued by the Board.

Article 13. Members' Obligations

1. The Members of WAKO shall have the following obligations:

a. to comply with these Statutes as well as ANY and all regulations, directives and DECISIONS enacted or issued by WAKO BODIES at any time and to comply with the decisions of the Court of Arbitration for Sport (CAS);

4. WAKO Individual Affiliates, when participating to WAKO activities and competitions shall be subject to the provisions of these Statutes and of other WAKO regulations. In case of breach, they shall be subject to disciplinary actions as well as consequences and sanctions resulting therefrom, as provided by these Statutes and other WAKO regulations.

WAKO By-Laws, 1.6.13 Disciplinary and Ethical Committee

the Disciplinary and Ethical Committee is in charge of the conduct of the disciplinary proceedings and investigations conducted as a consequence of any possible violations of the WAKO Statutes and further WAKO rules and regulations and codes by WAKO Members, officials, officers and/or WAKO Individual Affiliates National Federations or Continental Federations (as indicated in WAKO Disciplinary Code); - Moreover, the Disciplinary and Ethical Committee is responsible to take actions and apply sanctions on the basis of the WAKO Disciplinary Code and the suggestions of the President and/or the Board of Directors.

WAKO Code of Ethics, Art. 1 Scope of application

The Code of Ethics shall apply to all WAKO members (the affiliated National Federations or Associations and their members), any persons elected or appointed to any position within the organization of WAKO and its Continental Divisions, WAKO staff, officials, athletes, coaches and referees, and, in general, any individual engaged in WAKO activities and events (collectively, the "Parties"). It shall also apply to consultants and contractually-connected persons/companies, including those representing and/or serving WAKO. The Parties shall observe the Ethical Principles (as hereinafter defined) set forth in this Code of Ethics, including but not limited to fair play and sportsmanship, when participating in any WAKO's championships, events and any other activities.

WAKO Code of Ethics, Art. 2 General conduct regulations

2.1 All Parties shall show commitment to an ethical attitude while fulfilling their task. They shall pledge to behave in accordance with all ethical principles set forth in the present Code of Ethics such as, by way of example but not limited to, the following:



- 1) Human Dignity;
- 2) Non-discrimination, either on the basis of race, gender, nationality, ethnic origin, religion, philosophical or political opinions, nationality, sexual preference or any other grounds;
- 3) Non-violence, including abstaining from any kind of pressure and harassment, whether physical, mental, professional or sexual;
- 4) Friendship, mutual aid and fair play;
- 5) Integrity;
- 6) Priority to the interests of the sport of Kickboxing and of the athletes in relation to financial interests;
- 7) Protection of the environment and health and safety of the athletes and participants;
- 8) Political neutrality;
- 9) Promotion of the Olympic Movement ideals and principles;
- 10) Non defamatory approach to any party;
- 11) Respect and adherence to WAKO Statutes, By-laws, policies, meeting conduct and procedures;
- 12) Collective Agreement, respecting the majority decision on the various Committees.

WAKO Disciplinary Code, Art. 4 General principles

4.1. Violations of the WAKO Statutes, By-Laws, Rules, Regulations and decisions of the Board of Directors or the General Assembly, including the ethical principles outlined in the WAKO Ethical Code, may be sanctioned in accordance with the terms of this Code save as otherwise provided under the respective provisions of the aforementioned legal documents whereby the competence of another Committee (i.e. the Arbitration Committee) may be provided.

4.3. Unless otherwise specified, offenses and infringements are punishable regardless of whether they have been committed intentionally or negligently.

4.7. Any Subjected Parties can request to DEC to initiate an inquiry on any matter which is under the application of this Code.

WAKO Disciplinary Code, Art. 5. Disciplinary Measures

5.1. The following sanctions may be imposed on a natural person:

- a) Reprimand and Warning;
- c) Fine;

5.7. The DEC may impose that a fine is to be paid by the Subjected Parties. The fine shall be no more than EUR 2,500 per individual, per infringement, and not be more than EUR 5,000 per sanctioned National Federation or Club.

WAKO Disciplinary Code, Art. 6. Common Rules

6.1. Sanctions provided for above in Article 5 may be combined, where deemed appropriate by the DEC.



WAKO Disciplinary Code, Art.7. Execution of Sanctions

7.1. The DEC that imposes the sanctions under this Code decides the scope and terms of the same and, where applicable, the time limits for the payment of any fine.

7.3. Fines must be paid to the WAKO bank account - as indicated by WAKO Administration - no later than two (2) months after receipt of the notification of the imposed sanction.

7.4. Should the person or entity fined not pay within the time limit set in the preceding paragraph, payment due will incur a twenty per cent (20%) per annum arrear interest each twelve-month delay and cause prohibition from participation in Competitions until the entire fine is paid.

WAKO Disciplinary Code, Art.15. Competence of the WAKO Disciplinary and Ethical Committee (DEC)

The WAKO Disciplinary and Ethical Committee (DEC) is the body responsible for the application and the implementation of the provisions of the Code regarding disciplinary matters and (ii) the Code of Ethics regarding the ethical matters related to the Subjected Parties under Article 2 above as a consequence of an offense or a breach as provided in Article 1 above.

FINDINGS AND DECLARATIVE STATEMENT OF THE WAKO DISCIPLINARY AND ETHICAL COMMITTEE:

- Mr. Arbis VJERDHA has sent several emails in which he has made unjustified accusations against Mr. Dejan Mitrovski Urko.
- The emails were sent to several people and thus the statements were made public.
- The evidence put forward by Mr. Dejan Mitrovski Urko appears genuine and correct.
- The statements in Mr. Arbis VJERDHA 's emails are not only personal value judgements based on freedom of speech, but statements that are untrue and formulated in an unnecessarily aggressive and offensive manner.
- The statements of Mr. Arbis VJERDHA are likely to undermine the dignity and reputation of Mr. Dejan Mitrovski Urko .
- Mr. Arbis VJERDHA has never apologised for his insults.
- Mr. Arbis VJERDHA did not make a statement and despite reminders did not participate in the proceedings. This behaviour is considered disrespectful by the DEC.
- Mr. Arbis VJERDHA had been blameless until this incident.
- In the event "*Tirana City of Sport 2023 tournament*", Sportdata and RSpportz were not used - as is mandatory.

CONCLUSION:

The WAKO Disciplinary and Ethical Committee considers Mr. Arbis VJERDHA s conduct to be a reprehensible violation of the WAKO Code of Ethics and the WAKO regulations on the mandatory use of sports data and RSpportz at events.



The WAKO Disciplinary and Ethical Committee decides the following:

1. Mr. Arbis VJERDHA has violated the WAKO Code of Ethics by sending offensive and aggressive emails and has to pay a fine of € 500,--.
2. The fine must be paid no later than 30th of May 2023.
3. Mr. Arbis VJERDHA is warned to comply with the WAKO regulations for events, in particular to conduct all events by means of Sportdata and RSpportz.
4. The procedural fee paid will be refunded to the complainant by WAKO.

INFORMATION ABOUT APPEALS:

Decisions passed by the DEC may be appealed before the Arbitration Committee within 21 (twentyone) days of notification of the decision to the parties. The appeal must contain the reasons that justify the appeal. The appellant must deposit a sum of \$500 (five hundred \$ or the equivalent amount in Euro) net of any bank charges to the WAKO bank account. This sum will be reimbursed to the appellant in the case of a favorable decision. The appeal will not suspend the decision of the DEC.

WAKO DISCIPLINARY AND ETHICAL COMMITTEE

Mr. Romeo Desa (Croatia), Mr. Nikolaus Gstättner (Austria) (Chairman),
Mrs. Özge Kayıcı (Turkey), Mr. Kiandro Lebon (Belgium),
Mrs. Lamija Ogric (Bosnia Herzegovina), Mr. Thomas Steenberg (Norway)

On behalf of WAKO DEC

Mag. Nikolaus Gstättner
Chairman WAKO Disciplinary and Ethical Committee
<https://wako.sport/committees/>

Ludmannsdorf, 14.05.2023