

## THE FIVB DISCIPLINARY PANEL

composed by

<b>Mr. Tomohiro Tohyama (JPN)</b>	Chairperson
<b>Ms. Margaret Ann Fleming (SCO)</b>	Member
<b>Mr. Mounir Ben Slimane (TUN)</b>	Member

### Case DP 2017-07

#### I. PARTIES

1. The Volleyball Federation of Venezuela (hereinafter the “Volleyball Federation of Venezuela”, the “National Federation” or the “Respondent”) is the national federation governing the sport of Volleyball in Venezuela. The Volleyball Federation of Venezuela is affiliated with the Fédération Internationale de Volleyball (FIVB) and the South American Volleyball Confederation (CSV).
2. Volleyball Australia (hereinafter the “Interested Party”) is the national federation governing the sport of Volleyball in Australia. Volleyball Australia is affiliated with the Fédération Internationale de Volleyball (FIVB) and the Asian Volleyball Confederation (AVC).

#### II. FACTUAL BACKGROUND

3. On 6 and 7 April 2016, the FIVB Board of Administration approved the following proposal by the FIVB Sports Event Council: *“All participating teams in any competitions and in any age category will pay travel costs from 2017 onwards”* [Minutes of the FIVB Board of Administration dated 6 and 7 April 2016, page 20]. The Minutes of the FIVB Board of Administration were circulated to all National Federations, including the Volleyball Federation of Venezuela on 31 May 2016.
4. On 14 September 2016, the FIVB World Grand Prix Council took place (the Volleyball Federation of Venezuela was excused) and decided on a competition format as follows:
  - Teams participating in the 2017 FIVB World Grand Prix – Group 3 were scheduled to play qualifiers on 7-10 and 14-17 July 2017; and
  - Teams qualified to the 2017 FIVB World Grand Prix Finals – Group 3 were scheduled to play the finals on 22-23 July 2017.

5. On 6 December 2016, the Volleyball Federation of Venezuela registered to participate in the 2017 FIVB World Grand Prix by filing with the FIVB a signed and stamped Letter of Participation. The FIVB confirmed the participation of the Volleyball Federation of Venezuela on 8 December 2016.
6. On 11 December 2016, the FIVB granted Volleyball Australia the right to host the 2017 FIVB World Grand Prix Finals – Group 3.
7. In a letter dated 1 June 2017, the FIVB informed all teams participating in the FIVB World League and the FIVB World Grand Prix that the Volleyball Federation of Venezuela would not be able to participate in the FIVB World League – Group 3 match against the Volleyball Federation of Austria to be held in Frankfurt, Germany on 2 June 2017 due to the late arrival of the team on site. In the same letter, the FIVB also reminded “all National Federations participating in the World League and World Grand Prix that they [bore] the responsibility to book their own transportation – which [was] the reason for the diminution of the entry fee – and to ensure they [would] be present on site for the Preliminary Inquiry and the General Technical Meeting”. The FIVB further reminded all National Federations that failure to comply with the foregoing constituted a violation of Article 15.3.6 of the FIVB Disciplinary Regulations 2016 and listed the relevant sanctions.
8. On 2 June 2017, the Volleyball Federation of Venezuela failed to appear at the beginning of a competition, namely the FIVB World League – Group 3 match against the Volleyball Federation of Austria scheduled at 13:00 (GMT) in Frankfurt, Germany (hereinafter the “Match”). In addition to the foregoing, the National Federation did not participate in the Preliminary Inquiry and the General Technical Meeting prior to the beginning of Pool C3.
9. On 21 June 2017, the FIVB Disciplinary Panel Secretariat notified the Volleyball Federation of Venezuela of the opening of disciplinary proceedings concerning the non-appearance of the Volleyball Federation of Venezuela at the Match. These disciplinary proceedings were recorded under the case DP 2017-02 and will be referred to whenever necessary.
10. In July 2017, the Volleyball Federation of Venezuela travelled first to Cameroun (7-8 July 2017), then hosted a leg of the event (14-16 July 2017).

11. On 11 July 2017, Volleyball Australia informed the Volleyball Federation of Venezuela as to the requirements to apply for visas in Australia and, at the same time, informed the Australian Embassy in Venezuela that the Volleyball Federation of Venezuela was to apply for visas.
12. On 17 July 2017, the Volleyball Federation of Venezuela was invited formally to participate in the 2017 FIVB World Grand Prix Finals – Group 3 to be held on 22-23 July 2017 in Canberra, Australia (hereinafter the “Event”). The Volleyball Federation of Venezuela was scheduled to play matches as follows:
  - Australia on 22 July 2017 at 09:10 (GMT) in Canberra, Australia; and
  - France on 23 July 2017 at 03:10 (GMT) in Canberra, Australia.
13. On 18 July 2017, the FIVB reminded the Volleyball Federation of Venezuela to apply for entry visas to Australia and requested the National Federation to confirm with the organizer its travel arrangements. The FIVB further reminded the Respondent that failure to appear at the beginning of a competition constituted a violation of Article 24.3.6 of the FIVB Disciplinary Regulations 2017 (ex-Article 15.3.6 of the FIVB Disciplinary Regulations 2016) and listed the relevant sanctions.
14. On 20 July 2017, the FIVB put the Volleyball Federation of Venezuela on notice for not having provided Volleyball Australia with the relevant information concerning entry visas status and travel arrangements to Australia. The FIVB clarified that failure to comply with this request would constitute a violation of Article 25.1.1(c) of the FIVB Disciplinary Regulations 2017.
15. On 21 July 2017, the Volleyball Federation of Venezuela informed Volleyball Australia and the FIVB that the team would arrive in Canberra, Australia on 22 July 2017 at 06:00am.
16. On 22 July 2017, the Volleyball Federation of Venezuela failed effectively to appear at the beginning of a competition, namely the Event. In addition to the foregoing, the National Federation did not participate in the Preliminary Inquiry and the General Technical Meeting prior to the beginning of the Event. Ultimately, the Volleyball Federation of Venezuela failed to participate in the Event.

17. On 25 July 2017, Mr. Thomas Chang, President of the FIVB Control Committee and Appeal Sub-Committee, decided the following:

*“1. The Volleyball federation of Venezuela forfeits all its matches in the Event.*

*2. This matter is referred to the FIVB Disciplinary Panel for further evaluation regarding potential sanctions extending beyond the Event, on the Volleyball Federation of Venezuela or any other involved person or legal entity”.*

18. On 26 July 2017, the FIVB Disciplinary Panel Secretariat notified the Volleyball Federation of Venezuela of the opening of disciplinary proceedings. The deadline to provide the FIVB Disciplinary Panel Secretariat with a response was 9 August 2017. These disciplinary proceedings have been recorded under the case DP 2017-07.

19. On 14 August 2017, the FIVB Disciplinary Panel Secretariat acknowledged receipt of the statement of defense by the Volleyball Federation of Venezuela received on 9 August 2017, which included relevant information with regards to the case DP 2017-02 as well, and informed the Volleyball Federation of Venezuela that the FIVB Disciplinary Panel would evaluate the evidence before it.

20. On 17 October 2017, Volleyball Australia sought reimbursement for the expenses made on behalf of the Volleyball Federation of Venezuela and sought additional compensation for loss of income. Volleyball Australia did not substantiate the amount sought at the time.

21. On 15 December 2017, Volleyball Australia filed with the FIVB the detailed organization costs (e.g. television production) incurred in relation with the Event and expenses made on behalf of the National Federation (e.g. accommodation and travel arrangements). Volleyball Australia sought compensation in the amount of AUD 70'000.

### **III. COMPETENCE**

22. The FIVB Disciplinary Panel is competent to hear this case as per Article 26.5 of the FIVB Disciplinary Regulations 2018 (Article 17.5 of the FIVB Disciplinary Regulations 2017 at the time of the opening of the disciplinary proceedings).

23. The FIVB Disciplinary Panel further notes that the National Federation did not challenge the competence of the FIVB Disciplinary Panel to hear the present case.

#### **IV. APPLICABLE LAW**

24. 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.

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

- 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”); and
- The FIVB Disciplinary Regulations 2018, which were approved by the FIVB Board of Administration on 4 May 2018 and entered into force on 1 June 2018 (hereinafter “FIVB DR 2018”).

26. Failure to attend the Preliminary Inquiry, the General Technical meeting or to appear at the beginning of the competition (i.e. the Event) occurred on or before 22 July 2017. The FIVB Disciplinary Panel notes that the FIVB DR 2018 were not in force at that time. Consequently, the FIVB Disciplinary Panel finds that the conduct of the National Federation is to be reviewed under the FIVB DR 2017. The FIVB Disciplinary Panel finds however that the FIVB DR 2018 apply to the present case insofar as they concern the procedure governing these proceedings.

27. In the Charge Letter dated 26 July 2017, the FIVB Disciplinary Panel qualified the alleged violations of the FIVB DR 2017 by the National Federation as follows:

- Failure to attend the Preliminary Inquiry;  
Relevant provision: Article 13.1.3 of the FIVB Event Regulations 2017 (hereinafter “FIVB ER 2017”).
- Failure to attend the General Technical meeting; and  
Relevant provision: Article 13.1.4 of the FIVB ER 2017.
- Failure to appear the beginning of a competition, namely the 2017 FIVB World Grand Prix Finals – Group 3 matches scheduled against:

- i) Australia on 22 July 2017 at 09:10 (GMT) in Canberra, Australia; and
- ii) France on 23 July 2017 at 03:10 (GMT) in Canberra, Australia.

Relevant provision: Article 15.3.6 of the FIVB DR 2017.

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

28. Article 13.1.3 of the FIVB ER 2017 provided the following with regards to the duty to attend the Preliminary Inquiry:

*"[...]. The preliminary inquiry consists of a meeting in which take part the team manager, the team doctor, the members of the Control Committee nominated for this purpose and a representative of the Organising Committee. It must take place on the same day as the arrival of the teams or on the following day at the latest, always before the General Technical Meeting".*

29. Article 13.1.4 of the FIVB ER 2017 provided the following with regards to the duty to attend the General Technical Meeting:

*"The conducting of a General Technical Meeting twenty-four (24) hours before the start of the competition with the Control Committee members, team managers, coaches, referees, doctors, interpreters and organisers (if applicable). [...]"*

30. Article 24.3.6 of the FIVB DR 2017 provided the following regarding non-appearance at the beginning of a competition:

*"Withdrawal during the course of an official competition organized by the FIVB (or during the qualification phase) or non-appearance at the beginning of the competition shall be sanctioned with:*

- a) in all cases, compulsory reimbursement to the Organizing Committee and the FIVB of the expenses made on behalf of the withdrawing delegation and team, plus damages for loss of income and other financial consequences; and*
- b) fine of up to CHF 50,000; and/or*
- c) suspension from international competitions for up to two (2) years".*

## **V. PROCEDURE**

31. By letter dated 26 July 2017, the FIVB Disciplinary Panel informed the Volleyball Federation of Venezuela that disciplinary proceedings were opened against the National Federation and that the FIVB Disciplinary Panel would adjudicate this case. The FIVB Disciplinary Panel

provided the Respondents with the opportunity to submit their respective position in writing by no later than 14 August 2017.

32. The National Federation filed a statement of defense within the applicable deadline (i.e. 14 August 2017).

## **VI. LEGAL CONSIDERATIONS**

### **(a) Violation**

33. Article 24.3.1 of the FIVB DR 2017 made it clear that “[National Federations] have the obligation to enter and participate in all official competitions organized by the FIVB when they have obtained the right to participate” (emphasis added).

34. The FIVB Disciplinary Panel notes that the National Federation registered to participate in the 2017 FIVB World Grand Prix and, accordingly, obtained the right to participated in said competition (see above para 5). Thus, the FIVB Disciplinary Panel finds that the conduct of the Venezuela Volleyball Federation was subject to the obligation referred to above. In addition to the foregoing, Article 24.3.6 of the FIVB DR 2017 provided for sanctions in case of non-compliance with said obligation.

35. The FIVB Disciplinary Panel notes that Article 24.3.6 of the FIVB DR 2017 required the withdrawal during the course of a competition (or during the qualification phase) or the non-appearance at the beginning of a competition.

36. The FIVB Disciplinary Panel understands that the conjunction “or” instituted two alternative violations of Article 24.3.6 of the FIVB DR 2017, namely the case of a team:

- withdrawing from an ongoing competition or qualification phase (Hypothesis 1);  
alternatively
- not appearing at the beginning of a competition (Hypothesis 2).

The FIVB Disciplinary Panel further understands that Hypothesis 1 posited the team to have entered and effectively participated in the competition before withdrawing whereas Hypothesis 2 posited the team to have entered but not to be present at the beginning of the competition. With regards to Hypothesis 1 specifically, the FIVB Disciplinary Panel also understands that the concept of ongoing competition includes the successive stages of an event (e.g. pool A, pool B and finals) although a certain period of time may elapse between

each stage of the event. Equally, the FIVB Disciplinary Panel also understands that failure to attend the Preliminary Inquiry and the General Technical Meeting of any stage of the competition the team withdrew from did not constitute separate rules violations in the present case but were incorporated in the systematic of Article 24.3.6 of the FIVB DR 2017.

37. The FIVB Disciplinary Panel is satisfied that Hypothesis 1 applied to the present case because the evidence before the FIVB Disciplinary Panel shows that the National Federation participated or hosted certain stages of the 2017 FIVB World Grand Prix before the Event (<http://worldgrandprix.2017.fivb.com/en/group3/schedule#/d20170723>). Because of the alternative nature of the violations set forth in Article 24.3.6 of the FIVB DR 2017, the FIVB Disciplinary Panel will not discuss Hypothesis 2 further.
38. The National Federation did not challenge that the conditions of Hypothesis 1 were met in the present case. The National Federation purported however the following in its statement of defense:
- The National Federation is a quasi-public body under the Laws of the Bolivar Republic of Venezuela (see Article 6 and 9 of the Organic law on Sport, Physical Activity and Physical Education);
  - The National Federation had requested – on multiple occasions – financial support from the Ministry of Sport of the Bolivarian Republic of Venezuela to make the necessary travel arrangements to attend all stages of the 2017 FIVB World Grand Prix; and
  - The National Federation alleged finally that the international sanctions against the Bolivar Republic of Venezuela hindered the travel plans of the Volleyball Federation of Venezuela to Australia because many if not all major airlines had suspended their operation to/from Venezuela.
39. With regards to the above, the Ministry of Sport of the Bolivarian Republic of Venezuela confirmed the following in a letter dated 1 August 2017, which was included in the statement of defense submitted by the Volleyball Federation of Venezuela:
- The Republic of Panama denied landing permission to a charter flight carrying a certain number of members of the team delegation *en route* to Australia. Accordingly,



the charter flight was rerouted to the Republic of Peru. Unfortunately, no connecting flight to Australia was available; and

- The President of the Bolivarian Republic of Venezuela, Mr. Nicolas Maduro Moros approved the use of the Presidential aircraft to transport twelve athletes and the Head Coach to Australia. The itinerary of the Presidential aircraft was Caracas – Brazil – South Africa – Australia. The Republic of South Africa denied landing and over-flight permission. Accordingly, the Presidential aircraft had to return to the Bolivarian Republic of Venezuela.

40. While the FIVB Disciplinary Panel is sympathetic to the situation (past and present) within the Bolivarian Republic of Venezuela and acknowledges the existence of international sanctions imposed upon the Bolivarian Republic of Venezuela at the time of the alleged rule violation, the FIVB Disciplinary Panel understands that the (in-)actions of the Volleyball Federation of Venezuela are to be checked against the FIVB regulatory framework only.

41. The FIVB Disciplinary Panel understands that the date and place of the Event were known to the Volleyball Federation of Venezuela months in advance, including the fact that the Volleyball Federation of Venezuela would qualify for the Event approximately ten days prior to the start of the Event. Thus, the FIVB Disciplinary Panel finds that the Volleyball Federation of Venezuela could not be surprised by the timeline governing the 2017 FIVB World Grand Prix and had to prepare accordingly.

42. With regards to the case at hand and having the above in mind, the FIVB Disciplinary Panel understands that the defense by the National Federation shall fall short because i) the timeline set forth in the Facts section (*see above para 3 ff*) shows that the date and place of the Event had been known to the National Federation for months; ii) Volleyball Australia informed the Volleyball Federation of Venezuela as to the requirements to apply for visas in Australia well before the Volleyball Federation of Venezuela qualified to the Event and made the necessary arrangements with the Australian Embassy in Venezuela to try to fast-track the application for entry visas to Australia; iii) the FIVB had to put the Volleyball Federation of Venezuela on notice to force the National Federation to provide Volleyball Australia with the relevant information concerning entry visas status and travel arrangements to Australia; iv) the Volleyball Federation of Venezuela showed no real advanced preparation to attend

the Event despite the opening of disciplinary proceedings against the National Federation for the exact same rule violation in the case DP 2017-02. In other words, the FIVB Disciplinary Panel believes that the non-appearance at the beginning of the Event is due to a lack of organization by the National Federation rather than the existence of international sanctions imposed upon the Bolivarian Republic of Venezuela. This is further evidence by the fact that the National Federation had been able to travel internationally on multiple occasions before the Event. Accordingly, the FIVB Disciplinary Panel finds that no external cause may shield the National Federation from liability.

43. In summary, the FIVB Disciplinary Panel finds that the National Federation i) did not attend the Event and ii) because of its own inactions.
44. Based on the above, the National Federation is liable for the violation of Article 24.3.6 of the FIVB DR 2017.

**(b) Sanction**

45. When determining the applicable sanctions, the FIVB Disciplinary Panel must look at the sanctions provided in the applicable regulations.
46. In addition to the above, the FIVB Disciplinary Panel notes that Article 28.4.1(a) of the FIVB DR 2018 now clarifies 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 in the writing decision”.
47. Consequently, the FIVB Disciplinary Panel will use the sanctions provided for in the relevant provisions as the starting point for the sentencing of the Respondents and adapt the final sanction taking into consideration the principle referred to in Article 28.1.4(a) of the FIVB DR 2018.

## **(1) General consideration**

48. Article 24.3.6 of the DR 2017 provided that a national federation had to mandatorily reimburse the Organizing Committee and the FIVB of the expenses made on behalf of the withdrawing delegation and team, plus damages for loss of income and other financial consequences and could be fined of up to CHF 50,000; and/or suspended from international competitions for up to two (2) years.
49. With regards to the proper interpretation and application of Article 24.3.6 of the FIVB DR 2017, the FIVB Disciplinary Panel understands that the reimbursement plus damage for loss of income and other financial consequences and the imposition of a fine are mandatory consequences to the rule violation (Article 24.3.6(a)(b) of the FIVB DR 2017) whereas a suspension from international competitions may be imposed *in addition* to said mandatory consequences (Article 24.3.6(c) of the FIVB DR 2017).
50. The FIVB Disciplinary Panel notes that there is no specific case law with regards to the application of Article 24.3.6 of the FIVB DR 2017. In the case DP 2017-01, the FIVB President had however sanctioned the Kenya Volleyball Federation with an exclusion from the 2018 edition of the FIVB World Grand Prix for withdrawing from the 2017 FIVB World Grand Prix – Group 2 after the drawing of lots but more than sixty (60) days from the start of the competition (ex-Article 15.3.3 of the FIVB DR 2016).

## **(2) Reimbursement and fine**

51. The FIVB Disciplinary Panel will discuss first the financial consequences of the rule violation and then proceed to discuss the fine to be imposed upon the Respondent.
52. The FIVB Disciplinary Panel notes that Volleyball Australia has filed a request for reimbursement in the amount of AUD 70'000 (i.e. with regards to organizational costs, expenses made on behalf of the withdrawing team or damages for loss of income). The FIVB Disciplinary Panel acknowledges the efforts by Volleyball Australia to allow for the participation of the National Federation in the Event until the last moment. The FIVB Disciplinary Panel further acknowledges that Volleyball Australia has been able to document

in full the request for reimbursement filed with the FIVB by providing the FIVB with the detailed organization costs (e.g. television production) and expenses made on behalf of the National Federation (e.g. accommodation and travel arrangements). Thus, the FIVB Disciplinary Panel finds that Volleyball Australia has discharge its duty to produce the relevant information in order to allow for reimbursement to take place. Accordingly, the FIVB Disciplinary Panel orders the Volleyball Federation of Venezuela to reimburse Volleyball Australia the sum of AUD 70'000. For the sake of clarity, the exchange rate to be use for the reimbursement shall be that of the day of the Event.

53. Turning now to the fine to be imposed upon the Volleyball Federation of Venezuela, Article 24.3.6(b) of the FIVB DR 2017 provided that the Respondent could be fined up to CHF 50'000. The FIVB Disciplinary Panel acknowledges the existence of different scenarios established by the FIVB with regards to withdrawal from international competitions (see Articles 24.3.1 ff of the FIVB DR 2017). The FIVB Disciplinary Panel further acknowledges that the FIVB had the intention to punish more severely cases of withdrawals during a competition or non-appearance at the beginning of a competition than cases of non-registration to a competition for instance. In the case at hand, the FIVB Disciplinary Panel notes that the National Federation i) was aware of its obligation to potentially travel to Australia and make the necessary arrangements for months and ii) participated in the 2017 FIVB World Grand Prix League but for the Event. The FIVB Disciplinary Panel further notes that the National Federation was ordered to reimburse Volleyball Australia and is a second time offender The FIVB Disciplinary Panel finds that the degree of fault of the National Federation is higher than in the case DP 2017-02 but takes into consideration the foregoing when deciding on the global sanction to be applied to the National Federation.

54. Therefore, the National Federation shall be sanctioned with a monetary fine of CHF 20'000.

### **(3) Suspension from international competitions**

55. Article 24.3.6(c) of the DR 2017 provided that the National Federation may be suspended for up to two years in addition to be ordered to reimburse certain costs and handed a fine.

56. In the case DP 2017-01, the FIVB President excluded the Kenya Volleyball Federation from the 2018 edition of the FIVB World Grand Prix because the Kenya Volleyball Federation had withdrawn from the 2017 FIVB World Grand Prix after the drawing of lots but more than sixty days before the start of said competition (ex-Article 15.3.3 of the FIVB DR 2016). The FIVB Disciplinary Panel believes the case DP 2017-07 to be similar to the cases DP 2017-01 and DP 2017-02 to a certain extent because the relevant national federations had *voluntarily* signed a Letter of Participation and *registered* to participate in a competition under the authority of the FIVB. The FIVB Disciplinary Panel finds that the Volleyball Federation of Venezuela shall also be excluded from the next edition of the FIVB World Grand Prix (or its equivalent tournament) in addition to be fined and ordered to reimburse Volleyball Australia<sup>1</sup>.

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<sup>1</sup> The FIVB Disciplinary Panel notes that the FIVB World League was cancelled as of 2018 and replaced by the Volleyball Nations League and the Volleyball Challenger Cup. Because the Volleyball Federation of Venezuela was not invited by the FIVB to participate in the first edition of the Volleyball Nations League, the Volleyball Challenger Cup shall be considered the equivalent tournament to the FIVB World Grand Prix or the purpose of the suspension imposed upon the Volleyball Federation of Venezuela.

**Taking all the above into consideration**

**THE FIVB DISCIPLINARY PANEL**

**Concludes and Decides**

1. The Volleyball Federation of Venezuela has committed a rule violation (Article 15.3.6 of the FIVB DR 2016) and shall be sanctioned with a fine in the amount of CHF 20'000 and an exclusion from the 2019 edition of the Women's Volleyball Challenger Cup.
2. The Volleyball Federation of Venezuela is ordered to pay a financial compensation (i.e. expenses made on behalf of the withdrawing delegation and team, damages for loss of income and other financial consequences) to Volleyball Australia in the amount of AUD 70'000 (seventy thousand Australian dollars).
3. This decision may be appealed in accordance with the attached Notice of Appeals.

Lausanne, 12 June 2019

**For the FIVB DISCIPLINARY PANEL**



Mr. Tomohiro Tohyama

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.