



WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

INTRODUCTION

The present ruling emanates from an email correspondence filed by the Japan Boxing Commission's (JBC) Secretary-General, Mr. Takeshi Naritomi, on Tuesday, November 2, 2021, on behalf of the Commission's member manager, Mr. Masato Yamashita, concerning the WBO Female Minimum Mandatory Championship Contest between Ms. Etsuko Tada and Ms. Thi Thu Nhi Nguyen, held on Saturday, October 23, 2021, at the Wadong Gymnasium in Ansan, South Korea.

According to Mr. Naritomi, Mr. Yamashita claims that the judgment of the bout was unfair and falsely favored Ms. Nhi Nguyen. Furthermore, upon the "JBC" receiving the complaint filed by Mr. Yamashita, conducted a video review of the bout with their experienced judges, which concluded that Ms. Tada was the winner of the bout between 2 to 4 points, or at worst, a draw should have been the judge's assessment.

Lastly, on behalf of Mr. Yamashita, the "JBC" requests that the WBO conducts a review of the Tada/Nhi Nguyen bout accordingly.

Wherefore, having this Committee consider petitioner's arguments, having carefully reviewed the subject matter bout, having reviewed the corresponding WBO Supervisor Report, and having examined the WBO regulations of World Championship Contests and their applicability and enforcement in this matter, and having the power, authority, rights, and ample discretion conferred by our rules, it is hereby determined as follows:

STATEMENT OF FACTS

WHEREAS, on Thursday, September 2, 2021, this Committee granted sanction approval for the WBO Female Mini Flyweight Mandatory Championship Contest between the above-referenced participants; and,

WHEREAS, on Saturday, October 23, 2021, the Tada/Nhi Nguyen bout was held at the Wadong Gymnasium in Ansan, South Korea. The official bout result was a unanimous decision (UD) 96-94 on all three scorecards in favor of Ms. Nhi Nguyen; and,

WHEREAS, on Tuesday, November 2, 2021, this Committee confirmed receipt of email correspondence from the Japan Boxing Commission's General Secretary, Mr. Takeshi Naritomi, on behalf of fellow member Mr. Masato Yamashita, who argues that the bout scores were unfair and favored Ms. Nhi Nguyen; and,

WHEREAS, per Mr. Yamashita's complaint, the Japan Boxing Commission conducted a video review of the subject matter bout and concluded that Mr. Tada had won the bout between 2-to-4-point difference, or at worst, a draw should have been declared; and,



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WHEREAS, the Japan Boxing Commission requests that this Committee reviews the bout and determine accordingly; and,

WHEREAS, on Friday, November 5, 2021, the appointed WBO Supervisor for the Tada/Nhi Nguyen bout, WBO Asia Pacific Vice President, Mr. Leon Panoncillo submitted his supervisor report, including the master scorecard and relevant notes; and,

WHEREAS, this Committee carefully examined all relevant submitted evidence, including the reviewal of the bout, supervisor report and applicable master scorecard; and,

WHEREAS, having this Committee reviewed the facts stated herein, having considered the arguments presented by the petitioner, having reviewed the subject matter bout, and having examined our WBO Rules and Regulations of World Championship Contests, their applicability, and enforcement in this matter, and having the power, authority, and discretion conferred by our rules, it is hereby determined as follows:

APPLICABLE PROVISIONS

It is an uncontested fact that WBO Female Mini Flyweight Participants Ms. Tada and Ms. and Nhi Nguyen are bound by the WBO Regulations of World Championship Contests. Specifically, Section 35 (f)ⁱ provides in relevant: "*These Regulations apply to all WBO Participants. The term WBO Participant includes, but not limited to, WBO World Champions and WBO World Championship Contenders. All WBO Participants who participate in any WBO sanctioned activity do so on the express condition that such WBO Participant is bound by and subject to these WBO World Championship Rules and all WBO Rules and Regulations*". As such, this Committee has jurisdiction and the authority conferred by its rules to resolve the matter at issue accordingly.

The WBO World Championship Committee's authority to consider the issue at hand is governed under Section 1(b)(18) of the WBO Rules and Regulations of World Championship Contests, which provide, in relevant as follows:

SECTION 1. WORLD CHAMPIONSHIP COMMITTEE

(b) The World Championship Committee shall have the following powers and discretion:

(18) To recommend to the Executive Committee whether a direct return fight should be authorized; and,

SECTION 18. RETURN FIGHTS

The WBO shall not allow direct return fights, unless recommended by the World Championship Committee and authorized by the Executive Committee. A direct return fight is a fight between



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the new Champion and the former Champion from whom the new Champion won the title (or between a new Champion and the losing Contestant in a Vacant Title Fight) before the new Champion defends his title against any of the other fighters classified in his category. If the World Championship Committee determines either that the resolution of a Championship Contest was substantially irregular, or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness, such that in either case the World Championship Committee determines that the Championship was substantially unresolved, the World Championship Committee may, in its discretion, recommend a direct return fight, which may be authorized only by the majority vote of the Executive Committee. The World Championship Committee may recommend a direct return fight for any other circumstance; in that event a direct return fight shall only be authorized by the affirmative vote of not less than 75% of the Executive Committee.

GOVERNING RULES AND REGULATIONS APPLICABLE TO SCORING

Conversely, the World Boxing Organization (WBO) adopts and incorporates by reference the uniform rules of the Association of Boxing Commissions (ABC), namely "Unified Rules" as amended from time to time for all WBO World, Regional, and Zone Championships. Therefore, per the ABC's *Regulatory Guidelines and Rules for all World and Regional Championship Bouts*¹, the scoring shall be done on a TEN (10) POINT must system. Complete concentration and application of the scoring criteria will allow judges to pick the winner of each round. Further, judges are to score each round using the following criteria:

- 1. Clean punching (power versus quantity)*
- 2. Effective Aggressiveness*
- 3. Ring Generalship*
- 4. Defense*

SUBJECTIVENESS SCORING IN PROFESSIONAL BOXING & JUDGES' DISCRETION

It is an unquestionable fact that scoring a professional boxing match is subjective in nature. In other words, each scoring official renders its decision round by round in accordance with the applicable rules, guidelines, and criteria based on their respective appreciation of the fight. Therefore, these determinations are discretionary and ordinarily not subject to review unless conclusive evidence of fraud, deceit, corruption, or gross negligence.

JURISDICTION AND POWER TO REVERSE OR TERMINATE OFFICIAL BOUT RESULTS

¹ See, <https://www.abcboxing.com/abc-regulatory-guidelines/>



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Lastly, it is important to note that the WBO lacks subject matter jurisdiction to reverse or terminate all official bout results registered with the local boxing commission. It is the supervising commission's jurisdiction authorized by law that confers the power to regulate and oversee professional boxing fights conducted in their jurisdiction, including but not limited to matters concerning the performance of the appointed officials.

ANALYSIS

The controversy before this Committee is whether the scores rendered by the judges for the WBO Female Mini Flyweight Championship Contest between Ms. Tada and Ms. Nhi Nguyen were substantially irregular, or that there was a misapplication of the rules of boxing resulting in a manifest unfairness that would warrant ordering a return fight between said participants. We respond in the negative and explain our "*Ratio Decidendi*" accordingly.

We begin our analysis indicating that the officials appointed for the WBO Female Mini Flyweight Championship Contest were neutral as none of them were citizens, nationals, or residents from the country of origin or nationality of either fighter (Tada from Japan/Nguyen Vietnam). Furthermore, the bout at issue was held in South Korea, which evidently, represented a neutral jurisdiction for both participants.

Secondly, after carefully reviewing the WBO Supervisor Report, it does not arise from its content any facts, incidents, or indications that the bout scores rendered by the judges disregarded the applicable rules (i.e., failure to follow the 10-point must system, etc.), nor any conduct unbecoming from either official at any moment prior, during or after the bout. Moreover, the bout video does not reflect any circumstances indicative of corruption, deceit, fraud, or gross negligence by none of the appointed judges or any other bout official.

Therefore, in the absence of conduct unbecoming or clear evidence of fraud, deceit, gross negligence, or corruption on behalf of the scoring officials, the WBO cannot terminate or withdraw recognition of the official bout results registered with the local supervising boxing commission. In other words, these scores are presumed correct, and the claimant party must present reliable and conclusive evidence to rebut said presumption to move this Committee's discretion to intervene. Even if we assumed a possible misconduct, the WBO lacks jurisdiction to change the outcome of the fight duly registered with the Commission and the adverse party shall pursue its claims directly with the host commission.

Now, with respect to the contested scores, all three judges scored the fight 96-94 in favor of Ms. Nguyen. Nevertheless, we must stress that none of the scorecards reflected a disparity amongst the judges upon rendering their scores nor any erroneous deductions, miscalculations, or at worst, conceding a "charity" round to either participant. Again, there is nothing in the record that would move this Committee's discretion to rule otherwise as there is no basis to conclude that



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that the resolution of a Championship Contest was substantially irregular, or that there was a clear misapplication of the rules of boxing resulting in a manifest unfairness, such that in either case the World Championship Committee determines that the Championship was substantially unresolved.

Therefore, having carefully considered petitioner's arguments, having reviewed the video of the bout at issue, having examined the applicable supervisor record, scorecards, and relevant documents, and having reviewed the WBO Regulations of World Championship Contests and their applicability in the controversy before this Committee, it is hereby ruled as follows:

CONCLUSION

NOW, THEREFORE, BE IT RESOLVED:

1. The WBO World Championship Committee hereby "DENIES" petitioner's request.
2. This "Resolution" is hereby final, definitive, and enforceable.

This is a final decision of the WBO Championship Committee. The affected WBO participant may appeal such determination to the Complaint and Grievance Committee as per Rule 34, which as per Article 3(e) of the WBO Appeals Regulation, must be submitted in writing to the WBO President within fourteen (14) days of this decision as its sole and exclusive remedy.

Dated in San Juan, Puerto Rico on this 22th day of November 2021

WBO WORLD CHAMPIONSHIP COMMITTEE

A handwritten signature in blue ink, appearing to read "Luis Batista Salas", is written over a horizontal line.

By: Luis Batista Salas, Esq.
Chairman/Championship Committee

Cc: Francisco Valcárcel, Esq./President

ⁱ See, § 35 (f) of the WBO Regulations