



WBO/WBC WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

In the Matter of the WBO/WBC Female Flyweight Division

Parties:

Ms. Georgina Rivero
O.R. Promotions
Promoter
On behalf of Ms. Gabriela Alaniz
WBO Flyweight Champion

Mr. Eric Gomez
Golden Boy Promotions
Promoter
On behalf of Ms. Marlen Esparza
WBC Flyweight Champion

ISSUE PRESENTED

Whether an immediate rematch is warranted between Gabriela Alaniz/Marlen Esparza because of the controversial majority decision rendered by the judges on July 8, 2023, at the AT&T Center in San Antonio, Texas. Having carefully reviewed the official scores, having performed an independent and thorough analysis pertaining to the bout in question and the scores rendered by the independent judging panel, and having examined our governing provisions, we strongly believe that an immediate rematch is merited. Accordingly, we explain our reasoning below.

STATEMENT OF FACTS

On July 8, 2023, the WBO/WBC Flyweight Unification Championship Contest between Gabriela Alaniz and Marlen Esparza took place at the AT&T Center in San Antonio, Texas. After 10 highly competitive and very close rounds, the judges rendered a controversial majority decision (MD) in favor of Marlen Esparza. The scores were as follows: Judge (a) 99-91 / Esparza; (b)/ 95-95 / Draw; Judge (c) / 97-93 Esparza.

After the scores were officially announced, many within the boxing community, including reporting and media outlets questioned the decision, most notably the 99-91 scorecard (9 consecutive rounds in favor of Esparza) in comparison with the other two scores, which reflected a closer bout. Considering the foregoing, Ms. Georgina Rivero, on behalf of Alaniz filed a formal joint petition to the WBO/WBC requesting an immediate rematch arguing that (i) the scores had the impression of favoring the local fighter (Esparza); (ii) the referee allowed multiple and constant headbutts and elbows from Esparza; (iii) Esparza was warned on more than 6 occasions but no actions were taken against the latter, and (iv) the later rounds were clearly rounds in favor of Alaniz but scored in favor of Esparza.

On July 12, 2023, WBO President Paco Valcárcel, Esq., referred Ms. Rivero's request to this Committee for consideration. Therefore, having this Committee carefully reviewed the bout at issue; having examined the



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scores in question; having performed an independent analysis by virtue of an independent judging panel and comparing their scores with the scores at issue; having considered the arguments stated herein; and having reviewed the WBO Regulations of World Championship Contests their applicability, and enforcement in this matter, and having the authority conferred by our rules, it is hereby determined as follows:

APPLICABLE PROVISIONS

All parties agree that they are bound by the WBO Regulations of World Championship Contests. 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”.** [Emphasis Added]. 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) (4), (5), (17) and (22) respectively 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;

(22) To make or recommend exceptions or variations from the rules as the World Championship Committee determines are necessary; 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 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.



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ANALYSIS

We begin our *ratio decidendi* referencing an excerpt of the WBO preamble¹, which states in relevant “...The World Boxing Organization’s Regulations of World Championship Contests are intended to reconcile the interests of all necessary elements of World Championship Boxing in a manner that is in the best interests of the sport. The most important interests are those of the Championship contestants themselves and their worldwide fans...”

Now, the issue before this Committee is simple; whether an immediate rematch is warranted based on the arguments submitted by Ms. Georgina Rivera, on behalf of Gabriela Alaniz. From the outset we must stress that (i) the official scores rendered by the judges are presumed correct; and (ii) in the absence of compelling proof of fraud, deceit, corruption, gross negligence, or violation of law, the WBO lacks subject matter jurisdiction to terminate, reverse or modify official scores registered in the local commission having jurisdiction over the bout even more so when such are discretionary.

Notwithstanding the foregoing, the WBO has the power, discretion, and authority conferred by its governing provisions to recommend to its Executive Committee ordering an immediate rematch, if warranted. For instance, when the consensus within the boxing community is that the scores rendered in a particular bout are highly questionable and/or controversial and the adverse participant files a complaint, this Committee resorts to an independent review, which seeks to provide a more thorough analysis in comparison with the results in question to determine the most probable and definitive scores. Like in the present case, the official bout scores were substantially irregular.

In support thereof, the three official bout judges’ scores were tabulated to ascertain the rounds each fighter won in the three scorecards (100%) or in two of three (66%), with Esparza winning rounds 3 and 9 in all scorecards (100%) and rounds 2, 4, 5, 6, 7, 8, and 10, respectively in two of the three scorecards (66%); whereas the judges did not agree with Alaniz in any rounds of the three (100%) scorecards; having Alaniz winning round 1 in two of the three (66%) scorecards.

Considering the above facts, this Committee appointed 5 anonymous independent and competent judges from different countries to watch the bout without audible distractions. The results of these officials were tabulated to clearly ascertain the rounds each fighter won using an average scale based on 60%, 80 %, and 100% percent. This means that 3 of the 5 judges must agree to determine which fighter won the rounds.

After their respective review of the bout in question, the findings of 5 judges stated that Esparza won round 6 in all scorecards 100%; won round 9 in 80% of the scorecards, and rounds 2, 3, and 5 in 60% of the scorecards. Whereas Alaniz, the Judges were not in agreement of winning a particular round of the 100% scorecards; Alaniz won rounds 1 and 7 in 80% of the scorecards, and rounds 4, 8, and 10 in 60% of the scorecards.

¹ See, Preamble of the WBO Regulations of World Championship Contests



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Therefore, it can be established from the independent judges' scorecards that on the date of bout, Esparza won 5 rounds and Alaniz won 5 rounds.

The next step in the analysis was to combine the scores of the independent judges with the scores rendered by the official bout judges to find the percentage agreement by round. Upon doing the analysis, the combined scores of the judges stated that neither Esparza nor Alaniz won rounds by 100% in agreement; Esparza won rounds 6 and 9 by 87.5%; round 3 by 75%; rounds 2 and 5 by 62.5%, and rounds 4, 8, and 10 were scored even (Draw). Whereas Alaniz, did not win any rounds by 87.5%; won round 1 by 75%; won round 7 by 62.5%, and rounds 4, 8, and 10 were scored even (Draw).

Therefore, in total, Esparza won 5 rounds while Alaniz won 2 rounds with 3 rounds scored even (Draw) in a scheduled 10-round championship bout, considered by many if not all the boxing community as a very close fight. Consequently, given the foregoing findings, it can be established that the Marlene Esparza/Gabriela Alaniz bout was a draw.

Wherefore, this Committee strongly believes that based on the findings stated herein and the arguments submitted by the petitioner, an immediate direct rematch is merited. Ruling otherwise would ratify a resolution of a championship contests that was substantially irregular considering the official bout scores rendered by the judges in question.

DECISION - WBO WORLD CHAMPIONSHIP COMMITTEE

Having carefully reviewed and appraised the facts stated herein, having considered the findings stated herein, and having reviewed the relevant provisions and having examined our governing rules and regulations, this Committee resolves as follows:

1. The WBO Championship Committee hereby rules as follows:
 - a. The request is hereby GRANTED.
 - b. An immediate direct rematch is hereby ordered.
 - c. The parties have 20 days upon issuance of this ruling to negotiate and reach an agreement or purse bid proceedings will be called pursuant to WBO Regulations of World Championship Contests
 - d. Failure to comply with this "Resolution" will result in the non-performance participant waiving any and all rights hereunder without no further citation and/or hearing, and with the Committee proceeding per WBO Regulations of World Championship Contests
2. The Committee reserves its right to issue all further rulings and determinations necessary, helpful, and convenient to accomplish the purposes, policies, and intent of the WBO Rules and Regulations, including but not limited to serving the best interests of boxing, World Boxing Organization, and the female WBO Flyweight Division



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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: August 4, 2023
San Juan, Puerto Rico

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ⁱ See, WBO Regulation §35(f).