



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

CAS 2024/A/10456 Arturs Lotcikovs v. Latvian Football Federation

ARBITRAL AWARD

delivered by the

COURT OF ARBITRATION FOR SPORT

sitting in the following composition:

Sole Arbitrator: Mr. Jordi **López Batet**, Attorney-at-Law in Barcelona, Spain

in the arbitration proceedings between

Arturs Lotcikovs, Latvia

Represented by Mr. Aris Kakstans, Attorney-at-Law in Riga, Latvia

- Appellant -

and

Latvian Football Federation, Latvia

Represented by Mr. Mārtiņš Ozols, Attorney-at-Law in Riga, Latvia

- Respondent -

I. PARTIES

1. Mr. Arturs Lotcikovs (the “Appellant” or the “Player”) is a football player of Latvian nationality.
2. The Latvian Football Federation (the “Respondent” or “LFF”) is the national football association of Latvia, which has its registered seat in Riga, Latvia. It is affiliated with the *Union des associations européennes de football* (“UEFA”) and the *Fédération Internationale de Football Association* (“FIFA”).
3. The Player and the LFF will jointly be referred to as the “Parties”.

II. BACKGROUND FACTS AND THE PROCEEDINGS BEFORE LFF ETHICS COMMITTEE AND THE LFF APPEAL COMMITTEE

4. Below is a summary of the relevant facts and allegations based on the Parties’ written submissions, pleadings and evidence adduced at the remote hearing on 5 September 2024. Additional facts and allegations found in the Parties’ written submissions, pleadings and evidence may be set out, where relevant, in connection with the legal discussion that follows. While the Sole Arbitrator has considered all the facts, allegations, legal arguments, and evidence submitted by the Parties in the present proceedings, it refers in its Award only to the submissions and evidence it considers necessary to explain its reasoning.
5. On 7 October 2023, FK Dinamo Riga played a match against FK Tukums 2000/TSS 2 (the “Match”), which the latter won with a score of 3-4.
6. Shortly after the match, the LFF received information from the UEFA Betting Fraud Detection System (the “BFDS Report”), which in its pertinent part reads as follows:

“There is clear and overwhelming betting evidence that the course or result of this match was unduly influence with a view to gaining corrupt betting profits.

[...] highly suspicious live betting was witnessed in the wider market, specifically for FK Dinamo Riga to fail to win the match, with the emerging shortly after they conceded a second goal in the 52nd minute (3:2) and persisting until the conceded an equalising goal in the 81st minute (3:3)”

[...]

Overall, there is substantial betting evidence that this match was unduly influenced with a view to gaining corrupt betting profits; however, this match represents a partly failed manipulation attempt. Although the match ultimately ended in a 3:4 scoreline – rendering

some of the highly suspicious betting unsuccessful – it does not make the betting patterns observed any less concerning.

[...]

“FK Dinamo Riga conceded a penalty kick in the 51st minute (3:1) which was subsequently converted to make the scoreline 3:2. For the sixth goal of the match, conceded by FK Dinamo Riga in the 81st minute (3:3) defender Daniels Fedorovics failed to apply pressure to an opposition player as they advanced towards goal, before making a half-hearted attempt at blocking the shot that followed, which ultimately beat the goalkeeper from the edge of the penalty area.

[...]

Furthermore, highly suspicious activity at account monitored bookmakers was also recorded in the ‘Double Chance’ and ‘Which team wins the rest of the match’ markets. Indeed, in both of these markets (as referenced in the table above), 100% of the attempted turnover was in favour of selections which would have been successful had the match ended in a draw. It is evident therefore that bettors held prior knowledge of the match ending in a draw, and sought to exploit multiple markets to generate illicit betting profits. Overall, 97% (€35,815) of all attempted singles turnover recorded in this match was specifically for outcomes which would be successful should the match end in a draw.

[...]

Of further serious concern is that leading European bookmaker Bet365 prematurely removed their live markets in the 78th minute (3:2). Bookmakers would normally offer live markets right up to the end of regulation time, and the drastic decision to remove their markets with a significant amount of game time remaining indicates that this bookmaker held their own serious integrity concerns regarding these betting patterns.”

7. On 10 October 2023, the LFF Ethics Committee decided to initiate an investigation to ascertain whether there had been deliberate manipulation of the Match, as well as to identify the person(s) involved in such alleged manipulation scenario. In addition, an independent commission of experts was established to conduct investigations on the possible manipulation of the Match, composed of Mr. Andrejs Gluščuks, head of the LFF Elite Department and head coach of the Football Academy, UEFA Pro license (“Expert No. 1”); Mr. Artūrs Biezais, LFF coach education specialist, UEFA Pro GK license (“Expert No. 2”); Mr. Vadims Direktorenko, Head of the LFF Judges Department (“Expert No. 3”); Mr. Juris Žigajevs, independent expert, journalist (“Expert No. 4”); and Mr. Sergey Krivokharchenko, independent expert, Radio Free Europe / Radio Liberty journalist (“Expert No. 5”). These experts will hereinafter be jointly referred to as the “Experts”.
8. Each of the Experts issued their respective opinions on the Match.

9. On 17 October 2023, Starlizard Integrity Services issued the Match Analysis Report (the “Starlizard Report”), which in its pertinent part reads as follows:

“[...] After leading 3-0 at half-time, the odds obtained for the match showed an irregular and substantial change of opinion, with FK Tukums 2000/TSS strongly favoured to perform well despite going 3-0 behind.

[...]

This results in implied supremacy moving to over 3.00 in favour of FK Tukums 2000/TSS II. The large change in implied supremacy and odds, predicting a FK Tukums 2000/TSS II comeback, are concerning given the previous odds data and implied supremacy values in the match.

[...] the highly experience betting integrity team has viewed various aspects of the match and held strong concerns over the actions in the goals conceded by FK Dinamo Riga [...]

[...] there is sufficient pricing irregularities to hold a reasonably high level of concern.”

10. On 19 December 2023, the LFF Ethics Committee issued its decision with reference number 4/2023 (the “LFF Ethics Committee Decision”), by virtue of which it considered that the Match was fixed and several players were sanctioned as regards of it. The operative part of such decision, in what concerns the Player, reads in its pertinent part as follows:

“4.1. Admit that the October, 7 2023 match of the ‘Optibet’ Nakotnes League Championship between FK ‘Dinamo Riga’ – FK Tukums 2000/TSS-2 was manipulated by the players of FK ‘Dinamo Riga’ with the aim of achieving a specific result of the game.

“[...] 4.6. Admit that the player Lotčikovs Artūrs (Comet ID No. 34579) was directly involved in the deliberate manipulation of the game result. Based on Disciplinary Regulations Annex No. 1 p. 10.1.3.2. and p.15, apply a 12-month disqualification and a fine of 1000 (one thousand) EUR;”

11. On 5 January 2024, the Appellant filed an appeal with the LFF Appeals Committee against the LFF Ethics Committee Decision, requesting it to be set aside.
12. On 12 February 2024, the LFF Appeals Committee rendered its decision (“the Appealed Decision”) dismissing the Player’s appeal, in the following terms:

“Based on the third part of Article 58 of the LFF Statutes, point 7.1 and 7.5. of the Regulations of LFF Legal Institutions LFF Appeals Committee

- 1) To leave unchanged the decision of the LFF Ethics Committee of 19 December 2023 No. 4/2023 resolution parts 4.6. point, which admits that the player Artūrs Lotčikovs*

(COMET ID No. 20069) was directly involved in the deliberate manipulation of the match result, and which imposes a 12-month disqualification from all competitions organized by the LFF and EUR 1 000 (one thousand) fine;

2) *reject appeal of Artūrs Lotčikovs from 5 January 2024.*

The decision enters into force at the moments of its adoption. [...]”.

13. The grounds of the Appealed Decision read in the pertinent part as follows:

“18. [...] the conduct of the LFF Ethics Committee, when drawing up the Summary Judgment, (i) was in accordance with the third part of Article 54 of the FIFA Disciplinary Code; (ii) did not violate the Player's rights, as the Player had the right to ask the LFF Ethics Committee to draw up a full ruling and thus learn its motivation, later objecting to it in an appeal. Therefore, the Committee concludes that the LFF Ethics Committee was entitled to adopt the Summary Judgment, and in this regard, no evidence of the Player's the procedural violation referred to in the appeal. [...]

19. In the appeal, the player has indicated, among other things, the evidence used by the LFF Ethics Committee, incl. Reports and LFF's independent expert opinions, shortcomings. It follows from the Player's appeal that the Player does not recognize the aforementioned evidence as permissible due to several circumstances, including due to the lack of explanation of the necessary properties and the methodology used and various other features.

20. The Committee, having evaluated the Reports and the opinions of LFF's independent experts, joins the Decision of the LFF's Ethics Committee in this regard, recognizing the Reports and the opinions of the LFF's independent expert commission as reliable, objective and relevant evidence requirements. The Committee has not come to an affirmative conclusion of the Player's appeal doubts about the admissibility of this evidence. In addition, the Committee concludes (see, among others, the considerations below) that the LFF Ethics Committee all the evidence, incl. the reports and opinions of LFF's independent expert commission have been evaluated comprehensively and in their mutual connection, which excludes doubts about the unjustified influence of one or a couple of pieces of evidence on the Decision.[...]

22. The Committee agrees and joins the reasoning indicated in the Decision regarding the evaluation of the Player's actions during the Game, as the LFF Ethics Committee has comprehensively and carefully examined the evidence, analyzed and evaluated it in its entirety and in relation to each other, reasonably concluding that the Player was directly involved in the deliberate manipulation of the Game's result. Therefore, the Committee does not repeat for reasons of procedural efficiency the reasoning stated in the Decision, providing only additional arguments related to what was stated in the Player's appeal.

23. The Committee finds that the Decision of the LFF Ethics Committee is based on the following for evidence:

1)Expert no. 1 provided opinion;

- 2) *Expert no. 2 provided opinion;*
- 3) *Expert no. 3 provided opinion;*
- 4) *Expert no. 4 provided opinion;*
- 5) *Expert no. 5 provided opinion;*
- 6) *Union of European Football Associations (UEFA) Fraudulent Actions with Match Results Analysis System (BFDS) report;*
- 7) *Report of the Fraud Analysis Center 'Sport Integrity Team Srl';*
- 8) *Warning of the rate analysis center 'Starlizard';*
- 9) *Information provided in the player's interview;*
- 10) *Opinions provided by the persons heard.*

24. *As stated above, the LFF, during the investigation, established the LFF's independent expert panel, which, after analyzing the video footage of the Game, conducted the Game and the Player's actions assessment. The Committee notes that none of the episodes of the Game were evaluated separately and separated from the overall course of the Game, all the Player's actions during the Game were evaluated comprehensively and comprehensively and described in the opinions of LFF's independent experts.*

25. *As already indicated above, during the evaluation of the evidence, the LFF Ethics Committee also evaluated the Reports.*

26. *In this regard, the Committee draws attention to the Court of Arbitration for Sport (hereinafter - CAS) decision in case no. 2021/A/8453, paragraph 96 of which stipulates that a BFDS report by itself, without other evidence, cannot prove a link between a Player and the offense of deliberate game manipulation. On the other hand, in case no. CAS Decision 2018/A/6075 paragraphs 60 et seq. establish the need to prove the Player's guilt of deliberate game manipulation, not just the fact of game manipulation. Thus, the Committee points out that in the course of the investigation, in order to prove the Player's guilt, it is necessary to point to the relevant actions of the Player during the Game, and not to be limited to the conclusion about the existence of Reports.*

27. *The Committee, having evaluated the opinions provided by the LFF's independent experts and the motivation contained in the Decision of the LFF Ethics Committee, concludes that the LFF Ethics Committee has followed the indications contained in the aforementioned CAS decisions regarding the need to directly assess the Player's actions and their impact on the Game. The above is confirmed, among other things, by Article 2.18 of the Decision. point: 'Evaluating the opinions of independent experts (paragraphs 2.3 -2.7), the Committee believes that Aleksandrs Kartišovs, Artūrs Lotčikovs, Daniels Fedorovičs, Vakhtang Yomidava and Lolua Badri have manipulated the result of the game [...]'.*

28. *After evaluating the [first instance decision] and the evidence in the case, the Committee has gained confidence that the LFF Ethics Committee has not formally referred*

to the existence of the Reports and the suspicions expressed in them about the Player's fault in the manipulation of the Game, but has evaluated specific actions of the Player, which are included in the opinions of LFF's independent experts, for example:

- 1) Point 2.3.3 of the decision contains a reference to Expert no. 1 evaluation of the Player's actions given in the opinion, which cannot be explained from a sporting point of view: "[...] 46:30 Artūrs Lotčikovs does not narrow the space, does not actually participate in defensive actions 47:06 Artūrs Lotčikovs does not meet the opponent, plays very passively [...] 49:30 Artūrs Lotčikovs does not play in possession - does not make contact, very passive 49:38 Artūrs Lotčikovs Attempt No. 1 foul 49:39 Artūrs Lotčikovs Attempt No. 2 to commit a foul 49:40 Artūrs Lotčikovs Third time the foul succeeds [...] 65:42 L Artūrs Lotčikovs [...] 73:58 Artūrs Lotčikovs Does not run back to cover a player in the penalty area 78: 56 Artūrs Lotčikovs Extremely passive actions in defense - does not try to take the ball [...] 80:17 Artūrs Lotčikovs [...] Extremely passive actions, does not take possession and does not block the shot [...] 86:02 Artūrs Lotčikovs Does not meet the player and does not try to block the shot.*
- 2) Decision point 2.4 contains a reference to Expert no. 2 assessment of the opinion on the Player's actions given, which do not correspond to the level of technical and tactical preparation: "[50 game minute] [Nr.4 Artūrs Lotčikovs] deliberately commits a penalty"*
- 3) Point 2.5 of the Decision contains a reference to Expert no. 3 assessment of the Player's actions given in the opinion, which indicate violations of the integrity of the game: "[...] 1.12:20 Lotčikovs (#4) in an absolutely unnecessary situation, when the ball has already left the corner of the penalty area, knocks down the opponent and earns a 11- meter penalty kick on his team's goal [...] Lotčikovs (#4) played illogically "high" for his position, or too close to the opponent's penalty area. The episode ends with a pass from Lotčikovs (#4) to a partner in the back. Tukums starts a fast counter-attack, but Lotčikovs (#4) does not rush back to the defense at full speed to help his team protect the lead; [...] Analyzing the players' skills together with the decisions and actions taken, evaluating the team's chosen playing style and tactics, it can be concluded that the following FC Dinamo Rīga footballers caused deliberate damage to the team's interests with their demonstrated performance: Artūrs Lotčikovs (#4), left central defender, 26.01.2000.*
- 4) Point 2.6 of the decision contains a reference to Expert no. 4 opinions: "[...] Personally, I have a lot of questions about what happened on the field for 4 Dinamo players. All three central defenders (No. 4, No. 5, No. 15) and team captain No. 22 (Player). In the 2nd half, these 4 players regularly left more dangerous areas free near their own goal, played passively in taking possession of the ball, blocking shots, made many mistakes while playing on their side of the field."*
- 5) Point 2.7 of the decision contains a reference to Expert no. 5 opinions in English: "[...] In my opinion, some players could have intentionally influenced the result of the game [...] Most often, FC Dinamo Riga players No. 15, No. 5 and No. 4 showed strange and possibly unsportsmanlike actions in the second half of the match." Translation of the opinion in Latvian: "[...] In my opinion, some players could have deliberately*

influenced the outcome of the game. [...] Most often FC Dinamo Riga players no. 15, no. 5 and no. 4 showed strange and possibly unusual unsportsmanlike conduct in the second half of the game.”

[...]

30. The information and evidence available to the Committee show that the Decision was made based solely on the evaluation of the Player's actions as a football player during the Game, without taking into account any personal considerations. Furthermore, the Committee does not find that the LFF Ethics Committee based the Decision only on Reports or general references to the Player's performance. Therefore, the adopted Decision is both justified and objective, and upon finding involvement in the manipulation of the Game, the Player has been rightly punished with the penalty provided for in Appendix no.1 of the LFF Disciplinary Regulations, point 10.1.3.2. - disqualification for up to 12 months and a fine of up to 1,000 EUR.

[...]

32. Summarizing the above, the Committee concludes that the LFF Ethics Committee, based on relevant, admissible and reliable evidence that has been comprehensively, completely and objectively examined and evaluated, has adopted an evaluated and justified Decision, as a result of which there is no basis for satisfying the Player's appeal.”

III. PROCEEDINGS BEFORE THE COURT OF ARBITRATION FOR SPORT

14. On 4 March 2024, the Appellant filed a Statement of Appeal with the Court of Arbitration for Sport (the “CAS”) against the Respondent with respect to the Appealed Decision in accordance with Articles R47 and R48 of the CAS Code of Sports-related Arbitration. The Appellant requested to submit this matter to a sole arbitrator.
15. On 11 March 2024, the CAS Court Office, *inter alia*, requested the Appellant to provide an English translation of the LFF Statutes.
16. On 28 March 2024, the CAS Court Office, *inter alia*, invited the Respondent to present its position on the Appellant’s request for stay of the Appealed Decision. Additionally, the CAS Court Office invited the Respondent to comment on the Appellant’s requests for (i) the suspension of the deadline to file the Appeal Brief and (ii) the production of documents, and on the number of arbitrators to be appointed to resolve the dispute and the language of the proceedings. Furthermore, the CAS Court Office also informed that the deadline for the Appellant to file his Appeal Brief had been suspended on 4 March 2024 and would remain suspended.

17. On 4 April 2024, the Respondent informed that it agreed to the appointment of a sole arbitrator and to provide the documents requested by the Appellant, and made some comments on the documents to be produced.
18. On 10 April 2024, the CAS Court Office acknowledged receipt of the documents produced by the Respondent and requested the Appellant to inform the CAS Court Office whether his document production request had been satisfied.
19. On 15 April 2024, the Appellant informed the CAS Court Office that his request for production of documents had not been fully satisfied and explained the reasons for that.
20. On 16 April 2024, the CAS Court Office invited the Respondent to comment on the Appellant's letter of 15 April 2024 and/or to produce the documents requested by the Appellant. In addition, the CAS Court Office also informed the Parties that the Appellant's time limit to file his Appeal Brief would remain suspended.
21. On 7 May 2024, the CAS Court Office informed the Parties that the Respondent had not provided response to the Appellant's letter of 15 April 2024 and to the Appellant's request for stay of the Appealed Decision, and that it would be for the President of the Appeals Arbitration Division, or her Deputy to decide on (i) the maintenance of the suspension of the time limit for the filing of the Appeal Brief and (ii) the Appellant's request for stay of the Appealed Decision.
22. On 30 May 2024, the CAS Court Office informed the Parties that the Deputy President of the CAS Appeals Arbitration Division had decided that the Appellant's time limit to file his Appeal Brief should no longer remain suspended and to resume it with immediate effect. In addition, the CAS Court Office also informed that the Appellant's request for document production would be referred to the Sole Arbitrator, once appointed.
23. On 7 June 2024, the Appellant submitted his Appeal in Brief in accordance with Article R51 of the CAS Code.
24. On 30 June 2024, the Respondent filed its Answer Brief in accordance with Article R55 of the CAS Code.
25. On 5 July 2024, the President of the CAS Appeals Arbitration Division dismissed the Appellant's request for stay of the Appealed Decision. The operative part of the Order reads as follows:

"The President of the Appeals Arbitration Division of the Court of Arbitration for Sport, ruling in camera, decides that:

- 1. The application for provisional measures filed by Arturs Lotcikovs on 4 March 2024 in the matter CAS 2024/A/10456 Arturs Lotcikovs v. Latvian Football Federation is dismissed.*
- 2. The costs deriving from the present order shall be determined in the final award or in any other final disposition of this arbitration."*
26. On 9 July 2024, the CAS Court Office informed the Parties, on behalf of the Deputy President of the CAS Appeals Arbitration Division, that Mr. Jordi López Batet, Attorney-at-Law in Barcelona, Spain, had been appointed as Sole Arbitrator to decide the present dispute.
27. On 18 July 2024, the CAS Court Office, on behalf of the Sole Arbitrator, requested the Respondent to produce the "Betting Fraud Alert from the United Lotteries for Integrity in Sports" as well as a translation into English of the independent expert minutes. In addition, the CAS Court Office invited the Respondent to comment and/or produce the missing documents from the Appellant's request for production of documents. I. In addition, the CAS Court Office informed the Parties *inter alia* that (i) the Sole Arbitrator had decided to hold a hearing in this case, (ii) that the hearing should include this case and the related procedure CAS 2024/A/10438 unless the Parties requested to hold two separate hearings and (iii) the Appellant's request for the appointment of an independent expert was denied.
28. On 19 July 2024, the Appellant informed that he agreed to hold one hearing for both related proceedings CAS 2024/A/10438 and CAS 2024/A/10456.
29. On 23 July 2024, the Respondent produced the "Betting Fraud Alert from United Lotteries for Integrity in Sports" to the file and the CAS Court Office, on behalf of the Sole Arbitrator, informed that a joint hearing for the present procedure and procedure CAS 2024/A/10438 would be held by videoconference on 5 September 2024.
30. On 30 August 2024, the CAS Court Office invited the Appellant to comment on the admission of Mr. Konstantins Rubins as a witness, as he had not been announced as such in the Answer Brief. The CAS Court Office further requested the Parties to sign and return a copy of the Order of Procedure.
31. Also on 30 August 2024, the Appellant objected to the admission of Mr. Konstantins Rubins as a witness.
32. On 2 September 2024, the Respondent decided to withdraw the witness of Mr. Konstantins Rubins.
33. On 3 September 2024, the CAS Court Office acknowledged receipt of the Order of Procedure respectively signed by the Parties.

34. On 4 September 2024, the CAS Court Office reminded the Respondent to provide by the same day a translation into English of the Experts opinions (which the Respondent did) as well as a link to the video of the Match which could be permanently downloaded. A new reminder on the latter was sent by the CAS Court Office on 5 September 2024.
35. On 5 September 2024, a hearing was held by videoconference in these proceedings. The Sole Arbitrator, Dr. Björn Hessert, CAS Counsel, and the following persons attended the hearing:
- For the Appellant:
 - Mr. Aris Kakstans – Counsel
 - Mr. Arturs Lotcikovs – Appellant
 - Mr. Georgijs Sackovs – Witness
 - Mr. Raens Talbergs – Witness
 - For the Respondent:
 - Mr. Martins Ozols – Counsel
36. At the outset of the hearing, the Parties confirmed that they had no objections with regard to the constitution and composition of the Tribunal.
37. After the Parties' opening statements, the witnesses and Mr. Lotcikovs, assisted by their interpreters when required, were examined. The Parties then made their respective closing statements and a turn for rebuttal was also granted to them.
38. At the end of the hearing all the Parties expressly declared that they did not have any objections with respect to the hearing and to how the procedure had been conducted.
39. On 11 September 2024, upon a new request from the CAS Court Office, the Respondent produced an updated link to the video of the complete Match.

IV. SUBMISSIONS OF THE PARTIES

40. The following summary of the Parties' positions is illustrative only and does not necessarily comprise each contention put forward by them. However, in considering and deciding upon the Parties' claims, the Sole Arbitrator has carefully considered all the submissions made and the evidence adduced by the Parties, even

if there is no specific reference to those submissions in this section of the Award or in the legal analysis that follows.

A. The Appellant's position

41. In his Statement of Appeal, the Player requested the following prayers for relief:

"[...] The APPELLANT requests CAS to

- *Accept this Statement of Appeal.*
- *Stay the execution of the DECISION.*
- *Make the appointment of a sole arbitrator by a decision of the President of the Division.*
- *Set aside the DECISION, as well as.*
 - *acquit the APPELLANT from any violations of the relevant rules and regulations of the RESPONDENT and to annul the bans imposed (or, in the alternative, to reduce the ban and monetary penalty imposed to a warning).*
 - *Condemn the RESPONDENT to pay the entire CAS administration costs and the arbitration fees and to reimburse the APPELLANT of any and all expenses incurred in connection with this procedure and the procedures in front of the bodies of the RESPONDENT and to award a contribution towards the legal costs.*
 - *Rule that the APPELLANT is entitled to damages in the amount of EUR 50.000 from the RESPONDENT "*

42. In his Appeal Brief, the Appellant sought the following:

"The APPELLANT hereby reaffirms the request for relief sought under the Statement of Appeal and requests the Court of Arbitration for Sport to set aside the part of the DECISION concerning the APPELLANT, and rule that the APPELLANT is not liable for match-fixing, has not breached any fair game provisions, therefore any and all sanctions against the APPELLANT shall be set aside (i.e., the disqualification and EUR 1000 fine on the APPELLANT to be cancelled)

The APPELLANT hereby requests the Court of Arbitration for Sport to rule that RESPONDENT is liable to compensate the moral damage and material losses caused to the APPELLANT through the DECISION: EUR 50'000, composed of several categories such as unearned income, moral damage, expenses"

43. The Appellant's position in these proceedings may be summarised as follows:

- The bodies of instance relied on documents and reports that do not provide direct evidence of the Appellant's involvement in the manipulation of the Match. While the BFDS Report and the Starlizard Report offer technical analysis of the betting market during the Match, they fail to establish beyond reasonable doubt a direct link between the Appellant's actions and the alleged manipulation. No

Appellant's action in the Match is cited as suspicious in the reports. The fact that the Player was one of FK Dinamo Riga players at the Match does not render him guilty of match fixing.

- The Appealed Decision lacks a clear explanation on how the Appellant's actions are connected to the BFDS Report and Starlizard Report. The conclusion of guilt is based primarily on the Appellant's participation in the Match and proximity to a goal-scoring incident, without a comprehensive review of the overall context, which are not sufficient grounds to conclude that the Appellant manipulated the Match for betting purposes in accordance with CAS jurisprudence. The LFF did not meet the applicable standard of proof and therefore the Appellant's involvement in the manipulation of the Match was not properly satisfied.
- Concerns are to be raised about the reliability of the expert opinions provided by the LFF. The experts did not attend the Match and based their evaluations solely on video footage and betting alerts, which may lead to inconsistencies and lack of uniform analytical standards. Their opinions do not establish a clear connection between the betting irregularities and the Appellant's performance and not every expert opinion highlights the same episodes. In addition, all the expert opinions (i) do not satisfy the substance required by CAS jurisprudence and LFF rules and regulations to establish a scenario of match fixing as there is no link between the manipulation of the Match and the concrete actions of the players, (ii) compare the Appellant's level with the Latvian higher league best standards, while it should have been compared to a reasonable standard applicable to the Latvian second division and (iii) do not consider the coach's tactical scheme.
- The choice of the experts appointed were challenged in the proceedings of instance, where the Appellant questioned if those experts had the necessary qualification to produce their opinions, but the Appealed Decision failed to address such a challenge. In addition, presence of LFF employees amongst the experts could compromise their impartiality and independence. Therefore, Expert 1, 2 and 3's opinions shall not be considered good practice as the experts are not independent. Furthermore, Article 10.1.3 of the LFF Disciplinary Regulations requires the appointment of a unified expert commission, which did not take place herein. Such breach of the LFF Disciplinary Regulations entails that the Appealed Decision is to be declared null and void.
- Procedural flaws took place in the proceedings of instance: (i) there were no detailed minutes or protocols of the meeting of 10 October 2023 which obstructed the understanding of the decision-making process and suggest non-compliance with LFF regulations, (ii) the Appellant was not provided with

relevant evidence, which hindered his ability to file his defence and (iii) there was no hearing before the LFF Appeals Committee, which raises concerns that his arguments, including claims for damages and compensation, were not properly considered.

- Finally, the Appellant shall be compensated for the moral damages and loss of opportunities caused by the unfounded ban imposed on him.

B. The Respondent's position

44. In its Answer, the Respondent submitted the following prayers for relief:

“Herewith the Respondent respectfully requests the Sole Arbitrator the following:

- 1. To dismiss the appeal in its entirety and to confirm the decision of LFF Appeals Committee dated 12 February, 2024 where Appeals committee examined appeal of the 5 January 2024 by Arturs Lotcikovs, personal code: 260100-21637 regarding the 19 December 2023 decision no. 4/2023 of the LFF Ethics Committee in the part relating to the Player.*
- 2. Dismiss all of Appellant's claims;*
- 3. Order the Appellant to bear all costs incurred with the present procedure.*
- 4. Order the Appellant to pay the contribution towards its legal fees and other costs in an amount to be determined by the Sole Arbitrator”*

45. The LFF's submissions, in essence, may be summarised as follows:

- After the half time of the Match, there were rapid and atypical changes in the betting market as evidenced by the BFDS Report and Starlizard Report, as well as an unexpected turn in Dinamo Riga's performance at the Match, with several players displaying puzzling and questionable behaviour on the pitch. The aforesaid is confirmed by Expert No. 3 opinion, which shows how drastically different and uncharacteristic the Appellant's performance was in the second half of the Match, considering his usual technical and tactical level. Of particular concern is the incident where the Player committed a foul in the penalty area, resulting in a penalty kick being awarded.
- After leaving FK Super Nova, the Player's career declined, and he has since only played as an amateur in two clubs which no longer exist and were also involved in match-fixing.
- The Player had an amateur contract with his club which did not stipulate any salary but rather involved a one-off cash payment and additional cash payments received from third parties. Receiving cash payment from third parties is a flagrant violation of Article 3.1.1 of the LFF Code of Ethics.

- The Expert's commission was established in accordance with Article 10.2 of the LFF Disciplinary Regulation and Article 8.7 of the "Regulation of Legal Bodies and Procedures" of the LFF. It comprised five independent experts with recognised experience in the football sector and conducted its investigation with a focus on fairness, transparency, and credibility. The members' diverse expertise facilitated a comprehensive and impartial evaluation of the situation. In addition, some of the appointed experts know the Player's career and his playing field level. Each member operated independently, ensuring that their respective conclusions were based on an objective review of the evidence. The Experts collectively identified anomalies in the player's performance, notably the significant disparity of performance between the first and second half of the Match.
- The Appellant's challenge of the conclusions of the Experts and his assessment of the actions at the Match is unsubstantiated. A detailed examination of the evidence was made and it was reasonably concluded by the bodies of instance that the Player was involved in a deliberate manipulation of the Match.
- The LFF adheres to the "comfortable satisfaction" standard set by CAS jurisprudence. It is asserted by the Respondent that this standard has been met, as there is a high degree of confidence in the quality of the evidence presented. The LFF Appeals Committee reviewed the BFDS Report, the United Lotteries Report, and Starlizard Report, along with the Experts' opinions and it was concluded that all evidence was reliable, objective, and met the required standard of proof. All the evidence was assessed thoroughly and contextually, ensuring no undue influence from any single piece of evidence.
- The Player's guilt has been duly proven as the relevant actions of the Player during the Match were linked to his involvement in the manipulation of the Match. The Appellant's actions during the Match are contrary to the basic principles of the game of football and cannot be considered as performed in accordance with the sporting interests of the team.
- Regarding the Appellant's claim of "*not having the opportunity to defend against expert opinions*" and the inability to present evidence to the LFF Appeals Committee, the Respondent notes that Article 4.2 of the LFF Code of Ethics does not preclude the submission of expert opinions. Furthermore, the Appellant did not request additional materials from the LFF concerning the Ethics Committee's decision during the appeal process.
- With regards to the compensation claimed by the Appellant, the Respondent submits that there is no basis for considering such request as the Appealed

Decision confirmed the sanctions imposed by the LFF Ethics Committee Decision.

V. JURISDICTION

46. Article R47 of the CAS Code provides in the pertinent part the following:

“An appeal against the decision of a federation, association or sports-related body may be filed with CAS if the statutes or regulations of the said body so provide or if the parties have concluded a specific arbitration agreement and if the Appellant has exhausted the legal remedies available to it prior to the appeal, in accordance with the statutes or regulations of that body.”

47. The Statutes of the LFF read in the pertinent part as follows:

- Article 58:

“Appeal committee

4. Decisions rendered by the Appeals Committee may be appealed only to the Court of Arbitration for Sport located in Lausanne, Switzerland or to a national independent arbitral tribunal in accordance with the provisions of these Statutes”

- Article 63:

“Court of Arbitration for Sport (CAS)

1. In accordance with the provision of the relevant Articles of the FIFA Statutes and/or the UEFA Statutes, any appeal against a final and binding FIFA decision by any FIFA body, UEFA body or the Leagues shall be heard by the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, unless the jurisdiction of another Court of Arbitration is established in accordance with article 66 of the CAS. However, CAS does not consider appeals for violations of the Laws of the Game and suspensions from participation for up to four matches or up to three months, or for a decisions made by an independent and duly constituted Court of Arbitration of the Association or Confederation (except for decisions related to doping).

2. The LFF ensures that it and all Members, Players, Officials and match and player agents under its jurisdiction comply fully with the final decisions of all FIFA Bodies, UEFA Bodies, LFF recognized arbitration courts and the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland”.

48. None of the Parties has challenged the jurisdiction of the CAS and both of them signed the Order of Procedure

49. It follows that the CAS has jurisdiction to adjudicate and decide on the present dispute.

VI. ADMISSIBILITY

50. Article R49 of the Code provides as follows:

“In the absence of a time limit set in the statutes or regulations of the federation, association or sports-related body concerned, or in a previous agreement, the time limit for appeal shall be twenty-one days from the receipt of the decision appealed against. The Division President shall not initiate a procedure if the statement of appeal is, on its face, late and shall so notify the person who filed the document.”

51. The Appealed Decision was notified to the Appellant on 12 February 2024 and the Appellant’s Statement of Appeal was lodged on 4 March 2024, i.e. within the statutory time limit of 21 days set forth in Article R49 of the CAS Code.

52. Furthermore, the Appellant also complied with the requirements of Article R48 of the CAS Code.

53. The Respondent did not contest the admissibility of the appeal.

54. It follows that the appeal is admissible.

VII. APPLICABLE LAW

55. Article R58 of the CAS Code reads as follows:

“The Panel shall decide the dispute according to the applicable regulations and, subsidiarily, to the rules of law chosen by the parties or, in the absence of such a choice, according to the law of the country in which the federation, association or sports-related body which has issued the challenged decision is domiciled or according to the rules of law the Panel deems appropriate. In the latter case, the Panel shall give reasons for its decision”

56. The present appeal is directed against a decision issued by the LFF Appeals Committee applying the rules and regulations of the LFF.

57. Both Parties have made reference to the LFF regulations in their submissions to hold their respective positions.

58. Based on the above, the Sole Arbitrator will apply the LFF Regulations in their condition of “*applicable regulations*” and “*rules of law chosen by the parties*” as set out in Article R58 of the CAS Code.

VIII. MERITS

A. The alleged violation of the Appellant's procedural rights in the proceedings of instance

59. The Sole Arbitrator shall firstly address the issue of the procedural flaws allegedly committed in the proceedings conducted before the LFF disciplinary bodies, as denounced by the Appellant.
60. In this respect, the Sole Arbitrator shall refer to Article R57 para. 1 of the CAS Code and to established CAS jurisprudence on the *de novo* power of review arising out of such provision, among others CAS 2008/A/1545 (“a CAS appeal arbitration procedure allows a full *de novo* hearing of a case with all due process guarantees, granting the parties every opportunity not only to submit written briefs and any kind of evidence, **but also to be extensively heard** and to examine and cross-examine witnesses or experts during a hearing”), CAS 2009/A/1880 & 1881 (“CAS appeals arbitration proceedings allow the parties ample latitude not only to present written submissions with new evidence, but also to have an oral hearing during which witnesses are examined and cross-examined, evidence is provided and comprehensive pleadings can be made”), or CAS 2016/A/4377 (“In other words, the Panel acts as if it were considering the question for the first time, affording no deference to the decisions below. This *de novo* review power of CAS panels is a hallmark of CAS arbitration guaranteeing procedural fairness to both sides in a dispute and permitting a CAS panel to consider all evidence anew”). (emphasis added)
61. In particular, the Sole Arbitrator refers to several CAS awards that have established that procedural defects that may have occurred in the previous instance can be cured in the CAS appeals procedure. *Inter alia*, reference can be made to CAS 2016/A/4740 (“[...] it is well established in CAS case law that procedural defects in the lower instances can be cured through the *de novo* hearing before CAS (see CAS 2015/A/4612 paras. 70 et seq., CAS 2014/A/3848 paras. 53 et seq., CAS 2013/A/3256 paras. 261 et seq., each with further references. In view of the above, the Panel holds that any possible procedural flaws in the proceedings before the FIFA DRC are cured in these *de novo* arbitration proceedings”) or CAS 2016/A/4387 (“This full power of review means that procedural flaws, if any, in a first instance decision can often be cured by a CAS proceeding. In CAS 2008/A/1574, the Panel dealt with the meaning of a CAS Panel’s *de novo* powers and ruled that a *de novo* hearing is: “a completely fresh hearing of the dispute between the parties, any allegation of denial of natural justice or any defect or procedural error even in violation of the principle of due process which may have occurred at first instance whether within the sporting body or by the Ordinary Division CAS panel, will be cured by the arbitration proceedings before the appeal panel and the appeal panel is therefore not required to consider any such allegations [...] Accordingly, infringements on the

parties' right to be heard can generally be cured when the procedurally flawed decision is followed by a new decision, rendered by an appeal body which had the same power to review the facts and the law as the tribunal in the first instance and in front of which the right to be heard had been properly exercised.” (emphasis added)

62. Taking the aforementioned into consideration and after having conducted these proceedings before the CAS, it is the Sole Arbitrator's view that the Appellant had ample opportunity to be heard at CAS, to have access to documentation requested to support its defence and in general, to defend its case with full guarantees.
63. Among others, the Appellant filed before the CAS as many written submissions as he deemed necessary in accordance with the provisions of the CAS Code, he submitted the evidence it deemed appropriate to hold his position (including the examination of some witnesses he called), he made several requests for documents production to the LFF that were granted by the Sole Arbitrator, and the Appellant was able to explain and develop his arguments (and contest those of the Respondent) in the hearing that was held in these proceedings.
64. Considering the foregoing, the Sole Arbitrator concludes that the potential infringement of the Appellant's rights that may have taken place in the previous instance are to be deemed cured *in casu* for the reasons set out above. It is thus unnecessary to enter into any issue related with violations of procedural rights potentially suffered by the Appellant in the proceedings before the LFF disciplinary bodies, so the Sole Arbitrator will directly enter into the merits of the case in the following section of this award.

B. The violation of the LFF regulations allegedly committed by the Appellant

65. In accordance with the Appealed Decision, that confirmed the LFF Ethics Committee Decision, the Match was deemed manipulated by players of FK “Dinamo Riga” with the aim of achieving a specific result and Mr. Lotcikovs was considered directly involved in the intentional manipulation of the Match and sanctioned with a 12-month disqualification and fine of EUR 1,000.
66. The legal basis for such decisions of instance is to be found in Articles 3 and 4 of the LFF Code of Ethics and Article 10 of the LFF Disciplinary Regulations, which English version as transcribed in the LFF Ethics Committee Decision (and not contested by the Appellant) reads in the pertinent part read as follows:

“3.1. For persons bound by the LFF Code of Ethics:

3.1.1. must be aware of the importance of honest performance of one's actions and duties for the successful existence and development of Latvia and Latvian football. In activity must always act professionally, honestly, responsibly, fairly and in compliance with all written and unwritten generally accepted principles and rules of ethical behavior;

4. Fair play

4.1. Everyone has a duty to do everything possible to ensure that the principle of fair play is respected.

4.2. It is forbidden to carry out any actions that are aimed at manipulating the results of the games or the course of the game, contrary to the principles of sports ethics. It is forbidden to establish any kind of cooperation with persons who have been punished (including disqualified) for violations related to unauthorized influence of game results or in relation to which legal proceedings are in force at the LFF or other law enforcement institutions.”

p.10. LFF EK is competent to make decisions within the Fair play (integrity) process.

10.1. For non-compliance with the principles of fair play or for violations of the Code of Ethics, EK has the right to apply the following penalties to the relevant person:

[...]

10.1.3 Regarding manipulation (or attempts to manipulate) football competitions organized in the Republic of Latvia, based on the opinion of the LFF Game Analysis Expert Commission:

10.1.3.2. For a natural person – disqualification up to 12 months and fine up to 1000 EUR.

10.2. The EK has the right to approve the LFF Game Analysis Expert Commission, whose task is to carry out certain investigative activities, including video analysis of the games regarding the actions of the players on the field, which are aimed at manipulating the results of the games.

10.3. When considering cases related to the manipulation of the game result in the matches of competitions organized by the LFF, which is carried out by one of the participants of the LFF competitions, the EK has the right to appoint the LFF Game Analysis Expert Commission, which provides an opinion on whether the said person could have performed actions aimed at to the manipulation of the result of the game.

10.4. Regarding violation of principles of fair play p.10.1 and p.10.2. means any actions aimed at directly or indirectly manipulating the course or outcome of the game in a way that is incompatible with sports ethics.

10.5. LFF Game Analysis Expert Commission, after performing task analysis according to p. 10.2., gives its opinion to the EK in relation to persons who, according to the commission, have deliberately performed actions to influence the course and/or outcome of the game.

[...]

15. DK or EK have the right to apply special sanctions in cases of individual violations that are not included in the Regulations, including violations of the sanitary protocol of competitions organized by LFF.”

67. The Appellant basically argues that the disciplinary bodies of the LFF failed to establish his specific and individual involvement in a match-fixing scheme (and thus, that he should be acquitted from any sanction) and that the assessment of the evidence made in the proceedings of instance is incorrect, while the Respondent contends in essence that a match-fixing scenario exists, that the Appellant was indeed involved in it and that the evidence brought to the proceedings enable to establish all the aforementioned to the comfortable satisfaction of the deciding body.
68. In accordance with the aforementioned provisions and the CAS jurisprudence on match fixing, for the Appellant to be sanctioned in this case it is required that to

establish, to the comfortable satisfaction of the Sole Arbitrator, (i) that the Match was manipulated and (ii) that the Appellant was involved in such manipulation (see for example CAS 2017/A/5338 which in the pertinent part states that “[...] *the circumstance that a match is considered manipulated for betting purposes is only the first step in deciding whether a certain player or a certain club with comfortable satisfaction is to be considered directly or indirectly involved in such match manipulation.*”: see also CAS 2018/A/6075 and CAS 2022/A/9055 & 9076).

69. Taking the aforementioned into account, the Sole Arbitrator shall firstly address the issue of the manipulation of the Match.
70. After having analyzed the evidence brought to the proceedings and in particular the reports and opinions mentioned below, the Sole Arbitrator is comfortably satisfied that the Match was manipulated, based *inter alia* on the following grounds:
 - The BFDS Report concludes that there is “*clear and overwhelming betting evidence that the course or result of this match was unduly influenced with a view to gaining corrupt betting profits*”, and the considerations made in such report are consistent with such conclusion, in the Sole Arbitrator’s view.
 - Starlizard’s Report mentions in its pertinent part that “*the highly experience betting integrity team has viewed various aspects of the match and held strong concerns over the actions in the goals conceded by FK Dinamo Riga*”, and that with the data on betting available, “*there is sufficient pricing irregularities to hold a reasonably high level of concern*”.
 - Expert No.3’s opinion indicates that “*When assessing the pace of the game, the team's actions and the performance of individual players, [...] it can be concluded that several players of FK Dinamo Riga did not play to their full potential in this match. It is possible to make mistakes, mistakes in themselves do not indicate a violation of the principles of fair play, but the number of mistakes, the passivity and the obvious lack of desire to eliminate mistakes, reduce their number or at least correct the mistakes, indicate the unwillingness of some players of FK Dinamo Riga to win the match or work in the interests of the team*”.
 - In accordance with Expert No. 2’s opinion, “*Dinamo Riga players in the second half demonstrated a performance uncharacteristic for the technical and tactical level*”.
 - Expert No. 5 points out in his report that he thinks that “*the result of the game was influenced. It was done in the 2nd half. The decisions, tactical deployment, game discipline and technical execution of some Dynamo players were drastically different in the first and second half*”.

- The evolution of the result of the Match (from 3:0 in the first half to 3:4 in the second half) is consistent with FK Dinamo Riga's players underperformance highlighted by Experts No. 3 and 5 in such half of the Match and with the betting pattern of the Match as explained in the BFDS Report (which in the pertinent part states that highly suspicious live betting was detected in the Match, specifically for FK Dinamo Riga to fail to win the Match, emerging shortly after they conceded a second goal in the 52nd minute and persisting until the 3:3 was scored).
- Expert No. 4 refers in his opinion that *"some actions of FK Dinamo Riga players may be considered unsportsmanlike behaviour and could have influenced the outcome of the game"*.

71. Considered and assessed altogether, the aforementioned pieces of evidence lead the Sole Arbitration to the conviction that the Match was fixed.
72. For the sake of completeness and in light of some related considerations made by the Appellant in his Appeal Brief, the Sole Arbitrator shall point out that (i) he does not find proven that the Experts lacked independence, impartiality or skills enough to issue their opinions as affirmed by the Appellant and (ii) he does not consider that the issuance of separate opinions by each of them constitutes a violation of the LFF regulations as contended by the Appellant.
73. Having been established that the Match was manipulated, the Sole Arbitrator shall face the "second step" in order to determine whether the Appellant is to be effectively sanctioned, that is to say his involvement in the match-fixing scheme.
74. In line with the considerations made above in this respect, CAS jurisprudence provides that the establishment of a scenario of match fixing does not suffice to impose a sanction on a specific individual, see e.g. CAS 2018/A/6075 (*[...] the Panel, while it is satisfied that the evidence submitted proves that the match at stake was manipulated, it is not comfortably satisfied by the evidence brought forward by the Respondent that the Appellant was actually involved in manipulating the result of the Match*) or CAS 2021/A/8453 (*"Having carefully analysed the above reports, the Sole Arbitrator concludes that the Respondent failed to prove that, as a result of the Appellant's conduct during the Match, a link may be assumed to exist between the Appellant's conduct on the field during the Match and the circumstance that this match is considered manipulated for betting purposes."*).
75. Bearing the aforementioned in mind and after having carefully examined all the evidence brought to these proceedings, the Sole Arbitrator shall conclude that the individual involvement of the Appellant in the manipulation of the Match cannot be deemed proven to his comfortable satisfaction for the reasons set out below.
76. First of all, the Sole Arbitrator notes that (i) Expert No 4 and 5's opinions only make very general references to the Player's performance in the Match but do not identify any specific action of the Player that could be of concern and (ii) Expert No 2's

opinion only makes reference to two actions of the Player in the Match (the first one not being even described in the opinion) and the Player, unlike other teammates, does not appear cited at the end of the opinion as a player whose actions were repeatedly below their level of performance, so the probationary value of such opinions *vis-à-vis* the concrete involvement of the Player in the match fixing scheme is tiny, if not none.

77. With regard to the opinions of Experts No 1 and 3, they indeed refer to some specific actions of the Appellant during the Match that the Respondent considers that would prove the Player's direct involvement in the match-fixing scenario. However, after having contrasted these actions identified in such three opinions with the Match video footage, the Sole Arbitrator does not share this view of the Respondent.
78. The Sole Arbitrator acknowledges, after having watched the Match video footage, that the Appellant could have done better in certain actions during the Match, but a not very efficient performance of the Player does not suffice to infer from it a conduct of match-fixing. In the opinion of the Sole Arbitrator, the Match video footage does not show an extremely reckless attitude of the Player or a deliberate intention to cheat, compatible with the aim at manipulating the result or the course of the Match, contrary to sports ethics as prescribed by the LFF regulations referred to above.
79. The Sole Arbitrator endorses the considerations made in the award in procedure CAS 2017/A/5338, which in the pertinent part states that “[...] *in cases such as the one before us which concern individual “match situations”, a definite step-by-step guide showing how a player should act in each situation usually cannot be assumed to be available. Besides, a player’s specific action in each individual situation will usually to a large extent reflect the relevant player’s talent, physical condition, fighting spirit and numerous other factors. Accordingly, two different players might act differently in the same situation without necessarily involving a breach of the principles of fair play or any other form of foul play. [...] The Sole Arbitrator does not find, however, that it can be established with comfortable satisfaction that the conduct of the Appellant in any of the situations was the result of any unsportsmanlike considerations, or that the conduct of the Appellant in any of the situations was so strikingly poor or passive beyond measure that his conduct must be assumed to be linked to other considerations which are incompatible with the principles of fair play.*”
80. Following the principles of such CAS decision, the Sole Arbitrator shall stress that it cannot be ruled out that the Appellant, or another and more talented/stronger player than the Appellant, in one or more of the situations of the Match, could have acted differently and probably more efficiently. However, the Sole Arbitrator does not find that it has been established *in casu* to his comfortable satisfaction that the conduct of the Appellant in any of the situations of the Match is to be linked to considerations

that are incompatible with the principles of fair play, or is to be embodied within the LFF provisions that served as basis to impose the sanction in the Appealed Decision. The Match video footage does not provide concrete and clear evidence that enable to establish, to the Sole Arbitrator's comfortable satisfaction, the involvement of the Appellant in the manipulation of the Match.

81. In such line, the Sole Arbitrator does not find it strange that unlike it happens with other players, no action of the Appellant in the Match is mentioned in any of the integrity reports issued in the context of the Match, i.e. the UEFA BFDS Report, the Starlizard Report and the Betting Fraud Alert from the United Lotteries for Integrity in Sports report. Therefore, while the contents of such reports are useful to establish the manipulation of the Match as explained above, they cannot be deemed as having evidentiary value to support any specific wrongdoing of the Appellant. Put differently, these reports are not in themselves, and without further documentation or evidence, sufficient to establish a link between the match-fixing scenario and the Appellant.
82. In conclusion, the evidence taken in these proceedings does not permit to conclude, to the comfortable satisfaction of the Sole Arbitrator, that a specific conduct of the Appellant falling within the scope of the provisions of the LFF Code of Ethics and the LFF Disciplinary Regulations invoked in the Appealed Decision exists. The LFF failed to provide concrete and conclusive evidence regarding the individual involvement of the Appellant in a match-fixing scenario. The fact that the Appellant participated in the Match, or that he could have been more effective in certain moments of the game, is not enough to such purpose: the LFF had to prove the existence of specific acts or omissions of the Appellant that could trigger the application of the provisions set out above and the imposition of the subsequent sanctions, which it failed to do.
83. Therefore, it has not been duly established that the aforementioned violation of the LFF Code of Ethics and of the LFF Disciplinary Regulations was committed by the Player and thus, the sanctions imposed on him by the LFF's Ethics Committee Decision (confirmed by the Appealed Decision) shall be set aside.
84. Additionally, with regard to the Respondent allegations related with a signing bonus and other payments received by the Player in cash, the Sole Arbitrator notes that the operative part of the LFF Ethics Committee Decision (confirmed by the Appealed Decision) is very clear in identifying that the *ratio* of the sanction imposed to the Player is his alleged involvement in the manipulation of the Match result, and the LFF failed to establish a link between these payments and the Match manipulation. There is no concrete evidence that enables to accredit that such payments had any influence in the performance of the Appellant in the Match and/or other matches. Therefore, such allegations of the Respondent are of no avail in these proceedings.

85. Finally, with regard to the claim for the damages that the Appellant holds that were caused to him as regards of Appealed Decision, the Sole Arbitrator shall note that such Decision arises out of an investigatory procedure started by the LFF in order to determine whether sanctions were to be imposed to the Player or not as regards of the manipulation of the Match, being such procedure of mere disciplinary nature. In line with it, neither the Appealed Decision nor the LFF Ethics Committee Decision refer to or resolve claims for damages, and it is the object and the scope of this appeal to check the decisions taken by the bodies of instance, which do not include in their operative part any specific pronouncement as to any claim for damages. If the Player believes that as a result of this award, he is entitled to claim damages against the LFF, he may decide to start such a claim, but before the competent bodies in the corresponding proceedings. Therefore, the Player's request for damages in these proceedings is dismissed.
86. In conclusion, the Sole Arbitrator resolves to partially uphold the appeal filed by the Player, setting aside the sanctions imposed on him by the Appealed Decision as the violations allegedly committed by the Player in accordance with the Appealed Decision have not been established, and dismissing the claim for damages made by the Appellant.

IX. COSTS

(...)

* * * * *

ON TEHSE GROUNDS

The Court of Arbitration for Sport rules that:

1. The appeal filed on 4 March 2024 by Arturs Lotcikovs against the decision rendered on 12 February 2024 by the Appeals Committee of the Latvian Football Federation is partially upheld.
2. The decision rendered on 12 February 2024 by the Appeals Committee of the Latvian Football Federation is set aside.
3. The sanctions imposed on Arturs Lotcikovs by the Latvian Football Federation's Ethics Committee on 19 December 2023 in its decision n°4/2023 (confirmed by the decision of the Appeals Committee of the Latvian Football Federation of 12 February 2024) are set aside.
4. (...).
5. (...).
6. All other motions or prayers for relief are dismissed.

Seat of arbitration: Lausanne, Switzerland

Date: 14 May 2025

Date of the operative part of the award: 25 September 2024

THE COURT OF ARBITRATION FOR SPORT

Jordi López Batet
Sole Arbitrator