



**INTERNATIONAL JUDO FEDERATION
DISCIPLINARY COMMISSION**

**CASE: n° 2019-3/B (2021)
Iran Judo Federation**

COMMISSION COMPOSITION:

- Mr Francis LEGOND	President
- Mr Colin DRAYCOTT	Vice-President
- Mr Dick JOHANSSON	Member
- Mr. Hirofumi OTSUJI	Member
- Mr Envic GALEA	Member

CONCERNED PERSON:

- Iran Judo Federation.

FACTS:

CAS 2019/A/6500 Islamic Republic of Iran Judo Federation v. International Judo Federation
CAS 2019/A/6580 Islamic Republic of Iran Judo Federation v. International Judo Federation

- On 1 March 2021, the Court for Arbitration for Sport issued an award on the above-referenced matters.
- The entire award is enclosed.
- The Disciplinary Commission notes that the CAS award fully endorses the findings of the Disciplinary Commission's decision of 22 October 2019 and highlights the severity of the breaches committed by the IRIJF.
- More specifically, on page 35, at paragraph 121, the CAS panel states:
“Furthermore, in the Panel's view, the present case does not concern a unique event but rather involves a scheme whereby the Athlete was required to lose before even getting to the point where he had to face an Israeli athlete in an attempt to disguise the underlying true motive from the IJF and the public. In addition, this matter has shown the combined involvement of the IRI NOC, the Ministry of Sports of the IRI, as well as the IRIJF, which clearly reveals an institutionalised scheme. Finally, this scheme violates principles that are of paramount importance as they form part of the Fundamental Principles of Olympism, as provided for in the Olympic Charter. As a result, the Panel finds that the violations committed by the Appellant undoubtedly qualify as a 'serious breach within the meaning of Article 28.1 of the IJF Statutes. Accordingly, the Appellant could validly be imposed a suspension or an expulsion.”
- On page 37, at paragraph 128, the CAS panel adds:
“In light of the above considerations, the Panel holds that the Suspension Decision lacks the necessary legal basis. As a result, the Panel finds that the Suspension Decision must be annulled. Based on Article R57 of the CAS Code, the Panel holds that the case shall be referred back to the IJF Disciplinary Commission for its appropriate sanction(s).”

taking into account all relevant circumstances - inter alia - the suspension already imposed on the Appellant.”

- Having considered the above, the Disciplinary Commission is now tasked with deciding the appropriate sanction(s) to be imposed on IRIJF. The facts of the matter and the violations committed by IRIJF have been finally determined by the CAS Panel. The IRIJF was already granted ample opportunity to set out its position. The Disciplinary Commission is sufficiently informed to decide on this question without any further written submissions.
- With respect to sanctions, the Disciplinary Commission notes the CAS panel’s conclusion that “when it comes to determining the appropriate sanction in a specific case, the IJF Disciplinary Commission must exclusively rely on the IJF Disciplinary Code” (para. 123). The relevant provision is art. 12 of the IJF Disciplinary Code, which sets out the list of applicable sanctions available to the Disciplinary Commission.
- The Disciplinary Commission notes that the CAS panel quoted the relevant provision in its English version (para. 124). However, as per art. 6.1 of the IJF Statutes, “[t]he official languages of the IJF are English, French and Spanish. [...] In the event of a discrepancy in interpretation between the three (3) Languages, the original language in which the document was written shall prevail.” As the original language of the Disciplinary Code is French, it is the French version, which shall prevail.
- In its French version, art. 12 of the IJF Disciplinary Code sets out the following:

"Les sanctions disciplinaires applicables doivent être choisies parmi les mesures ci-après :

1) Des pénalités sportives telles que déclassement, disqualification, retrait de médaille et de titre.

2) Des sanctions disciplinaires choisies parmi les mesures ci- après :

a) L'avertissement ;

b) Le blâme ;

c) La suspension de compétition ou d'exercice de fonctions ;

d) Des pénalités pécuniaires, elle ne peut excéder le montant des amendes prévues pour les contraventions de droit Suisse.

e) Le retrait provisoire ou définitif du statut de membre de la FIJ et de toutes les composantes qui lui sont affiliées ;

f) La radiation.

3) L'inéligibilité pour une durée déterminée aux organes dirigeants.

En cas de première sanction, la suspension de compétition peut être remplacée, avec l'accord de l'intéressé et, le cas échéant, celui de son représentant légal, par l'accomplissement pendant une durée limitée d'activités d'intérêt général au bénéfice d'une fédération ou d'une association sportive.”

- As noted by the CAS panel, in view of the severity of the IRIJF’s breaches, it “could validly be imposed a suspension or an expulsion”. However, having duly considered the facts of the matter at hand, the Disciplinary Commission is of the opinion that an expulsion (“retrait définitif du statut de membre de la FIJ” in the original French text) is not warranted.
- The Disciplinary Commission notes that the CAS panel focussed on art. 12 lit. c) as a basis for a suspension (see eg. para. 126). However, it seems to the Disciplinary Commission that art. 12 lit. c) would have been intended for individuals rather than member federations. In the opinion of the Disciplinary Commission, art. 12 lit. e) is the relevant provision to impose a suspension on a member federation (or in other words a “provisional [...] withdrawal of the status of the IJF member”). Having said this, the Disciplinary Commission notes that art. 12 lit. c), in its French iteration, in no doubt allows for a suspension from participating in competitions (and not only “a competition” as per the inadvertent English translation) and IJF duties to be imposed (“suspension de compétition ou d'exercice de fonctions”).
- Under art. 12 lit. e) of the Disciplinary Code, the Disciplinary Commission is empowered to provisionally or definitively withdraw the status of IJF member. In view of the repeated and very severe breaches of the IJF Statutes and the Fundamental Principles of Olympism committed by IRIJF as acknowledged by the CAS panel, the Disciplinary Commission considers that the status of IJF member of IRIJF should be provisionally withdrawn (with all affiliate components) for a period of four years, i.e. a full Olympiad. As the IRIJF has already served a period of (protective)

suspension from 18 September 2019 as per the Disciplinary Commission's decision of even date and the subsequent decision of 22 October 2019, the Disciplinary Commission finds it appropriate under art. 13 of the IJF Disciplinary Code that the start date of the provisional withdrawal be backdated to 18 September 2019. The Disciplinary Commission considers that this sanction, especially given the backdating and the effect of the Covid-19 pandemic (which led to no competition being organised for most of 2020), is proportionate to the extremely severe offences committed by IRIJF.

- For the sake of completeness, the Disciplinary Commission notes that the sanction imposed is also justified in application of art. 12 lit. c) of the Disciplinary Code, which would have led to the same material outcome (i.e. a suspension of competition and all duties for a period of four years) if applicable to member federations.

**ON THESE GROUNDS, THE IJF DISCIPLINARY COMMISSION HEREBY DECIDES
PURSUANT TO ARTICLE 12 OF THE DISCIPLINARY CODE:**

- **To pronounce against the Iran Judo Federation a provisional withdrawal of its status of IJF member and all affiliated components for four (4) years, from 18 September 2019 until 17 September 2023.**
- **To notify this decision to :**
 - Iran Judo Federation;
 - Mr Marius VIZER, IJF President ;
 - Mr Jean Luc ROUGE, IJF General Secretary;
 - Mr Obeid AL ANZI, JUA President;
 - Mr Mohamed MERIDJA, IJF Education and Coaching Director;
 - Mr Vladimir BARTA, IJF Head Sport Director;
 - The International Olympic Committee;
 - The Iran National Olympic Committee;
- **To Inform the Iran Judo Federation that this decision is subject to appeal with the Court of Arbitration For Sport. The time limit for appeal shall be twenty-one days from the receipt of the decision appealed against.**
- **To inform the IRIJF that this decision has immediate effect.**

Paris, the 28 April 2021

President
Mr Francis LEGOND

Vice-President
Colin DRAYCOTT