



**CASES: n° 2021-8 & 2021-9**

**COMMISSION COMPOSITION:**

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

**CONCERNED PERSONS:**

**NOURINE Fethi, Algerian Judo Federation (2021-8)**

**BENIKHLEF Amar, Algerian Judo Federation (2021-9)**

**FACTS AND PROCEDURE:**

On July 23<sup>rd</sup>, 2021, during the Olympic Games in Tokyo, the Algerian 73 kg athlete Mr Fethi NOURINE and his coach Mr Amar BENIKHLEF made public statements in the media that the draw shows they would face Israel in the competition and they are pulling out of the Olympics because they would face Israel on the day of the competition, July 26<sup>th</sup> 2021.

The statement from Mr NOURINE was as follows. “First in the name of God the gracious the merciful. – I am in Tokyo for the Olympic Games. The draw of Judo was completed today. The first round looks easy for me which means in other words it is affordable as I will meet the Sudanese Judoka. In the second round the athlete I would meet has a bye in the first round so I would directly fight against him. – For this reason, I cannot fight against him and I cannot take part in the competition. As we currently state, our position is steady and there is no way to reverse it even if the event is related to the Olympic Games. We hop God will compensate us. I did not expect this situation. Thanks God, this is a duty for us and the Palestine cause is above any other consideration. We will not raise the flag of Israel and will get our hands dirty with them.”

The statement from Mr BENIKHLEF was as follows. “We are not lucky because the draw made that Fethi NOURINE will fight in the second round against the sionist fighter. This didn’t allow us to participate and take the decision to withdraw from the competition because we, as Algerians, and Algeria in general, always have a constant position towards the Palestinian cause. We are opposed to any prejudice that can be cause to the Palestinian issue. Thanks God this is a correct decision. We hope that God will compensate us for things which are better. This is the third time this happens to us. We are facing the case here in the Olympic Games.”

The same day the IJF Executive Committee composed a commission to investigate the case. The commission, who found the evidence incontestable gross misconduct, decided that these actions merit immediate sanction and suspension. After that, the IJF President, in consultation with the General Secretary, decided to take provisional precautionary measures before the deliberation of any disciplinary body to suspend Mr NOURINE and Mr BENIKHLEF.

On August 6<sup>th</sup> 2021, the IJF Executive Committee has decided to initiate a disciplinary procedure against Mr Fethi NOURINE and Mr Amar BENIKHLEF because their behaviour fully falls within Article 50 of the Olympic Charter prohibiting any “kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or other areas” and to submit the case to the IJF Disciplinary Commission of the First Instance.

On the same day, the IJF President appointed the IJF Disciplinary Commission of the First Instance members.

On August 9<sup>th</sup> 2021, the IJF General Secretary informed Mr Fethi NOURINE and Mr Amar BENIKHLEF that a disciplinary procedure was opened against them, and they have chosen a written procedure.

Mr Fethi NOURINE has given the following explanation. “I represent Algerian flag in the Olympic Games. Algeria is a member state of the United Nations and it does not recognize the State of Israel, and I should not deviate from the principles of my country. – This wrestler represents a country that violated the principles of international law, especially the Geneva Convention relating to the treatment of civilians in time of war, as it bombed and assaulted unarmed civilians and caused the death of a large number of them, including athletes, and left many of them with permanent disabilities and destroyed sports structures. – Therefore, he represents a state that violated international law, and as an athlete, I had to take that position to raise awareness of the violations of the state he represents against civilians in general and athletes in particular. – As athlete, we carry a message of peace to the whole world, and we should promote this message through all international sporting events, and for this I wanted to send a message to all peace lovers in the world to condemn Israel’s crimes against defenseless civilians, and as a message of pressure on this regime to stop killing civilians and athletes.”

Mr Amar BENIKHLEF has given the following explanation. “I apologize again a lives about my athlete’s statement he didn’t do it on purpose, nor WE are far from playing politics since I am an vice champion olympic and a competent trainer and I like my discipline (judo) I respect my job and I respect everyone, WE are far from hurting everyone with all my deep respect without paying attention since our algerian authority does not accept this kind of act in juste we have to respect the conditions of your algerian authority. – The statements were careless and spontaneous since the draw was shared on all social network. WE are far from making a policy we are there for the good of judo and gave our all. – You were a little harsh on us you didn’t even let my athlete’s admitted to the weigh-in. – I wish if will be punishment it will be sporty (just not participate in the olympic games). If there will be other penalties there or you will create a a policy do not forget that I am olympic vice champion and I respect you and I respect the olympic games. Accept my sincere preetings with all my deep respects.”

### **REGARDING THE CASE FILE,**

For the IJF Disciplinary Commission, it is evident that the two Algerian Judoka with malicious intent have used the Olympic Games as a platform for protest and promotion of political and religious propaganda, which is a clear and very serious breach of the IJF Statutes, the IJF Code of Ethics and the Olympic Charter. Therefore, no other penalty than a very severe suspension can be actual in these cases.

### **ON THESE GROUNDS, THE IJF DISCIPLINARY COMMISSION:**

- **Pronounces against Mr NOURINE and Mr BENIKHLEF ten (10) years suspension each from all events and activities organized or authorized by the International Judo Federation and its Unions, started from July 23<sup>rd</sup>, 2021, until July 23<sup>rd</sup> 2031.**
- **To notify this decision to:**

- Mr. Marius VIZER, IJF President;
  - Mr. Jean Luc ROUGE, IJF General Secretary;
  - Mr. Mohamed MERIDJA, IJF Education and Coaching Director;
  - Mr. Vladimir BARTA, IJF Head Sport Director;
  - The African Judo Federation
  - The Algerian Judo Federation
  - The International Olympic Committee
  - The Algerian Olympic Committee
  - Mr Fethi NOURINE
  - Mr Amar BENIKHLEF
- **To Inform Mr NOURINE and Mr BENIKHLEF 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 Mr NOURINE and Mr BENIKHLEF that this decision has immediate effect.**

Paris, the 06/09/2021

**President**  
**Mr. Francis LEGOND**

**Vice-President**  
**Mr. Colin DRAYCOTT**