

International Judo Federation

Disciplinary Commission

Colin Draycott (presiding)

Otsuju Hirofumi (member)

Richard Galea Debono (member)

Case Number MDA 024

Decision

Preamble – The Charge and the Legal Basis

The Disciplinary Commission recalls the charge issued by the Secretary General of the International Judo Federation with respect to Mr Valeriu Duminica (hereinafter “the Defendant”) issued on the 16th May 2024 referring to an incident occurring on the 27th April 2024 during the European Senior Championships, Zagreb, Croatia.

The Commission recalls that the Defendant has been charged as follows:

Assertion of a Sport and Organisation Rules (SOR) Article 7.1:

You refused to leave the chair when asked by the referee on the 27 April 2024 at the European Senior Championships, Zagreb, Croatia. You are hereby informed that you had committed a potential violation of IJF Sport and Organisation Rules (SOR) pursuant to Article 7.1 thereof, which reads as follows:

“During the contest the coach can only give instructions from this position. Coaching is authorised only during the pause after Mate! And before Hajime! It is strictly limited to communication with his athlete, for tactical advice, encouragements, and instructions. If a coach gives indications during the contest, he receives a first warning. In case of repetition, he will be excluded from the competition area for the rest of the day. Any attitude contrary to the spirit of judo will be penalised.

If a coach is sanctioned by a referee, the Referee Director will inform immediately the Director of Education for a sanction to be applied.”

The IJF Ad Hoc Commission has reviewed the case file and became satisfied that you have committed a violation of Article 7.1 of SOR. Accordingly, Mr Mohamed Meridja as Chair of IJF Ad Hoc Commission charges you with a violation of Article 7.1 of the SOR under Article 16.2 (c) of the IJF Disciplinary Code.

The Provisional Measure

The Commission recalls that on 16th May 2024, upon the request made to it by the Secretary General, at the request of a member of the IJF Executive Committee, for the imposition of a provisional measure against the Defendant under article 32 of the IJF Disciplinary Code as follows:

“Immediate suspension of your membership rights subject to the proceedings (including the exercise of the rights and the holding of office related to sporting or sporting administration activities) or an obligation to behave in a manner which the person subject to the proceedings would be obliged to behave in the event of the imposition of a disciplinary sanction of exclusion (suspension).”;

The Commission had ordered as follows:

Procedural Orders.

- 1. The Defendant is given a time limit of eight (8) days to answer to the charge and to submit any documents to assist in his defence, as well as a list of any witnesses he wishes to produce in his defence.*
- 2. In his answer, the defendant has to state whether he requests a hearing of the case, or whether he rests his defence on his written answer to the charge as per point 1 hereof.*

Provisional Measure

The Commission has noted the request for provisional measures, and considering that the conditions of article 32 of the IJF Code of Discipline are satisfied, orders that until the conclusion of the case on the merits, the Defendant :-

Is immediately suspended from exercising his membership rights subject to the proceedings (including the exercise of the rights and the holding of office related to sporting or sporting administration activities) or an obligation to behave in a manner which the person subject to the proceedings would be obliged to behave in the event of the imposition of a disciplinary sanction of exclusion (suspension).

The Commission recalls that the defendant and the National Federation of Moldova had acknowledged receipt of the charge issued on the 16th May 2024 as well as the procedural order enjoining him to submit his defence within eight days of receipt. The said period elapsed on the 24th May 2024.

The Defendant did not enter a defence.

Findings

The Commission recalls the evidence provided to it, namely video evidence of the defendant's deportment and his evident non-compliance with the mat referee's instruction to leave the coaching area.

The Commission also recalls the report of the incident by IJF official concerned.

The Commission recalls that the Defendant did not enter a defence.

On the facts the commission is satisfied that the Defendant is GUILTY as charged.

Sanction

In deciding whether to apply a sanction of suspension, the Commission recalls that the defendant had already been found guilty by this Commission (differently composed) of very similar behaviour on a previous occasion. According to a decision by the previous Commission in case number 2021-15, handed down on 21st January 2022 the following finding had been made:

FACTS AND PROCEDURE:

DUMINICA's behavior as Moldavian coach during the Grand Slam of Paris, 16-17 October 2021 is reprehensible.

1. On day 1 of the Grand Slam of Paris, the Moldavian coach was suspended by the referee

2. With this regard a report was sent to the education commission.

3. He came to us and asked it if was possible for him to go with this athlete in the field of play.

4. We explained to him that he was suspended for the whole day and cannot coach

5. He has warned in the past for his bad attitude in his chair,

Actually, he was many times suspended in forms IJF events and given some warning for coaching from the tribune.

6. During this event, it was brought to IJF attention that after his suspension by the referee, he went to coach from the tribune.

With this clear violation of the IJF coaching rules, IJF requested that a disciplinary session is convened for this case.

REGARDING THE CASE FILE:

Mr. DUMINICA writes to the disciplinary commission and explains that he is sad about the situation created by his behaviour.

The Commission had applied the sanction of a warning to the Defendant.

In the light of the above, and in consideration of

- (1) The gravity of the offence committed by an official of a National Federation, a person who is expected to exemplify the values and traditions of Judo, and also
- (2) in consideration of the visibility of his unacceptable behaviour, which occurred before a large audience at a Judo event;

the Commission decides to apply against the Defendant the sanction of a six-month suspension from all Judo activities both at Continental level and at International level. Such suspension applies also to his membership rights, including the exercise of the rights and the holding of office related to sporting or sporting administration activities.

The period of suspension is considered to have commenced on the 16th May 2024 which is the date of the provisional measure of suspension which the Commission had applied on that day upon the Defendant.

The Defendant is informed that this decision is subject to appeal to the IJF Disciplinary Appeals Committee.

The time limit for appeal shall be fifteen days from the receipt of the decision appealed against.



Richard Galea Debono

On behalf of the Disciplinary Commission