



ORIGINAL: FRENCH

**INTERNATIONAL OLYMPIC COMMITTEE
ETHICS COMMISSION**

DECISION WITH RECOMMENDATION N° D/02/05

CASE N° 2/05

Mr M. Yoshiaki Tsutsumi, IOC Honour Member,
domiciled in Japan

REFERRAL:

In a letter dated 3 March 2005, the IOC President referred to the Ethics Commission facts likely to be imputed to IOC Honour Member Mr Yoshiaki Tsutsumi.

In a letter dated 8 March 2005, the Ethics Commission informed Mr Tsutsumi of such referral, and invited him to submit his observations. Mr Tsutsumi has not submitted any.

FACTS:

The Ethics Commission was informed of the following facts:

- According to the various press articles, the Public Prosecutor is accusing Mr Tsutsumi of giving false information about stock exchange-quoted companies and falsifying financial statements.
- At the request of the Public Prosecutor, Mr Tsutsumi was remanded in custody on 3 March 2005, then released on bail of one hundred million Yen.

OPINION:

The Ethics Commission notes that these facts are likely to require the application of point 5 of part B of the IOC Code of Ethics, which states that: "*The Olympic parties shall use due care and diligence in fulfilling their mission. They must not act in a manner likely to tarnish the reputation of the Olympic Movement.*"

Given that the nature and seriousness of the allegations led to Mr Tsutsumi's being remanded in custody from 3 to 24 March 2005 before being freed on a high bail, the Ethics Commission has decided to open an inquiry and believes it necessary to recommend that, during such inquiry, the interested party be provisionally deprived of all of the rights, prerogatives and functions deriving from his honour membership of the IOC.



RECOMMENDATION:

After deliberating in accordance with point 9 of part B of its Rules, the Ethics Commission recommends that, pursuant to paragraph 2 of the Bye-law to Rule 23 of the Olympic Charter, the Executive Board provisionally deprive Mr Yoshiaki Tsutsumi of all the rights, prerogatives and functions deriving from his honour membership of the IOC during the inquiry.

Done in Lausanne, 11 April 2005

For the Chairman,
Pâquerette Girard Zappelli
Special Representative