

ORIGINAL: FRENCH

**INTERNATIONAL OLYMPIC COMMITTEE
ETHICS COMMISSION**

**DECISION with recommendation
No. D/02/08**

CASE No. 04/2007

Mr Nat Indrapana,
IOC member and Vice-President of the World Taekwondo Federation
v/
Mr Jin-suk Yang,
Secretary General of the World Taekwondo Federation

REFERRAL and FACTS:

1. In a letter dated 25 October 2007, Mr Nat Indrapana, IOC member and Vice-President of the World Taekwondo Federation (WTF) in charge of its Reform Committee, brought to the attention of the Ethics Commission acts by Mr Jin-suk Yang, Secretary General of the WTF which he felt were contrary to Olympic ethics.

On 13 November 2007, the IOC President referred this situation to the IOC Ethics Commission, as an IOC member was involved.

Mr Nat Indrapana accuses Mr Jin-suk Yang of having attempted to corrupt him by giving him an envelope containing a wad of banknotes; Mr Pricha Thotrakul, the WTF Treasurer, witnessed this act.

2. A hearing of the people concerned was held by the IOC Ethics Commission Secretary, pursuant to the Rules of Procedure. Apart from a few minor variations, the different speakers gave a similar description of the facts. These took place in Manchester, where a meeting of the WTF Executive Committee was being held.

The facts may be summarised as follows:

Mr Jin-suk Yang, WTF Secretary General, came to Mr Nat Indrapana's room to enquire if everything was all right, stayed a few minutes and, as he was leaving, left an envelope on a low table. Mr Nat Indrapana immediately opened the envelope, saw that it contained a wad of banknotes, and asked Mr Jin-suk Yang for an explanation. Mr Jin-suk Yang replied that this was for his stay in Manchester. Mr Nat Indrapana immediately gave the envelope to Mr Jin-suk Yang, saying that he did not want any money.

Neither Mr Nat Indrapana nor Mr Pricha Thotrakul could determine exactly how much money the envelope contained, but they confirm that there was a wad of English banknotes, and that it must have been a large amount. Mr Jin-suk Yang claimed that there was around GBP 200.

3. The differences arise from the interpretation of the act of giving an IOC member an envelope containing a wad of banknotes.

Mr Nat Indrapana felt this to be a corruption attempt, because, in his view, there was no reason to give him money other than as an attempt to influence him in the exercise of his responsibilities within the WTF.

Mr Jin-suk Yang explained that he was only trying to help the Vice-President of the Federation, given that his luggage had not arrived in time. He acknowledged that Mr Nat Indrapana had not asked him for help. He explained that there was no internal procedure for the allocation of financial assistance or the reimbursement of costs.

4. Mr Nat Indrapana explained that he had spoken about the incident the same evening with the WTF President, Mr Chungwon Choue, and had asked for explanations about how to follow up this event internally, without obtaining any. This was why, given the seriousness of the facts, he felt it necessary to inform the IOC President.

Mr Chungwon Choue challenged Mr Indrapana's decision to inform the IOC President of these acts, arguing that they should have been dealt with exclusively internally.

ANALYSIS:

A – Concerning the referral to the IOC President by Mr Nat Indrapana

5. The Ethics Commission notes that, pursuant to Rule 16.2.7 of the Olympic Charter, every IOC member is required "to inform the IOC President, without delay, of all events liable to hinder the application of the Olympic Charter or to otherwise adversely affect the Olympic Movement in his country or in the organisation of the Olympic Movement in which he serves".

This Rule applies to any event likely to hinder the application of the Olympic Charter or adversely affect the Olympic Movement in any other way, including when it occurs within an IF of which an IOC member is a serving member.

6. The Ethics Commission observes that Mr Nat Indrapana, an IOC member and WTF Vice-President, acted in compliance with the Olympic Charter by informing the IOC President of this serious occurrence.

B – Concerning the appreciation of the facts

7. The Ethics Commission notes that it has not been possible to determine the size of the amount contained in the envelope. Nonetheless, the manner in which the envelope was left, and not handed over openly, as well as the impression, shared by the witness, that a large sum was involved, could have led to the belief that this was a corruption attempt, and justified Mr Nat Indrapana's reaction.

In such conditions, it feels that the act of giving money in an envelope to an IOC member, whatever the amount and in the absence of any transparent procedure, cannot be acceptable behaviour, inasmuch as such conduct runs the obvious risk of being interpreted as a corruption attempt and thus of tarnishing the image of the IOC member and the IOC itself.

It recalls that the practices of the International Federations within the Olympic Movement must comply with the Olympic Charter (Rule 26 of the Olympic Charter).

8. The Ethics Commission holds that such conduct, which risks tarnishing the image of the IOC member in question and the IOC itself, cannot be accepted on the part of a leader of an International Federation of an Olympic sport. As such, it considers that the WTF must be recommended to take the appropriate action with regard to the person concerned.

9. It further deems that a recommendation must be made to the WTF to enact transparent internal rules concerning the distribution of per diems, reimbursements of costs and expenses or any other form of financial help and assistance, to avoid any similar risk in the future.

DECISION:

After deliberating in accordance with its Statutes, the Ethics Commission notes that Mr Nat Indrapana, an IOC member, acted in compliance with the Olympic Charter, and decides to recommend that the Executive Board:

1. find that giving money in an envelope to an IOC member, whatever the amount and in the absence of any transparent procedure, constitutes conduct which is not acceptable on the part of a leader of an International Federation of an Olympic sport, inasmuch as it risks tarnishing the image of the IOC member and the IOC itself; and consequently recommend that the WTF take the appropriate action;
2. recommend to the WTF that it enact transparent internal rules concerning the distribution of per diems, reimbursements of costs and expenses or any other form of financial help and assistance.

Done in Lausanne, 15 February 2008

For the Chairman,
Pâquerette Girard Zappelli
Secretary to the Ethics Commission