

ORIGINAL: FRENCH

**INTERNATIONAL OLYMPIC COMMITTEE
ETHICS COMMISSION**

**DECISION with recommendations
N° D/5/04**

CASE N° 3/04

Mr Ivan Slavkov, IOC member,
Domiciled at Chan Omurtag Street 32, Sofia, Bulgaria

REFERRAL and PROCEDURE:

In a letter dated 28 July 2004, the IOC President approached the Ethics Commission after being informed that a television programme concerning the IOC was in preparation; that letter indicated that people to whom the Code of Ethics applies might be concerned by such programme; these included Mr Ivan Slavkov, an IOC member.

After having taken cognisance of all the written documents, including Mr Slavkov's initial observations, as well as the content of the programme when it was broadcast, the Ethics Commission noted that the actions of Mr Slavkov were such as might require the application of point 5 of part B of the IOC Code of Ethics, which stipulates 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." As a result, the Ethics Commission decided to open an inquiry.

Furthermore, the Commission, in view of the seriousness of the acts as shown by the BBC programme, and the proximity of the IOC meetings and other activities, recommended, pursuant to paragraph 4 of Rule 25.2.1.1 of the Olympic Charter, provisionally depriving Mr Ivan Slavkov of all of the rights, prerogatives and functions deriving from his membership of the IOC throughout the inquiry.

As the programme also showed acts likely to tarnish the reputation of the Olympic Movement imputable to Messrs Goran Takac, Gabor Komyathy, Mahmood El Farnawani and Muttaleb Ahmad, the Ethics Commission also recommended, pursuant to Rule 25.2.2.3 of the Olympic Charter, the immediate withdrawal of the accreditations, if such exist, of the aforementioned persons for the whole period of the Olympic Games in Athens.

On 7 August 2004, the IOC Executive Board decided to follow the recommendations by the Ethics Commission and to declare Messrs Takac, Komyathy, El Farnawani and Ahmad *persona non gratae* within the Olympic Movement and to recommend to the whole Olympic family to neither grant them accreditations nor have any dealings with them.

Mr Slavkov was heard on 29 September 2004. He also submitted written observations on 11 October 2004.

The Ethics Commission received from the BBC the complete recording of the meeting in Sofia on 1 July 2004 between the two fake representatives of an English company and Messrs Slavkov and Takac.

FACTS:

The following facts emerge from the file:

For several months, journalists from the BBC, posing as representatives of an English company wishing to see the 2012 Games held in London, investigated practices linked to the procedure to select the host city of the Olympic Games, and among other things used hidden cameras to record Mr Ivan Slavkov, accompanied by Mr Takac.

The following timetable of events emerged from the inquiry concerning Mr Slavkov's involvement:

- In late March 2004, there were contacts between Mr Takac and the representatives of an English company. Mr Takac informed Mr Slavkov of this.
- On 6 or 7 April 2004, Mr Takac informed Mr Vitaly Smirnov, an IOC Vice-President, about the contacts.
- On 21 May 2004, Mr Smirnov informed the IOC President of Mr Takac's contacts and the fact that Mr Takac was prepared to reveal these details to the IOC. The IOC President, being unable to believe these revelations in view of Mr Takac's past, asked Mr Smirnov to tell Mr Takac to inform the Ethics Commission accordingly as quickly as possible. Mr Smirnov states that he passed on this advice to Mr Takac.
- At all events, the Ethics Commission received no information from Mr Takac.
- On 1 July 2004 in Sofia, the filmed meeting between the two fake representatives of an English company and Messrs Slavkov and Takac took place.
- On 12 July 2004, the BBC wrote to inform Mr Takac of the hoax.
- On 13 July 2004, Mr Takac replied to the BBC explaining that he had wanted to "find the real roots of corruption"; for his part, Mr Slavkov explained to Mr Smirnov that they had wanted to set a trap.

The complete recording of the meeting between Mr Slavkov and the two journalists reveals that:

- the extracts shown in the programme on 4 August were not distorted, as Mr Slavkov's words were neither altered nor taken out of context;
- at no time and in no way did Mr Slavkov object to this discussion of the terms of a contract to secure for a candidate city the votes of IOC members whom he and Mr Takac were likely to be able to influence, either through financial assistance, or simply through their bonds of friendship;
- at no point does it emerge from the meeting that Mr Slavkov's sole intention was to catch in the act these corrupters of IOC members.

It emerges from Mr Slavkov's hearing and his subsequent observations that:

- he claims to have sought to set a trap for possible corrupters;
- he admits having received no mandate to "find the real roots of corruption";
- he was clearly to share in the financial amount of the contract which Mr Takac negotiated with the representatives of the English firm, but he neither asked for nor personally received any money;
- he deduced from what Mr Takac said that Mr Smirnov and the IOC President were informed of these contacts and agreed to them, yet he did not attempt to obtain confirmation thereof from Mr Smirnov or the President;
- his big mistake was not to contact the Ethics Commission but to trust Mr Takac, a friend he had known for many years.

OPINION:

After having taken cognisance of all the written documents, the content of the programme when it was broadcast, the complete video recording of the meeting between Messrs Slavkov and Takac and the two fake representatives of an English firm, together with Mr Slavkov's written and oral observations, the Ethics Commission holds that:

- in the previous case in which Mr Slavkov was implicated by a member of the Cape Town (South Africa) bid committee, Mr Slavkov was informed that the Ethics Commission had decided on 15 May 2000 "after an exhaustive examination of the facts and elements, not to pursue the examination of the Slavkov affair"; and that the Commission nonetheless suggested that "the IOC ask its members to be extremely careful when giving letters of recommendation to Olympic parties or to third persons, in relation with an Olympic candidature". Mr Slavkov was thus particularly aware of his obligation to respect the Olympic

Charter and the Code of Ethics on the subject of relations with cities wishing to organise the Olympic Games, and to remain vigilant at all times in this regard.

- It appears that Mr Slavkov failed in his duty, provided under Rule 16.2.7 of the Olympic Charter, by omitting "to inform the 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", as an attempt to corrupt an IOC member indisputably constitutes an act which tarnishes the reputation of the IOC and the Olympic Movement as a whole.
- The information given by Mr Takac to Mr Smirnov cannot absolve Mr Slavkov of his responsibility, since he agreed to continue the contact through to the negotiation of the contract, without taking any personal steps to inform the IOC President of these serious facts, or at least to make sure that the President was informed, and without showing the slightest sign which could justify the defence behind which he sought to take refuge afterwards.
- While Mr Slavkov neither asked for, nor received, any money personally, he did not object to the request made on his behalf and in his presence by Mr Takac, when the purpose of the contract was unquestionably to seek, using all means, including his personal relations, to persuade IOC members to vote for one of the candidate cities.
- Had Mr Slavkov wished to stage a "comedy", he would have taken some measure, albeit a simple word or gesture, to show that his intention was to "find the real roots of corruption".
- At all events, Mr Slavkov tarnished the honour and reputation of the Olympic Movement and the IOC, even though he was aware of the risk involved since the Salt Lake City scandal. Indeed, an IOC member's involvement in this "negotiation" lent credibility to the hypothesis advanced by the journalists that there were within the IOC members and agents who could corrupt other IOC members. This participation alone was enough to tarnish the reputation of the IOC and the Olympic Movement.

In view of the above, the Ethics Commission holds that the actions of Mr Slavkov are contrary to the ethical principles derived from the Olympic Charter and the IOC Code of Ethics and are of an extremely serious nature, all the more so since Mr Slavkov, on the previous occasion in 2000 cited above, was specially alerted to his obligations vis-à-vis the Charter.

In consequence, considering the particularly serious harm done to the image of the IOC and its members, the Ethics Commission considers the expulsion of Mr Slavkov to be appropriate.

RECOMMENDATION:

As a result, the Ethics Commission recommends that the IOC Executive Board:

- 1° decide that Mr Slavkov, an IOC member, has violated the ethical principles set out in the Olympic Charter and IOC Code of Ethics, thereby seriously tarnishing the reputation of the Olympic Movement;
- 2° propose the expulsion of Mr Ivan Slavkov to the 117th IOC Session, pursuant to Rule 16.3.8.2 of the Olympic Charter;
- 3° until the Session's decision, suspend Mr Ivan Slavkov and deprive him of all rights, prerogatives and functions deriving from membership, pursuant to Rule 16.3.8.3 of the Olympic Charter.

Done in Lausanne, 25 October 2004

For the Chairman,
Pâquerette Girard Zappelli
Special Representative