



ORIGINAL: FRENCH

**INTERNATIONAL OLYMPIC COMMITTEE
ETHICS COMMISSION**

DECISION CARRYING RECOMMENDATION N° D/01/04

CASE No. 1/04

Mr Un Yong KIM, IOC Vice-President,
Domiciled in the Republic of Korea,
Olympic Centre, 88 Oryun-dong, Songpa-ku, Seoul

REFERRAL:

In a letter sent to the Ethics Commission on 9 January 2004, the IOC President submitted facts likely to be imputed to IOC member Mr Un Yong Kim.

In a letter sent on 13 January 2004, the Ethics Commission informed Mr Kim of this and invited him to make any observations.

Mr Badinter, a member of the Ethics Commission, was appointed as rapporteur on 19 January 2004.

In a fax dated 20 January 2004, Mr Kim sent his observations to the Ethics Commission.

FACTS:

The Ethics Commission has been informed of the following facts:

- According to sections of the media, the Public Prosecutor of the Republic of Korea has established that Mr Kim paid, or promised to pay, a sum of money to Mr Ung Chang (IOC member in the Democratic People's Republic of Korea) in order to enable the teams of the Democratic People's Republic of Korea and of the Republic of Korea to march behind the same flag, both in Sydney in 2000 and at the Asian Games in Busan in 2003, and to encourage the unification of these two teams for the forthcoming Olympic Games in Athens in 2004.
- According to sections of the media, the Public Prosecutor of the Republic of Korea has established that a sum of money was paid to Mr Kim to support his candidature campaign for the IOC presidency in 2001.
- The Public Prosecutor of the Republic of Korea appears to be accusing Mr Kim both of accepting "donations" in return for his help in selecting certain taekwondo athletes and of misappropriating funds paid to the World Taekwondo Federation (WTF) by Korean companies, which were allegedly transferred outside the Republic of Korea.



- The accusations by the Public Prosecutor of Korea also appear to concern: the origin of the foreign currency discovered during searches carried out at Mr Kim's office and home; fraud concerning procedures to transfer money abroad; and also alleged corruption for accepting money from two Korean businessmen in return for his support for their election as members of the National Olympic Committee (NOC) of the Republic of Korea while he was NOC President.

Mr Kim has denied these accusations and the information given by the media.

OPINION:

The Ethics Commission, after taking cognisance of Mr Un Yong Kim's observations, notes that these facts are likely to result in the application of the following texts:

- point 5 of part B of the IOC Code of Ethics: "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."
- Point 3 of part III of the Implementing Provisions of the IOC Code of Ethics relating to the Election of the IOC President: "No direct or indirect assistance, be it financial, material or in kind, may be given to candidates by a third party. If offered such assistance, the candidate concerned has the duty to refuse it and to inform the Ethics Commission accordingly."

The IOC Ethics Commission, given the nature and the seriousness of the alleged acts, has decided to launch an inquiry.

RECOMMENDATION:

The Ethics Commission, having deliberated in accordance with point 9 of part B of its Rules, recommends that the IOC Executive Board, pursuant to paragraph 4 of Rule 25.2.1.1 of the Olympic Charter, provisionally deprive Mr Un Yong Kim of all the rights, prerogatives and functions deriving from his membership of the IOC throughout the inquiry.

Done in Lausanne, 22 January 2004

For the Chairman,
Pâquerette Girard Zappelli
Special Representative