

Original: French

**INTERNATIONAL OLYMPIC COMMITTEE
ETHICS COMMISSION
Decision with recommendation of a provisional
suspension**

No. 01 - 2016

CASE No. 2/2012

Mr Dae-Sung Moon
IOC Member

FACTS:

1- Following various press articles accusing Mr Dae-Sung Moon of plagiarism in his doctoral thesis on a sports discipline which he had defended in 2007 at Kookmin University, on 25 April 2012 the IOC President submitted the situation of Mr Dae-Sung Moon to the Ethics Commission.

2- In a decision dated 6 March 2014, Kookmin University decided to cancel the doctoral degree of Mr Dae-Sung Moon, after the University Research Ethics Committee found plagiarism in his doctoral thesis.

3- In a letter dated 31 March 2014, Mr Dae-Sung Moon informed the Ethics Commission that he had filed a lawsuit against the Kookmin University decision in a civil court of the Republic of Korea, citing the invalidity of the decision by the University.

4- In a decision of 17 October 2014, the Seoul first-instance court rejected Mr Moon's appeal against the University's decision. Mr Moon appealed this decision.

5- In a decision of 27 April 2016, the Seoul Court of Appeal rejected Mr Moon's appeal; the latter announced, in a message dated 28 April 2016, that he was filing an appeal with the Supreme Court of the Republic of Korea.

6- In view of the Ethics Commission's decision, Mr Moon stated in a letter dated 9 June 2016 that he had lodged an appeal against the decision of the Court of Appeal with the Supreme Court of Republic of Korea; that the court decision was therefore not final; and that the Supreme Court could change this decision. He also said that he wanted his honour restored, and asked the Commission for more time to achieve this, failing which he would accept the provisional decision by the Ethics Commission.

OPINION

7- After taking cognisance of all the information acquired since the opening of this file, in particular the various letters from Mr Dae-Sung Moon, the Ethics Commission observes that the decision by Kookmin University to withdraw Mr Dae-Sung Moon's degree on the grounds of plagiarism has been confirmed by two judicial instances of the Republic of Korea. It notes, however, that this second decision is not final, as an appeal before the Supreme Court is pending.

8- The Ethics Commission notes that this second decision by a judicial authority to confirm the decision by Kookmin University on the grounds of plagiarism by an IOC Member and an IOC Athletes' Commission member tarnishes the reputation of the Olympic Movement. It further observes that, in view of the forthcoming IOC Session and celebration of the Olympic Games in Rio de Janeiro, measures to protect the reputation of the Olympic Movement are needed urgently.

9- As a result, and in line with its established practice pending a final decision, the Ethics Commission recommends that the Executive Board take a provisional measure against Mr Dae-Sung Moon to suspend all the rights, prerogatives and functions linked to Mr Dae-Sung Moon's IOC membership until the Supreme Court of the Republic of Korea has pronounced a final verdict.

DECISION:

After deliberating in accordance with its Statutes, the Ethics Commission decides to make the following recommendations to the Executive Board pursuant to Rule 59.1 of the Olympic Charter, and article 18 of the Rules of Procedure governing cases brought before the IOC Ethics Commission:

- Acknowledge the seriousness of the damage to the reputation of the Olympic Movement and the need to take the provisional measure to suspend all the rights, prerogatives and functions linked to Mr Dae-Sung Moon's IOC membership until the Supreme Court of the Republic of Korea has pronounced a final verdict.

Done in Lausanne, 21 June 2016

A handwritten signature in black ink, appearing to read 'U. Briand', with a stylized flourish at the end.

Chairman of the Ethics Commission