

ORIGINAL: FRENCH

**INTERNATIONAL OLYMPIC COMMITTEE
ETHICS COMMISSION**

**DECISION with a recommended provisional measure
No. D/04/08**

CASE No. 4/2008

Mr Kun-Hee Lee, IOC Member,
Domiciled in Seoul, Republic of Korea

FACTS:

At its meeting on 2 August 2008 in Beijing, following the recommendations of the Ethics Commission, the IOC Executive Board took note that Mr Kun-Hee Lee, an IOC member, had, in a letter to the IOC President on 16 July 2008, decided to: "refrain from acting in the capacity of an IOC member until the pending legal proceedings (and any higher court's ruling) are finally concluded", and consequently took note of the voluntary renunciation by Mr Kun-Hee Lee of the rights, prerogatives and functions deriving from his IOC membership until the legal proceedings are concluded.

In a decision dated 10 October 2008, the Seoul Court of Appeal confirmed the decision of the Seoul Central Court on 16 July 2008 finding Mr Kun-Hee Lee guilty of tax evasion and sentencing him to a suspended term of three years' imprisonment and a fine of 110 billion Korean Won.

Mr Kun-Hee Lee has decided not to appeal to the Supreme Court. Nonetheless, the Public Prosecutor's Office has appealed to the Korean Supreme Court, arguing that there was a legal error concerning the other accusations, in particular the various forms of breach of trust. The Court of Appeal decision is therefore not final.

OPINION:

The Ethics Commission notes that the decision by the Seoul Court of Appeal is not final. As a result, in line with its established practice when a judicial decision is not final, it recommends that the IOC Executive Board maintain the status quo pending a final decision.

DECISION:

After deliberating in accordance with its Statutes, the Ethics Commission recommends that the Executive Board maintain the provisional measure decided on 2 August 2008.

Done in Lausanne, 17 November 2008

For the Chairman,
Pâquerette Girard Zappelli
Ethics Commission Secretary