



**GEF 2020/08 AZE - Gymnastics Ethics Foundation v. Mariana Vasileva, Siyana Vasileva, Evgeniya Vilyayeva, Natalia Bulanova and the Azerbaijan Gymnastics Federation**

**DECISION ON SANCTIONS**

rendered on 18 December 2024 by the

**GYMNASTICS ETHICS FOUNDATION  
DISCIPLINARY COMMISSION**

sitting in the following composition:

**President** Ms. Laurence Burger (Switzerland)

**Members** Ms. Dorothée Schramm (Switzerland)  
Mr. Maximilien Lehnen (Luxembourg)

**Ad hoc secretary** Ms. Martina Coxova (Canada) / Carola Carrannante (Italy)

In the disciplinary proceedings between:

**The Gymnastics Ethics Foundation**

- **Claimant** -

**and**

**Ms. Mariana Vasileva**

**Ms. Siyana Vasileva**

**Ms. Evgeniya Vilyayeva (née Zhidkova)**

**Ms. Natalia Bulanova**

**The Azerbaijan Gymnastics Federation**

- **Respondent(s)** -



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## I. List of abbreviations

<i>AGF</i>	Azerbaijan Gymnastics Federation
<i>Art.</i>	Article
<i>Arts.</i>	Articles
<i>CAS</i>	Court of Arbitration for Sport
<i>CC</i>	Swiss Civil Code
<i>cf.</i>	Confer (compare)
<i>CHF</i>	Swiss Franc
<i>CO</i>	Swiss Code of Obligations
<i>CoD</i>	FIG Code of Discipline
<i>CoE</i>	FIG Code of Ethics
<i>DC</i>	GEF Disciplinary Commission
<i>e.g.</i>	Exempli gratia (for example)
<i>et seq.</i>	Et sequens (and the following)
<i>FIG</i>	Fédération International Gymnastique
<i>GEF</i>	Gymnastics Ethics Foundation
<i>i.e.</i>	Id est (this is)
<i>IOC</i>	International Olympic Committee
<i>Mr.</i>	Mister
<i>Ms.</i>	Miss
<i>NOC</i>	National Olympic Committee
<i>p.</i>	Page
<i>para.</i>	Paragraph
<i>paras.</i>	Paragraphs
<i>pp.</i>	Pages
<i>v.</i>	Versus



## **II. INTRODUCTION**

1. The present Decision on Sanctions follows the Decision on Liability rendered by the same Panel in this case regarding the same Parties on 28 October 2024.
2. Following the issuance of the Decision on Liability, the Parties agreed to a schedule leading to the present Decision on Sanctions.
3. On 30 October, following the Panel's communication of its decision on liability, the GEF and the Respondents reached agreement in relation to various matters, notably:
  - No publication of the Decision on Liability until the Panel has communicated its decision on sanction to the parties.
  - However, the GEF is entitled to discuss and share the Decision on Liability with the FIG in the interim as long as such communication is carried out in a manner which preserves the ongoing confidentiality of the proceedings and prevents disclosure to the public at large prior to the Panel's Decision on Sanction.
  - Time does not run for the purposes of an appeal by any party (whether against the Decision on Liability or the Decision on Sanction or otherwise) until the Panel has communicated the Decision on Sanction to the parties.
  - Prior to publication of the Decision on Liability and the Decision on Sanction, the names of the complainants, the GEF's witnesses and the Respondents' witnesses shall be redacted (except the names of the Individual Respondents and Ms Nurlana Mammadzadeh, whose names may remain in the Decisions as published).
  - The parties shall seek to agree those redactions and will present the Panel with redacted Decisions within 48 hours of the Panel's communication of the Decision on Sanction to the parties.
4. According to the schedule agreed between the Parties and the Parties' other agreements, the GEF provided its submissions on sanctions to Respondents on 12 November 2024 and filed it with the Panel on 18 November 2024, and the Respondents filed their submissions on sanctions on 27 November 2024.

## **III. COMPETENCE OF THE PANEL**

5. The Panel is competent to impose sanctions pursuant to Article 32 of the FIG Statutes 2023.



#### **IV. LEGAL FRAMEWORK**

6. While the applicable provisions with respect to sanctions have not materially changed across the various applicable Codes of Discipline, the Panel agrees that the principle of non-retroactivity applies to sanctions (see Valcke v. FIFA, CAS 2017/A/5003 at paragraph 139).
7. Consequently, the following regulations are applicable to the present matter:<sup>1</sup>
  - The 2011 Code of Discipline, as regards misconduct predating May 2017;
  - The 2017 Code of Discipline, as regards misconduct between May 2017 and 31 May 2018;
  - The 2018 Code of Discipline, as regards misconduct between 1 June 2018 and 31 December 2018;
  - The 2019 Code of Discipline, as regards misconduct between 1 January 2019 and 31 May 2021;
  - The 2021 Code of Discipline, as regards occurring from 26 May 2021 onwards.
8. The relevant provisions, the numbering of which might change over the various Codes of Discipline but that, as stated above, do not materially change, are those pertaining to (1) limitation periods; (2) sanctions; (3) limitation of the execution and (4) general provisions.
9. The provision relating to sanctions provides in particular that:
  - The authority must consider both the objective and subjective elements of the infringement;
  - The sanctions imposed shall take into account mitigating and aggravating circumstances;
  - Aggravating circumstances shall include in particular, but shall not be limited to, the repetition of an infringement. Each second or subsequent offence must take place within five years after a formal final ruling on disciplinary sanction in order to be considered as such;
  - In the event of a combination of infringements, the sanction imposed shall correspond to the most serious infringement, increased at the maximum by half of the sanction of the least serious infringement;
  - In the event of minor cases or of mitigating circumstances, a financial fine may be imposed and combined with total or partial suspension, for a minimal duration of one year and a maximum of five years;

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<sup>1</sup> See paragraph 9 of the Respondents' Sanctions Submissions.



- In the event of extremely minor cases or of appropriate justified reasons, all disciplinary sanctions must be withdrawn.
10. In addition, Article 2.1.3 of the FIG Statutes provides for the objective of the FIG (being to safeguard participants in gymnastics from any kind of harassment and abuse) and Article 34 provides for the various disciplinary measures.
11. The jurisprudential principles applicable to sanctioning are:
- The principle of proportionality (see Clube Atlético Mineiro v FIFA (CAS 2018/A/5663); FAA v FIFA (CAS 2022/A/8692) International Equestrian Federation (FEI) (CAS 99/A/246);
  - The principle of *nulla poena sine lege clara* (see Sport Lisboa e Benfica SAD v FIFA, CAS 2020/A/7008).
12. Having reviewed the available case law at <https://www.gymnasticsethicsfoundation.org/decisions>, the Panel finds the following precedents of particular help:

- **Viner v. GEF, GEF 2023/15 RUS at 187**, which sets out with precision the legal process to be followed by a disciplinary commission when asserting what sanction to impose.

As such, the GEF Appeal Tribunal in Viner outlined the discretion of the GEF Disciplinary Authorities to determine the relevant parameter for imposing sanctions (Viner at 187).

Moreover, a decisive criterion in determining the sanction is the degree of fault or negligence by the defendant that resulted in the infringement of policies, rules and duties (Viner at 191).

There are usually three degrees of fault or negligence resulting in liability that may be applied: 1) a significant degree of fault which triggers the more severe sanctions; 2) a normal degree of fault requiring medium level sanctions, and; 3) a light degree of fault with low level sanctions (Viner at 192).

In order to determine into which category of fault or negligence a particular case might fall, the panel should consider both the objective and the subjective element of fault (Article 25 FIG CoD). The objective element describes what standard of behavior could have been expected from a reasonable person in the tortfeasor's situation. The subjective element describes what could have been expected from that particular person in light of her individual capacities. The objective element should be of foremost importance for determining into which of the relevant categories of fault or negligence a particular case falls.



The subjective element can then be used to move a particular defendant up or down within that category (Viner at 193).

- **GEF v. Logachova (GEF DC – 2024/05/); GEF v. Demay & Demay (GEF DC – 2024/04/11); GEF v. Ning Ya Kuo (GEF DC – 2019/12/20)**, in that they consider sets of circumstances similar to those found in the present case.
  - **In Logachova**, the disciplinary commission found Ms Logachova liable for psychological abuse in one incident (among 13), for making an unwelcome act that diminished an athlete's sense of self-worth, and decided not to sanction her.
  - **In Demay & Demay**, the coaches were found liable for psychological abuse arising out of intimidation by shoving and use of derogatory words, and were sanctioned by an exclusion of 2 years & 1 year (without suspension), respectively, and an obligation to undergo accredited safeguarding training.
  - **In Ning Ya Kuo**, Ms Kuo, a coach with a first level certificate, was found liable for physical abuse and violence (pushing, pulling by the hair, slapping across the face). The Panel found that she failed to acknowledge that her behavior was unacceptable and that these incidents were probably not isolated events; finally, the coach showed no remorse. She was sanctioned by an exclusion from participating in any FIG activities and other international events until 1 January 2025 (since 20 December 2019), and ordered to undertake training.

## **V. SUMMARY OF THE PARTIES' ARGUMENTS REGARDING SANCTIONS**

### **A. Mariana Vasileva**

#### **a) *GEF's submissions***

13. The GEF submits that Ms Vasileva:

- i. Be excluded for life from participation in any FIG activities and other international events;
- ii. Be stripped of her "Honorary Coach" Diploma.

14. Alternatively, if the Commission is persuaded that there is a prospect of her returning to gymnastics, the GEF submits that the least determinate period of exclusion would be a total of at least 15 years.

15. In this case, prior to any return to FIG-regulated gymnastics, Mrs Vasileva should be required as a precondition of her return:

- i. To undergo safeguarding training 3 months prior to her return to gymnastics to the satisfaction of the FIG;



ii. Be prohibited from:

- a) Working alone with gymnasts;
- b) Housing gymnasts;
- c) Being the head coach of any FIG affiliated Federation.

**b) Respondents' submissions**

16. No imposition of lifetime or 15-year ban.

17. Ban of no more than 5 years.

18. Permission to return to gymnastics upon completion of safeguarding training.

19. Ms Mariana Vasileva accepts the training required of her and her return to gymnastics not subject to any further prohibitions. Any prohibitions which might be imposed should be clear and capable of straightforward compliance.

**B. Siyana Vasileva**

**a) GEF's submissions**

20. The GEF submits that Ms Siyana Vasileva:

i. be excluded from FIG activities and other international events for a period of 2 years, which sanction should be suspended for 5 years.

ii. be removed from her post as FIG Athletes Representative for Rhythmic Gymnasts.

iii. as a condition of the suspension of her period of exclusion:

- Must by 31 March 2026 undertake and satisfactorily complete training approved by the GEF;
- Commencing on 1 January 2025, must undergo a 12-month period of monitoring by a person agreed by the GEF.

**b) Respondents' submissions**

21. Any exclusion from participation in gymnastics imposed by the Panel should not exceed 12 months and should be suspended for a period of no more than 2 years.

22. Ms Siyana Vasileva accepts that the conditions of suspending her exclusion proposed by the GEF are appropriate, save that the period of monitoring should be reduced to 6 months.

23. Ms Siyana Vasileva should not be removed from her post as FIG Athletes Representative for Rhythmic Gymnasts.





**C. Evgeniya Vilyayeva**

**a) *GEF's submissions***

24. The GEF submits that Ms Evgeniya Vilyayeva:

- i. be excluded from FIG activities and other international events for a period of 1 year, which sanction should be suspended for 2.5 years;
- ii. be removed from her post as European Gymnastics Rhythmic Gymnastics Technical Committee member;
- iii. As a condition of the suspension of her period of exclusion:
  - Must by 31 March 2026 undertake and satisfactorily complete training approved by the GEF;
  - Must undergo a 12-month period of monitoring by a person agreed by the GEF.

**b) *Respondents' submissions***

25. The appropriate sanction for Ms Vilyayeva is a warning. Should the Panel impose an exclusion from participation in gymnastics, such exclusion should not exceed 6 months and should be suspended for 12 months.

26. Ms Vilyayeva accepts that the training and monitoring proposals made by the GEF are appropriate.

27. Ms Vilyayeva should not be removed from her post as a European Gymnastics Rhythmic Technical Committee member.

**D. The Azerbaijan Gymnastics Federation ("AGF")**

**a) *GEF's submissions***

28. The GEF submits that the AGF:

- i. Must be suspended from participation in the:
  - 25<sup>th</sup> Council meeting in Qawra (Malta) in 2025;
  - 86<sup>th</sup> Congress in Bangkok (Thailand) in 2026.
- ii. Shall be excluded from participation in any FIG activities for 6 months, such suspension being suspended for 3 years subject to the completion of the requirements in respect of safeguarding required by the Commission.
- iii. Must be required to:
  - Appoint a qualified safeguarding expert to inspect and to review its safeguarding procedures and mechanisms and produce an initial report to the GEF by 31 March 2025, and reports on reviews quarterly thereafter until 31 December 2026, which reports shall:



1. Identify any failings in the safeguarding procedures and mechanisms, and
  2. Make recommendations for any improvements or adjustments to be made with a timeframe for remedy or enactment.
- Act on and remedy any recommendations made by the safeguarding expert within the timeframes identified.
  - Appoint to its governing board an independent and impartial safeguarding director, who shall report to the GEF quarterly until 31 December 2028 on all and any safeguarding cases within the AGF.
- iv. Must be fined CHF 200,000.

**b) The AGF's submissions**

29. The AGF submits that:

- (i) it is neither necessary nor consistent with previous decisions for the AGF to receive an exclusion from participation - a warning and reprimand is the appropriate sanction;
- (ii) further, any exclusion from participation in gymnastics which the Panel might think it appropriate to impose should be in the range of 3 to 6 months, and should be suspended for a maximum period of 12 months;
- (iii) no suspension should be ordered in relation to the 25<sup>th</sup> Council meeting in Qawra, in 2025 or the 86<sup>th</sup> Congress in Bangkok, in 2026; and
- (iv) any fine imposed by the panel should not exceed the range of CHF 15,000 to CHF 20,000.

## **VI. DISCUSSION**

### **A. Mariana Vasileva**

30. This Panel has found Ms Mariana Vasileva liable of:

- various mistreatments and physical abuse against athletes, including beating GEFW7 for weight gain and having a phone message, and trying to strangle GEFW5 and hitting GEFW8 when they announced they were leaving the AGF;
- requiring athletes to perform or train when they were not fit to do so, so as to put the gymnasts' wellbeing and health at risk, including GEFW4;
- orally abusing and weight-shaming athletes, including GEFW7 and GEFW5;
- withholding monies and/or rewards of athletes, including GEFW8;



- depriving and/or preventing athletes, including GEFW7, from having contact with their families and/or other private communication by depriving them of their mobile phone.
31. The Panel agrees with the Respondents that the lifetime ban or the 15 years requested by the GEF, in particular in comparison with the sanctions imposed in the precedents cited above at paragraph 12, is disproportionate.
  32. However, the Panel is mindful that Ms Mariana Vasileva was the AGF's Rhythmic Gymnastics Head Coach. As such, it was her responsibility to act as a leader and "set the tone" for everyone else in the respect of the various FIG Rules, in particular the CoD and the CoE.
  33. Instead, she exemplified and normalized a behavior of abuse over children and teenagers over which she had an important power, which lead to unchecked abuse by other coaches that was sure to go unpunished. In that sense, not only was Mrs Mariana Vasileva acting intentionally with respect to her own acts of abuse, but also negligently with respect to the image and admissible behavior tolerated in the AGF's Rhythmic Gymnastics.
  34. Ms Mariana Vasileva has been found liable of five Complaints. The Panel disagrees with the Respondents' assertion that Complaints 1, 3 and 5 "substantially overlap and relate to much of the same underlying conduct" (paragraph 25 of Respondents' submission). Indeed, even if the underlying conduct is the same (slapping, weight-shaming, verbally abusing), it does not overlap in that it concerns different gymnasts. In that sense, intent is different for each infringement.
  35. Yet, the Panel agrees that sanctioning should not be applied "per finding", in the sense that a set number of years of ban should apply to each finding. Quite to the contrary, her behavior must be appraised as a whole, in light of her position, the degree of fault and/or negligence, and of course the number of infringements committed.
  36. The Respondents rely on Ning Ya Kuo to argue that the ban imposed should be no more than 5 years. However, the coach in this precedent was not in a leadership position such as the one of Ms Mariana Vasileva (see paragraph 12) and did not commit the infringements over a long period of time against different athletes.
  37. From a proportionality point of view, the Panel agrees that at an age of 50 years, a 15-year ban would be indistinguishable from a lifetime ban, so that it would bring Ms Mariana Vasileva's career to an end.
  38. Consequently, in light of the severity of the infringement as well as the lack of remorse displayed by Ms Mariana Vasileva, the Panel finds that an 8-year exclusion from participation in any FIG activities and other international events



must be imposed on Ms Mariana Vasileva. She must undergo safeguarding training 3 months prior to her return to gymnastics to the satisfaction of the FIG.

39. In addition, given the lack of exemplary leadership of Ms Mariana Vasileva, the Panel finds that she must be stripped of her “Honorary Coach” Diploma and that she may not become the Head Coach of any FIG affiliated Federation during the rest of her career. That demotion of future functions / exclusion of this specific future function will ensure that her power over young athletes will remain limited and that she will always work under the supervision of someone else. By contrast, the Panel finds that a prohibition of not working with gymnasts alone is not practicable and that a prohibition of housing gymnasts is disproportionate as there were no findings of physical or oral abuse at her home.

**B. Siyana Vasileva**

40. This Panel has found Ms Siyana Vasileva liable for hitting GEFW7 with a phone.
41. The Parties are in agreement that suspended sentences represent a proportionate response to the findings that have been made against Ms Siyana Vasileva.
42. The Panel is mindful of its finding at paragraph 202 of its Decision on Liability that a person’s environment can have an important impact on their perception of abusive conduct. If the coaches themselves were subjected to a certain level of harshness and/or violence in younger years (as may have been the case especially for the younger Respondents), this can change their perception of the border between acceptable hard training and unacceptable abuse.
43. The Panel agrees that in light of the case law cited above at paragraph 12, a ban of two-years with a 5-year suspension is disproportionate. The Panel finds that the degree of fault of Ms Siyana Vasileva was significant, but more limited compared to her mother. Hence, the sanction should be tailored so that Ms Siyana Vasileva, who was relatively young at the time of the facts and has been shown to also do good coaching work, can return to work, but with a significant incentive not to resort to abuse and violence again.
44. Consequently, the Panel sanctions Ms Siyana Vasileva with an 18-month exclusion from participation in any FIG activities and other international events with a 3-year suspension.
45. The Panel acknowledges that Ms Siyana Vasileva accepts that the conditions of suspending her exclusion proposed at paragraph 34 (c) of the GEF’s submissions are appropriate, save that the period of monitoring should be reduced to 6 months.
46. As concerns monitoring, the Panel finds that undergoing a 6-month period of supervision in relation to her work as a gymnastics coach, by a person appointed by the AGF and agreed by the GEF, is not sufficient for Ms Siyana Vasileva. In



comparison, Ms Evgeniya Valiyeva, whose conduct is in the Panel's opinion less serious, has accepted a 12-month monitoring. The Panel finds that a 12-month monitoring period is appropriate.

47. The Panel agrees that since Ms Siyana Vasileva's post as FIG Athlete Representative has been granted to her by individual athletes within the international gymnastics community, it is not the place of the Panel to remove it. However, the Panel agrees with the GEF that this role should be filled by someone the athletes see as a role model and that the athletes were not aware of Ms Siyana Vasileva's liability at the time of the election. In light of that, and given that her position vis-à-vis the FIG is impaired as a result of the sanctioned conduct, a FIG Athlete Representative in the situation of Ms Siyana Vasileva who is taking her responsibilities seriously should step down and/or seek a vote of reelection and confirmation of her mandate outside the ordinary election cycle.

**C. Evgeniya Vilyayeva**

48. This Panel has found Ms Evgeniya Vilyayeva liable for harassing GEFW7 about her weight.
49. The Parties are in agreement that suspended sentences represent a proportionate response to the findings that have been made against Ms Evgeniya Vilyayeva.
50. As with Ms Siyana Vasileva, the Panel is mindful of Ms Vilyayeva's relatively young age and of the fact that she was a relatively young coach in an environment where abuse existed and was normalized.
51. The Panel agrees with Respondents that negative inference cannot be drawn from other charges brought against her which failed because they were time-barred. The purpose of a time-bar is precisely to be able to start with a clean slate after some time; increasing sanctions because of events that took place at a time now subject to a time-bar would be completely contrary to this principle.
52. Keeping in mind the precedents cited above at paragraph 12, the Panel sanctions Ms Vilyayeva with a 12-month exclusion from participation in any FIG activities and other international events with a 2-year suspension. Ms Vilyayeva's sanction is lower than Ms Siyana Vasileva because it appears possible to the Panel that, being in an environment where weight was a central concern and weight shaming was normalized by the Head Coach, Ms Vilyayeva's awareness of her harassing GEFW7 was not as heightened as it should have been.
53. The Panel finds that Ms Vilyayeva should not be removed as Technical Committee member, because her role on the Technical Committee has not much to do with the conduct for which she is sanctioned.



**D. The AGF**

54. This Panel has found the AGF liable for all of the infringements by the Individual Respondents.
55. The Panel is mindful of the fact that one of the main purposes of a national gymnastics federation is to offer a structure that protects the national gymnasts. The AGF has failed to fulfill this purpose, instead opting to protect Ms Mariana Vasileva, and this should be reflected in the sanctions against this federation, while at the same time not hurting the gymnasts.
56. Consequently, the Panel finds that the sanction requested at paragraph 42 (a) by the GEF (suspension from participation in the 25<sup>th</sup> Council Meeting in Qawra (Malta) in 2025 and in the 86<sup>th</sup> Congress in Bangkok (Thailand) in 2026) is to be upheld as such suspensions will not have a direct impact on the gymnasts while at the same time having a sanctioning effect for the AGF.
57. Given the severity of the AGF's failings, the Panel considers a suspended exclusion to be appropriate. With respect to the length of the exclusion, the Panel agrees with the AGF that a 6 month exclusion from any FIG activities with a suspension not exceeding 12 months is in line with precedents and provides for a sufficient sanction, in light of the one already imposed at paragraph 57 above.
58. The Panel takes note of the AGF's agreement to carry out the appointments and actions suggested at the GEF's submissions paragraph 42(c).
59. Finally, the Panel agrees that the amount of the fine proposed by the GEF is unprecedented and that imposing such a fine, in light of the AGF's total annual revenue, would substantially impair the AGF financially. This would not only restrict its ability to reform and improve its safeguarding procedures effectively, but would also put at risk the level of resources directly benefiting the gymnasts.
60. Consequently, and keeping in mind the overarching goal to protect the gymnasts while not impairing their ability to train and compete, the Panel imposes a fine of CHF 30,000 on the AGF.

\* \* \*

**For these reasons, the Commission issues the following decision:**

**1. Ms Mariana Vasileva is sanctioned as follows:**

- Ms Mariana Vasileva shall be excluded from participation in any FIG activities and other international events for a period of 8 years;
- Ms Mariana Vasileva shall be prohibited for life from being the head



coach of any FIG-affiliated Federation.

- Prior to any return to FIG-regulated gymnastics, Ms Mariana Vasileva shall be required, as a precondition of her return, to undergo safeguarding training 3 months prior to her return to gymnastics to the satisfaction of the FIG.
- The “Honorary Coach” Diploma awarded to Ms Mariana Vasileva in 2019 by the FIG shall be withdrawn.

**2. Ms Siyana Vasileva is sanctioned as follows:**

- Ms Siyana Vasileva shall be excluded from participation in any FIG activities and other international events for a period of 18 months, which sanction shall be suspended for 3 years.
- As a condition of the suspension of Ms Siyana Vasileva’s period of exclusion, Ms Siyana Vasileva shall:
  - by 31st March 2026, undertake and satisfactorily complete training approved by the GEF, in relation to good practice relating to behavioral awareness and the safeguarding of children and young persons, to be arranged and supervised by the AGF, and a report on which to be sent by the AGF to the FIG and the Gymnastics Ethics Foundations, and
  - commencing on 1 January 2025, undergo a 12-month period of monitoring by a person agreed by the GEF who is appointed by the AGF, and a report on which to be sent by the AGF to the FIG and the Gymnastics Ethics Foundation.

**3. Ms Evgeniya Valiyeva is sanctioned as follows:**

- Ms Evgeniya Valiyeva shall be excluded from participation in any FIG activities and other international events for a period of 12 months, which sanction shall be suspended for 2 years.
- As a condition of the suspension of Ms Evgeniya Valiyeva’s period of exclusion, Ms Evgeniya Valiyeva shall:
  - by 31 March 2026, undertake and satisfactorily complete training approved by the GEF, in relation to good practice relating to behavioral awareness and the safeguarding of children and young persons, to be arranged and supervised by the AGF, and a report on which to be sent by the AGF to the FIG and the Gymnastics Ethics Foundation;
  - commencing on 1 January 2025, undergo a 12-month period of monitoring by a person agreed by the GEF who is appointed by the AGF, and a report on which to be sent by the AGF to the FIG





and the Gymnastics Foundation.

**4. The AGF is sanctioned as follows:**

- The AGF shall be suspended from participation in the 25<sup>th</sup> Council Meeting in Qawra (Malta) in 2025;
- The AGF shall be suspended from participation in the 86<sup>th</sup> Congress in Bangkok (Thailand) in 2026;
- The AGF shall be excluded from participation in any FIG activities and other international events for a period of 6 months, which sanction shall be suspended for 12 months subject to the completion of the requirements in respect of safeguarding addressed in the next bullet point.
- The AGF shall:
  - Appoint a qualified safeguarding expert, agreed with the GEF, to inspect and to review its safeguarding procedures and mechanisms, including its disciplinary processes, and who shall produce an initial report to the GEF by 31 March 2025, and reports on reviews quarterly thereafter until 31 December 2026, which reports shall
    1. Identify any failings in the safeguarding procedures and mechanisms, and
    2. Make recommendations for any improvements or adjustments to be made with a time frame for remedy or enactment.
  - Act on and remedy any recommendations made by the safeguarding expert within the timeframes identified.
  - Appoint to its governing board an independent and impartial safeguarding director, who shall report to the GEF quarterly until 31 December 2028 on all and any safeguarding cases within the AGF.
- The AGF shall pay a fine of CHF 30,000.

**5. Each Party shall bear its own legal costs and expenses incurred with respect to these proceedings.**

**6. This decision is to be published.**

Lausanne, 18 December 2024





*Gymnastics Ethics Foundation*  
*Fondation d'Éthique de la Gymnastique*

**Gymnastics Ethics Foundation Disciplinary Commission**

**Ms Laurence Burger**

Panel President

**Dr Dorothee Schramm**

Panel Member

**Mr Maximilien Lehnen**

Panel Member



## VII. Notice of Appeal

### Article 30 of the FIG Code of Discipline - Appeal

With the exception of decisions and sanctions rendered in connection with the FIG Anti-Doping Rules and the WADA Code including its international standards, which may be appealed directly to the CAS, and unless provided otherwise in specific provisions, only the decisions rendered by the Disciplinary Commission may be appealed to the Appeal Tribunal.

Only the Parties directly involved in the proceedings shall be eligible to lodge an appeal to the Appeal Tribunal.

Upon request of a majority of the Executive Committee or of the FIG President, the FIG shall in all cases be eligible to lodge an appeal. The appeal shall be lodged by the FIG Secretary General. Likewise the majority of the Council of the Gymnastics Ethics Foundation or its President shall be eligible to lodge an appeal in all cases. Appeals of the Gymnastics Ethics Foundation shall be lodged by its Director.

In order to be admissible, the appeal shall be lodged in writing and contain:

- the factual argument
- the reasons for the appeal
- the submission of any and all means of proof relied upon by the Appellant or an offer to submit any and all means of proof (such as the request for the hearing of witnesses or the request for an independent expert)
- the request of a hearing if wished so by the Appellant
- the conclusions of the Appellant

If the Appellant wishes to call witnesses or experts, a hearing shall be held.



*Gymnastics Ethics Foundation  
Fondation d'Éthique de la Gymnastique*

Once his/her statement of the case is submitted, the Appellant shall not be authorised to produce new means of proof unless he/she justifies that he/she has not been able to do so for reasons beyond his/her control or his/her behest. The Appeal Tribunal may automatically conduct the necessary investigations.

The appeal shall be signed by the Appellant and sent in writing to the Director of the Gymnastics Ethics Foundation to the attention of the Appeal Tribunal within 21 days from the notification of the decision rendered by the Disciplinary Commission.

Should the appeal be submitted by email it shall be admissible provided that it contains an electronic signature officially certified and dated via a secure server.

Should the appeal be sent by mail, it shall be delivered to a Swiss post office at the latest by midnight of the last day of the time limit or be delivered at the Office of the Gymnastics Ethics Foundation, at the attention of the Appeal Tribunal during its usual opening hours not later than the last day of the time limit. The Appellant is responsible for showing proof, within a time limit to be determined by the President of the Appeal Tribunal, that his appeal has been lodged in due time, otherwise, the appeal shall be considered inadmissible.

In order for the appeal to be admissible, the Appellant shall transfer in advance the expenses of CHF 5,000.- onto the account of the Gymnastics Ethics Foundation at the same time the appeal is lodged or at the latest by the end of the appeal deadline. This amount shall be refunded to the Appellant if his appeal is granted. It shall be kept by the Gymnastics Ethics Foundation if the appeal is considered inadmissible or is fully or partly rejected. The Gymnastics Ethics Foundation is exempt from the obligation to pay the expenses in advance for its appeal.