

Disciplinary Commission

Case No. 2024-02

Date: 25 March 2025

Final Decision of the ISU Disciplinary Commission

Panel: - Sue Petricevic, Chair
- Eugen Larasser
- Dr. Keith King

In the matter of**International Skating Union (ISU)**

Avenue Juste-Olivier 17,
1006 Lausanne (SUI)

- Complainant

Represented by

Prof. Dr. Michael Geistlinger, ISU Legal Advisor**against****Mr. Yuri Balkov (UKR)****- Alleged Offender 1**

and

Ms. Olena Lisova (UKR)**- Alleged Offender 2**Represented by Attorney-at-law Ms. **Kristina Piatyhora**

and

Ms. Ece Esen (TUR)Represented by Attorney-at-law Ms. **Özge Ersen****- Alleged Offender 3**

and

Mr. Roland Mäder (SUI)**- Alleged Offender 4**

**Regarding Violations of the ISU Code of Ethics and Alleged Offenders 2 – 4
also regarding Duties of Judges**

I. History of the Procedure

- [1] On 12th November 2024, the ISU Disciplinary Commission (the DC) received a Statement of Complaint against the Alleged Offenders, together with 20 Exhibits.
- [2] On November 19th, the DC rendered Order No. 1 and invited each of the Alleged Offenders to file a Statement of Reply within 21 days of receipt of the Complaint. The Alleged Offenders were provisionally suspended from participation in all ISU events until these proceedings were terminated.
- [3] Each of the Alleged Offenders filed a Statement of Reply, with a varying number of exhibits, between 5th and 9th December 2024, each respecting the time limit of 21 days set by the ISU DC. Ms Lisova was represented by Attorney-at-law Ms. Kristina Piatyhora.

Alleged Offender 1- Mr Balkov

- [4] In his Statement of Reply (7th December 2024), Mr Balkov submitted that if a hearing was held in this case, that it be conducted in his absence due to his "*health condition and advanced age*". This request was reiterated by email on February 15th, 2025. The ISU DC informed Mr Balkov the same day, that his waiver of participation in the hearing was noted and as per the DC Rules of Procedure, the hearing would proceed in his absence.
- [5] Order No. 5, delivered to all parties and counsel on February 23rd, 2025, confirmed this and that the case would consider the explanations and arguments already submitted in his Statement of Reply, as per the DC Rules of Procedure.

Alleged Offender 2 - Ms Lisova

- [6] On January 13th, 2025, Ms Lisova's Attorney requested information about the status of the consideration of disciplinary case No. 2024-02" to the DC, and an answer within 5 days. This request was answered by the DC through its Chair, referring to the ISU DC Rules of Procedure ("ROP") and ISU Communication 2551.
- [7] On January 19th, the DC issued and delivered Order No. 2, ordering an oral hearing for this case on March 5th, 2025, in Munich (GER). All Alleged Offenders were summonsed to appear on site at the airport hotel in Munich for the hearing. Experts and witnesses were permitted to attend by video link.
- [8] On January 22nd, 2025, Ms Lisova's Attorney attempted to file "additional explanations" related to the present case. This second filing was not accepted by the DC, pursuant to Article 11 Para. 1 S. 1 ROP. Additionally, the preconditions of Article 11 Para. 1 S. 2 ROP were not met in the present case.
- [9] The same day, Ms Lisova's Attorney applied for counsel and her client to participate in the hearing via video conferencing, submitting that both were unable to travel for the day due to having children, and cost. In Order No. 3, the DC declined the application as it was important that they attend in person, delivered to the parties and counsel on January 27th, 2025. It reiterated that personal attendance of the Alleged Offenders on site was required. The DC also notes that Ms Lisova had opposed her provisional suspension; however judging also requires travel.
- [10] On February 6th, 2025, Ms Lisova's counsel applied for them both, or alternately just Ms Piatyhora in the absence of her client, to appear remotely. No new grounds were supplied.

- [11] On February 15th, 2025, the DC declined this application in Order No. 4 delivered to all parties the same day. Ms Piatyhora's application to represent her client in the hearing in the absence of her client was also declined.
- [12] On February 28th, 2025, a further application was made to appear remotely. The DC was asked to engage a Ukrainian interpreter, for assistance, as was their right. This application submitted that Alleged Offender 2 could not appear in-person because that day she was accompanying her children to compete in an ISU sanctioned figure skating competition. This excuse was not accepted by the ISU DC, who noted she was attending an ISU sanctioned competition. DC Order No. 6, delivered on March 2nd, 2025, declined the application, and also confirmed that a Ukrainian interpreter was being arranged to assist Ms Lisova and counsel.
- [13] On the same day, counsel Ms Piatyhora informed the ISU DC that neither she nor her client would attend the hearing. By this action, Ms Lisova waived her right to attend. The DC confirmed that the hearing would proceed, as per the ROP, with her written submissions forming part of the case.

Alleged Offender 3 - Ms Esen

- [14] Ms. Esen confirmed that she would appear in person. Her Attorney-at- Law Ms Özge Ersen accompanied her, as did the Vice President of the Turkish Skating Federation (Türkiye Buz Pateni Federasyonu), Mr. Engin Saygı.

Alleged Offender 4 - Mr Mäder

- [15] On February 12th, Mr Mäder applied to participate in the hearing by video conferencing (from noon), as he had to take mandatory examinations for his work. These could not be rescheduled and took place in Zurich/SUI, on March 5th and March 6th. Supporting evidence was provided on February 13th and 17th. This situation differed from that of Ms Lisova. Mr Mäder's application was granted, considered an acceptable prior excuse, in Order No. 5 rendered on 23rd March 2025.

II. Procedural Matters

- [16] According to Article 25, Para. 1 of the ISU Constitution 2024 (the ISU Constitution), the DC serves as a first instance authority to hear and decide all charges referred to it by an ISU authority against an Alleged Offender accused of a disciplinary or ethical offence.
- [17] According to Article 4, Para. 1 of the ISU Disciplinary Commission Rules of Procedure (Communication 2551) the DC rules on Complaints brought before it pursuant to the applicable provisions of the ISU Statutes, in particular the ISU Constitution, the General Regulations, the Special Regulations, other special rules, including the ISU Code of Ethics, the ISU Anti-Doping Rules, the ISU Anti-Doping Procedures, the Technical Rules, the DC Rules of Procedure, and other decisions of the ISU Council made in accordance with Article 17 of the Constitution communicated and published in accordance with the provisions of Article 28 of the Constitution and general principles of law.
- [18] According to Article 25 Para. 6 a) of the ISU Constitution, Complaints must be filed with the Disciplinary Commission within one year of learning of the facts or events, which constitute a disciplinary or ethical offence. This Statement of Complaint arrived at the ISU Disciplinary Commission via e-mail on November 12th, 2024, respects the one year's time limit according to Art. 25 Para. 6 a) of the ISU Constitution and is admissible.

- [19] The allegations in the Complaint are clearly of an ethical/ disciplinary nature. Therefore the DC has jurisdiction.
- [20] According to Article 3 of the DC Rules, the proceedings are based upon the written submissions of the Parties. The Panel, at its sole discretion, may decide to hold a hearing.

III. Facts

- [21] The Alleged Offenders are accused of manipulation and disciplinary/ethical offences committed in relation to the judging of the Ice Dance Event at the ISU Junior Grand Prix Ljubljana Cup 2024 in Ljubljana (Slovenia), between October 2nd – 5th, 2024.
- [22] The Complainant is the ISU, represented through ISU President, Vice President Figure Skating, and the Director General, represented by the ISU Legal Advisor.
- [23] Mr. Yuri Balkov (UKR), a former ISU Judge in Single and Pair Skating and in Ice Dance. Having reached the age limit (cf. Rule 413 of the Special Regulations & Technical Rules Single & Pair Skating and Ice Dance 2024 (“SR 2024”), he no longer holds this qualification. Pursuant to Rule 420 Para. 6 lit. b) SR 2024, he is still able to officiate in ISU sanctioned international Figure Skating competitions in the Novice Categories. As Complainant Exhibit 12 shows, he was frequently involved in international competitions of this kind (e.g., NRW Trophy 2024 in Dortmund/GER, Santa Claus Cup 2024 in Budapest/HUN, etc.).
- [24] Ms. Olena Lisova (UKR), an ISU Judge for Ice Dance on the ISU list of Officials. Ms. Ece Esen (TUR), is as International Judge for Single and Pair Skating, and for Ice Dance. Mr. Roland Mäder (SUI), is an International Referee and an ISU Judge for Ice Dance.
- [25] The ISU Disciplinary Commission (DC) evaluated the Complaint and responding submissions in detail, and for relevance to the present case. This resulted in the following decision-relevant facts for the case:

The ISU Junior Grand Prix of Figure Skating (“JGP 2024”) took place in Ljubljana, Slovenia on October 2nd – 5th, 2024. The following time dates are, unless specified otherwise, local time in Ljubljana/SLO. The Junior Ice Dance Rhythm Dance Event started on Oct. 4th, 2024, at 15:00; the Junior Free Dance Event started on Oct. 5th, 2024, at 18:20. The field of participants in the Ice Dance Event included a Dance Couple from Ukraine.

On Oct. 5th, 2024, at 7:30 a.m. local time, Alleged Offender 1 (who wasn’t personally officiating at the event) sent a text message from his phone account to a person acting as Judge in the Ice Dance Event at the JGP 2024 Ljubljana (the “contacted Judge”). The message (Complaint Exhibit 12¹) reads as follows:

“Dear [...]! When I can call you? It is Yuri Balkov from Ukraine I hope you remember me”

¹ All exhibits without additional description are exhibits handed in by the Complainant

Soon after, at 12:08 pm, the contacted Judge's phone registered a missed call, from the same phone number, and the contacted Judge ignored it. At 12:43pm, Alleged Offender 1 then sent the following message to the contacted Judge:

"Dear [...]! I am very sorry but I need your help. If the couple from Ukraine skates well, I ask you to support them for 1st place with an 8 in components and good pluses on all well executed elements. I really hope for your help and several judges will support you. I hope to see you at the competitions in Sofia or Dortmund or in Budapest for Santa Claus. With great gratitude, Yuri."

The contacted Judge did not respond and forwarded the message to the Technical Controller (TC) of the Ice Dance Event (who is also a member of the ISU Ice Dance Technical Committee (the IDTC)). The TC informed the ISU Vice President Figure Skating at 2.48 pm by email, with the Chair of the IDTC and the Referee of the Ice Dance Event in Ljubljana copied in. The fact of the message incident was included in the Event reports by the Referee and TC (Complaint Exhibits 14 and 15). They decided to "make a firm statement on the Code of Ethics" in the Pre-Event meeting before the second segment, the Free Dance Event, which was to take place that day (Oct. 5th, 2024).

[26] The DC emphasizes that the contacted Judge acted in exactly the correct manner by informing the TC about the message, showing that the contacted Judge had no intention of following the request/instructions in the message. The contacted Judge acted exactly as obliged to by the Rules, cf. Rule 125 Para. 3 of the ISU General Regulations 2024 ("GR 2024") in connection with Art. 12.4 of the ISU Code of Ethics (COE).

[27] Alleged Offenders 2, 3 and 4 had officiated as Judges in the Rhythm Dance Event. The Junior Ice Dance Referee Report for the Rhythm Dance (Short Program) records that Ms Lisova acted as Judge No 2, Ms Esen acted as Judge No 6 and Mr Mäder acted as Judge No 5. Of these three judges only Ms Ece Esen was then drawn to judge the second segment, the Free Dance.

[28] Regarding Alleged Offenders 2, 3 and 4, the Complaint states specifically:

"The Alleged Offenders 2-4 (Olena Lisova, Ece Esen and Roland Mäder) acted as judges in Rhythm Dance at the JGP 2024 in Ljubljana. Even if there is no direct evidence that they have received the same or a similar text message or phone call from Mr Balkov, and the OAC Members' Report did not find a manipulation in Free Dance, the first effort to contact a judge by phone took place before the start of the Rhythm Dance. The attempt of manipulation, thus, was not restricted to Free Dance, but obviously also extended to Rhythm Dance before. Mr Balkov's text message to the [contacted Judge], by stating that "several judges will support you" (see Exhibit 12 above), makes clear that Mr Balkov at the time of his attempt to reach the [contacted Judge] had already received the agreement to manipulation of other judges. The behavior of the Alleged Offenders 2-4 throughout the Ljubljana Event, sticking together and separating from the other judges, the observations of the TC and of the Referee (see Exhibits 13 and 14) above, and the analysis of their marking at the Rhythm Dance (see in particular Exhibit 19 above) offer sufficient circumstantial evidence that the Alleged Offenders 2-4 might have been contacted by Mr Balkov before and showed receptive or on their own collaborated in such manner that the Ukrainian, Turkish and Swiss teams were jointly favored. This was done by such sophisticated and skilled (wrong) judging that each of the judges could avoid being found

suspicious for national bias. However, the OAC members' observations could, nevertheless, elaborate the pattern, the three Alleged Offenders applied in order to achieve the desired result."

- [29] The Complaint supports the allegations raised by the Referee's Report (Exhibit 15), which reads as follows:

[...] "There was a great deal of varying marks in the Rhythm Dance, some of which I was more than a bit surprised about. In the pre-event meeting I had spent a good deal of time reviewing the music requirements and things to reward and/or penalize for. There were three teams who had music that both the TC and I felt did not meet the requirements but for the most part, many judges, (not all) overlooked them, especially when it seemed to best suit a possible agenda. Additionally, the results of the top two teams was very surprising. I saw a trend in marking where a small group of officials seemed to be in line with each other but off from others on the panel. They were rewarding a few teams while also under marking those teams that were closest to the teams they seemed to be supporting. Immediately after the event, I discussed this with [the TC] who had the same observations but there was nothing specific that either of us had seen or heard that would back up my suspicions.[...] At least one of these judges was not drawn however to serve on the Free Dance segment so I was hoping the Free Dance would not see the same level of potential collusion. This issue escalated however when one of the judges drawn to sit on the Free Dance panel received a text from a retired judge from an interested federation asking for this judge to directly support their team and to give "8s" if they skated well. The text went on to say there were other judges on the panel who will also go along with this plan. To me, this confirmed my suspicions about how the RD had been judged by a few on the panel. The judge receiving the text, which was shown to me, has asked not to be named in this but felt it was important to report it. This was immediately reported to both the IDTC Chair as well as the ISU VP of Figure Skating. Due to this, the TC and I had two discussions on how best to handle the situation while respecting the anonymity request made by the reporting official. The first thing we decided was to have an ethics discussion as the concluding portion of the FD pre-event meeting. Then I focused on positive highlights of the 2nd place team and how they were perhaps under marked rather than focus on the shortcomings of the team in 1st in the round table discussion. This issue has not been discussed outside of those mentioned above."

[...]

- [30] On Oct. 22nd, 2024, the ISU Legal Advisor asked the Technical Controller of the Ice Dance Events at the JGP in Ljubljana to comment. The TC replied:

[...] "I believe that the marks and comments given by the Referee are worthy of consideration.

I agree with your view that UKR, SUI, TUR together with [...] and [...] as judges scores that show deviation. I agree with your view that TUR and [...] together with [.....] as judges scores that show deviation.

I say 'together with' because I am not convinced they were part of the group. However, best to be sure. As I mentioned, the OAC document has not yet been completed by the IDTC and it could also be worth asking the IDTC to mark the competition (certainly the top 8) individually to see whether there is a marked difference and/or highlighting further anomalies which were not picked up by the OAC mathematical process.

I completely understand the need to get this done quickly and I will hope to get this done as soon as possible. You also asked me to confirm those judges, by name and nation, that I felt could be part of a group working together to manipulate scores and ultimately, places.

They are:

Olena Lisova UKR

Roland Mäder SUI

Ece Esen TUR

[one other Judge subsequently excluded and not part of the complaint]

I also feel that it is worth looking at previous competitions where these judges have been assigned to see whether there has been a pattern. I do know that the CS in Budapest had problems and JGP in Ankara could also be of interest.”

[31] The Complaint refers to the report of the OAC of the event (Exhibit 19), stating relevantly:

As requested, we have reviewed both the detailed results of the event, as well as the performances of impacted/affected couples. While we are certainly able to appreciate the performances on video, it is also important to note that the perspective may be different “live”, where one can better appreciate the program composition, ice coverage, speed, etc.

Upon review/analysis of the event, the following observations are made:

Rhythm Dance

- While both 1st placed (UKR) and 2nd placed (FRA) executed their elements with similar quality, in our opinion, the couple from FRA was deserving of stronger PC scores. Referee also agrees.

- While evidence is circumstantial, the scoring patterns of the UKR, SUI and TUR judges suggest that there was a probable agreement among these judges to mutually support each other’s couples. By awarding similar scores to their respective couples, this also served the purpose to mask any appearance of national bias (no judge alone with high scores).

- Judges from UKR, SUI and TUR appear to have worked together to boost the scores of the UKR couple and mark them 1st, ahead of FRA.

- As part of their collaboration, both the UKR and TUR judges also supported their SUI colleague in awarding noticeably higher PC scores to the SUI couple that would place them 2nd, also ahead of (FRA). Note that the SUI couple was ranked 5th overall.

- In a similar pattern, both the UKR and SUI judges also boosted their scores to support the couple from TUR.

[...]

Free Dance

- Judges from TUR and [] gave noticeably higher GOE and PC scores to 1st placed (UKR) over 2nd placed (USA). While the majority of the rest of the panel also gave higher scores to the 1st place couple, the difference was not so significant.

- Both the TUR and [] judges gave higher GOE and PC scores to the SUI couple that would place them ahead of 2nd placed (USA). Judge from TUR ranked the SUI couple 2nd, while judge from [] ranked the SUI couple 3rd (behind FRA, ahead of USA). Note that the SUI couple was ranked 5th overall. While we can hypothesize that the support for the SUI couple was as part of an initial agreement prior to the event, or a “Thank You” for the SUI judge’s actions in the RD, there is no hard evidence.

[...]

- Unlike the scoring observed in the Rhythm Dance, and apart from the boosting of scores for the SUI couple, there was no apparent alliance between any judges (i.e., TUR, [...]) to mutually support and boost scores of each other’s couples.

To summarize, while there appears to have been an alliance among certain judges to manipulate scores for the Rhythm Dance, the judges’ draw (panel composition) did not favor the continued collaboration for the Free Dance. That said, perhaps the strategy was simply to place the UKR couple in a winning position after the Rhythm Dance.

Finally, as part of our review process, we are committed to upholding the highest standards of fairness and integrity in figure skating judging. While we may have identified patterns that suggest potential misconduct at this event, it’s essential to remember that our evaluation serves as circumstantial evidence rather than definitive proof. Figure skating judging inherently involves subjective interpretation, where each score reflects both technical analysis and artistic appreciation, which can vary based on individual perspectives. Our role is to ensure that this subjectivity stays within the bounds of fairness and impartiality, maintaining the unique artistry that makes figure skating so compelling.

[32] The Complaint also includes extensive analysis by an ISU IDTC Member (Exhibit 20). This includes observations and analysis going beyond the ISU JGP 2024 in Ljubljana and referring to placements by countries rather than by individual Judges:

[...]

As the application seemed to grow, only this season by several coincidences allowed us to realize the full system. There is a core group of four countries which work together. The approach mainly targets the top five placements. In this group they put slightly lower marks for those couples who should be in the top three places and slightly higher marks for the couples of their group – the higher the placement of the couple the smaller the difference – as well as trying to place other couples between the direct competitors for the desired placement who are directly below the top five. To be effective, they determine to which event all of them will go. They send, if possible, the same judge. As has been done in the old marking system and tried before in the present one, the manipulative scheme is ruled and run by coaches. A result manipulated in this way, leads to the honest judges being in the focus of the OAC as their higher marks for the couples who should be correctly higher

placed now seem to be overmarked. It also leads to these judges coming away completely frustrated from a competition because they cannot understand the result and know/feel it to be wrong and feel themselves to be helpless without the possibility to get to the correct result. Officiating in events, in which some manipulation is going on, can always be felt; on top of that there are at least glances, cold-shouldering, and one sees certain people standing or sitting together etc. During events the group tries to find further “helpmates” through the coaches and colleagues present at the competition and the judges involved among their fellow judges either by direct approach or by talk about what they have – supposedly – noticed in practice. Most of us have been subjected at least to this in decades past.

[...]

The analysis includes charts with detailed evaluations of the marking of several other competitions in the ongoing and previous season.

Evidence at the hearing

- [33] The hearing took place in Munich on 5th March 2025 between 10 am and 6 pm. The DC Panel attended in person.
- [34] The ISU was represented by legal advisor Mr Geistlinger, Vice President Mr Benoit Lavoie. Mr Tiago Luduwig (ISU in-house counsel) was present, with Mr Fabio Bianchetti on video link as technical advisor.
- [35] Ms Esen attended, represented by counsel, and supported by the Vice President of the Turkish Federation. Mr Mäder attended from 12 noon by video link. Neither Ms Lisova nor Mr Balkov attended, for the reasons set out above.
- [36] The ISU called evidence from the contacted Judge, expert witnesses Technical Controller and Referee, the two OAC members and a representative of the Ice Dance Technical Committee. All witnesses were present in person, with the exception of one member of the OAC and the contacted Judge who appeared by video link.
- [37] The contacted Judge gave clear and detailed evidence, confirming receipt of the message and timings. This Judge gave evidence of the reaction at receiving the message, that it was completely unsolicited and while the contacted Judge had met Mr Balkov briefly in years past, did not know Mr Balkov and was surprised to be contacted by him.
- [38] The Technical Controller confirmed that the message had been reported to the TC, and the contents of TC Report and opined that the marks of Ms Lisova, Mr Mäder and Ms Esen accorded, but were inconsistent with the performances of the relevant skaters. There were suspicions that these judges were colluding, working as a team, to elevate the results of “their” skaters. Their placements could not be justified, considering the performances and the technical requirements for Ice Dance this season.

- [39] The Referee gave a clear and credible account of the events surrounding the message being reported, and the warning at the Pre-Event meeting reminding Judges of their ethical obligations. The Referee was clearly upset at having to give evidence against judges, and at the damage behaviour such as manipulating results does to the sport, the athletes and ISU. The Referee agreed that the marks of Ms Lisova, Mr Mäder and Ms Esen accorded, but were inconsistent with the performances of the relevant skaters. These marks were not justified and were incorrect, when considering the technical requirements (over and above judging discretion) for Ice Dance events this season.
- [40] Two OAC members gave evidence. The first OAC Member gave evidence about the OAC video review of the Rhythm Dance Event. In the OAC Member's opinion, the marks given by Ms Lisova, Mr Mäder and Ms Esen could not be correct for "their" skaters (in particular the UKR couple), given the performances and the Ice Dance requirements for the season. The OAC Member's evidence was careful, analytical and of great assistance to the DC.
- [41] The second OAC Member, gave new evidence of a statistical analysis. However, due to a lack of qualification in this area, and the lack of validation or explanation of the method used, this evidence was not substantially helpful and has not been accepted by the DC.
- [42] The final witness was a Member of the ISU IDTC. This witness had been carrying out comparative analysis of Ice Dance judging results, by country, at various events over several years. This witness pointed to the inference of a system where a number of Judges were acting as a group to influence results.
- [43] Judges were alleged to be coordinating their marks to favour certain skaters over others in a sophisticated manner, to avoid detection. The Judge of the same nation was not recognizably biasing towards "their" skater, but instead towards those of the others in the group, so their marks were potentially "masked" through marks of other judges being at the same level. Additionally, the marks of Judges who changed the country they represented was analyzed, leading in part to recognizable patterns of also favouring athletes from their "old" country (of which they still hold nationality, such as by birth or residency). The data presented was interesting and disturbing, and the DC encourages the ISU to continue collating this data and refining this analysis. Of particular concern in the IDTC Member's opinion, was the emergence of a suspicious pattern between Ukraine, Turkey and Switzerland working together to the advantage of "their" skaters.
- [44] The data, however, did not extend to individual judges so it was of limited relevance to the present case where individual judges, and not Federations, face a Complaint.
- [45] It was also raised (without evidence) that certain coaches might be involved, coercing Judges to mark favouring their students or increasing their number of students due to competition success rates.

Alleged Offenders' submissions

- [46] Each Alleged Offender denied any involvement in manipulation of marks at the JGP Ljubljana and asserted that their cases were unfounded and should be dismissed.

[47] Alleged Offender 1, Mr Balkov submitted that his actions “*show no signs of any manipulation, and I have in no way engaged in any collusion with other Judges. Any attempts to associate me with other individuals in this case are unfounded. Such accusations are baseless and do not correspond to the actual circumstances of the matter*”. Reference to his sanction following the Nagano Olympics was an attempt to tarnish his reputation and irrelevant. Figure skating is a subjective sport and judging is based on professional judgment within the framework of established rules. Small countries have few judges, so they are often at competitions for their nations. He acknowledged writing the message, but stated:

“I have a genuine love for ice dance and have always been deeply invested in the development of this discipline, particularly in supporting Ukrainian athletes. My message does not constitute manipulation as defined by Article 12 of the ISU COE. It was not an attempt to influence results or impose my opinion on another judge”.

[48] He submits that the message was written solely to draw attention to the quality of the athletes’ performance. It did not include any instructions to inflate or deflate scores, nor hints at pressure or agreement, which he submits are the fundamental elements of manipulation. It merely reflected his aspirations for fair evaluation of the athletes’ performance and lacked any manipulative intent. The phrase “support from other judges” is natural as a high-quality performance always garners recognition amongst professional judges. This was not a call for coordinated action or collusion, but rather an expression of his genuine desire to ensure fair judging. The judging was independent and the message merely reflected his personal concern. It was “...a simple request...”. The allegations are biased, unfounded and insufficient under disciplinary proceedings. He has never had any agreements with other judges in this competition. No additional judges received messages from him or were aware of this one. He has no relationship with the contacted Judge and has never influenced or asked that the contacted Judge change their marks. He acted independently, no other judges were involved. Judging figure skating is subjective, the accusations are speculative and not based on clear evidence.

[49] He is open to an objective review of the case and the establishment of truth. He requests the DC to exonerate him, refrain from holding other judges accountable who had no connection to this situation and close the case. For personal reasons, and for avoidance of stress, he requests that if a hearing is scheduled it be conducted in his absence, based on the explanations and arguments in his response.

[50] Alleged Offender 3, Ms Esen, submitted regarding the evidence of the IDTC Member, that she did not take part in any of the other competitions mentioned, only the JGP in Ljubljana. Hence, she could not be part of any “systematic manipulation or teamwork”. She denied any written or verbal communication with Mr Balkov or anyone else during JGP Ljubljana, neither before nor after the competition and did not contact anyone. The allegation against her had no factual basis and was not supported by concrete evidence.

[51] The component scores she gave the Ukrainian couple, were in the Gold range, as did the 8 other judges on the panel. She did not give the highest marks, her marks were impartial, unbiased and not the result of manipulation. These same allegations could be made of other judges.

- [52] Alleged Offender 2, Ms Lisova, submitted that the allegations of coordinated conspiracy with other judges to manipulate competitions results, assign biased scores and favour certain pairs were completely unfounded. The allegations were unsubstantiated, unfounded, unsupported by direct or credible evidence. She has always adhered to the principles in the ISU COE and has an impeccable reputation in figure skating. A thorough and objective review was requested.
- [53] Ms Lisova was neither mentioned, nor a party to the Balkov message (if it existed), nor judged the Free Dance so could not have influenced those results. There is no evidence of collusion. The Balkov message is his personal request and does not contain elements indicating organized collusion or manipulation of the results. It is neither a directive nor a direct instruction but simply an expression of a desire, that according to ethical standards, does not oblige a judge to act. It is solely the initiative of one individual, without legal force or consequences for other judges.
- [54] The OAC evidence lacked substantiation; judging is subjective, a judge is not obliged to align with others or align scores and has a right to their own opinion on technical and artistry. Similarities or differences in scores are natural and are not evidence of collusion, without additional confirmation. There is no causal link to collusion without additional direct evidence. The IDTC Member's report is subjective and fails to consider all the nuances of judging, no weight should be attached to it. The report and wording is criticized as offensive, unacceptable for a member of the IDTC.
- [55] Ms Lisova then provides a detailed analysis of the Rhythm Dance event, to support her results. (The DC comments here that whether or not the results were available is not a matter for the DC, but for the expert Referee, Technical Controller and IDTC.) She submits that her provisional suspension is not justified. The allegations are completely baseless, no misconduct has occurred and the case should be dismissed.
- [56] Alleged offender 4, Mr Mäder denied involvement in any agreement aimed at unjustified support of ice dance couples, regardless of their Nationality. The Complainant's evidence was incorrect, giving the impression that he had only judged in competitions when Mr Balkov, Ms Lisova or Ms Esen also participated. He had participated in 9 international competitions since JGP Gdansk in 2023, once with Ms Esen, three times with Ms Lisova and never with Mr Balkov. Swiss judges are selected for competitions by their Federation, independent of which other Judges or Countries' skaters are attending. The IDTC Member's evidence is "fabricated," seeking to demonstrate that 3 Judges were working together at 4 competitions to manipulate scores. JGP Ljubljana was the first time he recalls being on a panel with both Ms Esen and Ms Lisova at an ISU JGP competition. The accusations are unfounded and worrying as he has always assumed all judges can and must express their marks on the programmes shown (based on the annual ISU criteria, elements and guidelines discussed in the Initial Judges Meeting).
- [57] He had no contact with Mr Balkov before or during the relevant JGP and did not see the relevant message. He last saw Mr Balkov in competition in the NRW Trophy 2023 and NRW Trophy in Dortmund again in 2024, where he was Referee and Mr Balkov was judging the Novice and Intermediate grades.

- [58] The Rhythm Dance Event results at JGP Ljubljana showed that five different judges placed the Ukrainian team first, not three judges. The results were described as “debatable” by the Technical Controller, and the published results but don’t include the Referee’s marks. In his opinion, the best two teams were ranked first and second. The Technical Controller’s analysis is not accepted; if he was manipulating results to the advantage of the Swiss team, why did he place them third and not second? The OAC report is fair, the composition and skating skills of the Ukrainian couple were a little better, hence he rewarded them with his marks. The Swiss team had an interesting programme, performed on a theme. He is not “fighting for success and places” in a competition, that is for the skaters. He has no personal motivation, benefit, or financial incentive to mark for or against any skater but may make occasional human errors.
- [59] The IDTC Member’s analysis of four international competitions does not show judge’s details or separation into GOEs and Components. He defends the marks he gave independently and describes that analysis as a speculative opinion and not backed up by the facts. Video review is not comparable to real-time judging.
- [60] At the hearing, both Mr Mäder and Ms Esen made further submissions and questioned witnesses. Both denied any involvement in manipulation of judging marks in the Ljubljana Rhythm Dance event or elsewhere. Their marks accorded with other Judges on the panel.
- [61] Ms Esen pointed out that she had only judged in this Event and not in any of the other events where the suspicious pattern was discerned. She submitted she could not be part of a manipulation cartel and denied any involvement, even in the face of strong cross-examination from the ISU.
- [62] There are further facts/statements and exhibits included in the submissions of the parties or presented at the hearing, which are not explicitly mentioned in this Decision. The DC also included these other submissions in the extent, scope, and decision of the case. If not mentioned in this decision, they are considered irrelevant for the Decision in the present case.
- [63] At the conclusion of the hearing on 5 March 2025, and by consent, the DC Panel lifted the provisional suspension from judging, for this case, for Ms Lisova, Ms Esen and Mr Mäder.

IV. Law

- [64] The alleged offences (manipulation of a Judge/Event by Alleged Offender 1, and collusion between Alleged Offenders 2, 3 and 4 at the ISU JGP 2024 in Ljubljana) are clearly of a disciplinary/ethical nature. Therefore, the ISU Disciplinary Commission has jurisdiction according to Article 25 Para. 1 of the ISU Constitution and Art. 1 Para. 1 of the ISU Disciplinary Commission Rules of Procedure to hear and decide this case.
- [65] The ISU Code of Ethics forms part of the ISU Statutes (see Article 39 Para. 1, ISU Constitution). Following Article 2 Para. 2.1 of the ISU Code of Ethics (COE), all persons who involve themselves with the ISU in any capacity, claiming or seeking standing as current or prospective participants in any ISU Event or activity, fall within its personal scope:

*“Subject to this Code of Ethics are all persons who involve themselves with the ISU in any capacity, claiming or seeking standing as **current or prospective participants in any ISU Event or activity**, in particular but not limited to all ISU Office Holders, ISU Officials, ISU Members (and their members when participating in an ISU Event or activity), ISU employees and consultants,*

*Organizing Committees for ISU Events and their Officials and volunteers, Skaters, Coaches, doctors, team leaders, and any other Athlete Support Personnel **as well as any other persons who engage in any conduct or activity in relation to the ISU.**”*

According to Article 2 Para. 2.2 a), the ISU Code of Ethics applies broadly whenever an ISU interest is involved:

*“Material Scope of Application: This Code of Ethics applies broadly whenever an ISU interest is involved. **It also applies while persons subject to it are attending but not participating in an ISU Event or activity and with respect to conduct or statements unrelated to an ISU Event or ISU activity if such statements or conduct are detrimental to the interests or reputation of the ISU or to the reputation and welfare of the ISU sports.**”*

[66] Article 25 Para. 1 of the ISU Constitution grants the DC jurisdiction for all ISU “activities”, giving a broad interpretation of the term, and therefore broad jurisdiction to the DC e.g. within all kinds of events on the ISU calendar (including ISU and international events) and towards any person involved in these events (whether listed as an Official on the ISU list, or not). Article 39 Para. 1 of

the ISU Constitution provides that the ISU Code of Ethics, adopted by the ISU Council, forms part of the ISU Statutes.

[67] According to Art. 4 Para 1 of the ISU Disciplinary Commission Rules of Procedure (“ROP”, Communication 2551) the DC rules on Complaints brought before it pursuant to the applicable provisions of the ISU Statutes, in particular the ISU Constitution, the General Regulations, the Special Regulations, other special rules, including the ISU Code of Ethics, the ISU Anti-Doping Rules, the ISU Anti-Doping Procedures, the Technical Rules, the DC Rules of Procedure, and other decisions of the ISU Council made in accordance with Article 17 of the Constitution communicated and published in accordance with the provisions of Article 28 of the Constitution and general principles of law.

Jurisdiction

[68] In general, all persons involved in an ISU activity (including participation in ISU sanctioned events and activities listed in the ISU calendar, cf. Rule 107 GR 2024, or other ISU events and activities such as Congress, Seminars, etc.) are declaring, through entering, implied consent with all applicable ISU Rules and Statutes, such as in Rule 125 Para. 4 and 5 GR 2024.

[69] Alleged Offenders 2, 3 and 4, are all on the current List of ISU Officials and participated as Judges in the ISU JGP Figure Skating in Ljubljana 2024 (cf. Rule 107 Para. 5a General Regulations 2024 (“GR 2024”). Therefore, the COE applies.

- [70] The ISU DC also has jurisdiction over Alleged Offender 1 (Mr. Balkov), and the Code of Ethics applies. Alleged Offender 1 accepted the jurisdiction of the (ISU) DC. No objection was raised in his Statement of Reply, with the consequence of Art. 1 Para. 2 ROP to be applicable. He requested a Ruling of the DC. He made a submission with detailed references to the Complaint and the circumstances of the case (including an analysis of certain elements and facts, as well as legal provisions within the ISU statutes, and pleading to the charge). He accepted the jurisdiction of the DC and application of the respective legal provisions (unreserved admission).
- [71] Alleged Offender 1's alleged behavior did not arise from actions at an event where he personally officiated, but from his attempt to remotely influence a Judge at the ISU JGP 2024 in Ljubljana. Due to his regular involvement in ISU activities (cf. Exhibit 12, showing he regularly participates in ISU sanctioned Figure Skating events on the ISU calendar), he is a "current" as well as a "prospective" participant of (generally) any ISU Event or activity, acc. to Art. 2 Para. 2.1 COE. Additionally, by approaching a Judge in this manner, he is considered to be a person who engaged in any conduct or activity in relation to the ISU, acc. to Art. 2 Para. 2.1 COE.
- [72] The material scope of the COE is also given. Acc. to Article 2 Para. 2.2 lit. a), the COE applies broadly whenever an ISU interest is involved.
- [73] The ISU (and the Figure Skating community) have a genuine interest in ensuring fairness, integrity, and lack of bias in judging Figure Skating events. Every Judge must assess and evaluate Skaters' performances according to the best of their ability, knowledge, and experience, free from any bias or outside influence. By sending this message to an acting Judge, Alleged Offender 1 conducted himself in a way that could be considered detrimental to the interests or reputation of the ISU or to the reputation and welfare of ISU sports.
- [74] Alleged Offender 1 had waived his right to participate in the hearing for this case, submitting he was unable to attend due to financial and health issues. However, it is noted that he attended a figure skating competition in November 2024 in Dortmund/GER and was listed to attend the Santa Claus Cup 2024 in Hungary, which ended only 5 days before his Statement of Reply was received.
- [75] Each of the Alleged Offenders has signed ISU declarations accepting authority of the ISU Constitution, the ISU Disciplinary Commission, and the ISU Code of Ethics in this or previous seasons.
- [76] Reference is also made to the CAS jurisdiction: "*A person who agrees to act as an official in an association accepts at the same time the constitution and regulations of the association (CAS 2005/A/874, Miller v/IBAF, E. 4.5).*", and "*According to the precedents of CAS, the jurisdiction of an international federation over an individual official does not depend on the fact whether such official is a formal member of the association (cf. CAS 2005/A/874, Miller v/IBAF, E. 4.5 et seq.)*"²
- [77] Under Rule 125 Para. 4 of the ISU General Regulations, eligible Officials (no specification that they must be on a current ISU list, and a general reference to Voluntary Persons) participating in any ISU activity shall comply with any applicable statutes, ethical declarations and codes of conduct prescribed by the Council.

² (cf. CAS 2005/A/961)

[78] According to Rule 125 Para. 5 of the ISU General Regulations, Officials or any other participants in ISU activities who can be proven to have acted against the spirit of the ISU Statutes or otherwise improperly, undergo sanctions.

V. Analysis

Alleged Offender 1, Mr Balkov

[79] Mr. Balkov admitted writing and sending the relevant message (Exhibit 12) to the “contacted Judge”. He accepted the wording of his message. The evidence of the “contacted Judge” and screenshots of Mr Balkov’s message display his identity and phone number. The message itself includes personal greetings and ends with his name, “Yuri.”

[80] The DC does not accept Mr Balkov’s explanation that his message is an expression of passion and love for Ice Dancing, and in particular for the Ukrainian team. Rather, it is a direct attempt to influence the marks of the contacted Judge. The wording of the message, stating that “*several judges will support you,*” indicates that this Alleged Offender has further knowledge and involvement in manipulation, or has tried to influence, the marking of certain other Judges in the competition Panel(s). Additionally, the explanation of Mr Balkov that his “*message was solely a request to pay attention to the athletes’ performance and, if their skating was of high quality, to assess it fairly, in accordance with ISU rules and principles,*” is not accepted by the ISU DC.

[81] Regarding Mr Balkov’s “explanation,” the ISU Disciplinary Commission holds, that a Judge qualified to judge an ISU JGP (as well as any other Judge) does not need a notification or request to pay attention to athletes’ performances, and to judge according to the rules. Judges will, and have to, do this by themselves, it is the core part of their duties. Therefore, this explanation is considered an evasive defense, and irrelevant.

[82] Furthermore, the incriminating message did not contain any of the parameters of his explanation. It contained a specific request to put this Ice Dance couple in “1st place”. He described which component marks should be given (an “8”, which indicates a range between 8.00 to 8.75, regardless of differences in the three different components and independently of the actual performance). “Good pluses” for GOEs were requested for well executed elements. Since GOEs range from -5 to +5, this suggests high positive GOEs. These proven requests, combined with the intended and communicated overall placement of the Ukrainian Couple, leave no doubt that he acted intentionally, and attempted to improperly influence a Judge in the course of a Skating event. This proven action by Mr Balkov both violated his duty to:

- *exemplify, by his conduct and by his written and oral communications, the highest standards of honesty, respect, fairness, fair play, ethical behavior, and sporting attitude, and not act in any manner which might damage the reputation of the ISU or the ISU sports;*
- *inspire internal and public confidence in the fairness, honesty and integrity of the ISU, the ISU sports and all who act under the auspices of the ISU sports.*
(Art. 3 COE)

and his duties under Art. 12.1 COE:

- *Persons subject to this Code of Ethics shall refrain from any action or attempt to improperly influence or manipulate the course and/or results of any Skating event under the jurisdiction of the ISU in any manner that is contrary to sporting ethics and sporting conduct or the principle of fair play.*

- [83] Mr Balkov's actions show blatant misconduct of the worst kind. The integrity of any sport is only guaranteed when officials uphold the principles of fair play and show ethical behavior. By sending this message to a Judge prior to the Event, Mr Balkov clearly tried to influence the marking of that Judge and influence the requirement that every Judge must evaluate skaters independently, according to the best of their knowledge, free from any bias and improper influence. His text message is a fundamental violation of ethical standards established in sports, and of the standards required through the ISU Statues.
- [84] Manipulation of sporting events is not tolerated, no matter what level of event is affected. This repetition of unethical behavior, and the seriousness of misconduct in the present case leads to aggravating circumstances that are reflected in the sanction.
- [85] There is no expression of remorse in his Statement of Reply, nor that in hindsight his actions were ethically incorrect. On the contrary, he submits that his actions "*show no signs of manipulation.*" He refers to his "*genuine love for ice dance,*" which leads to him being "*deeply invested in the development of this discipline, particularly in supporting Ukrainian athletes.*"
- [86] There is not even a rudimentary acknowledgment by Mr Balkov that his actions, (aimed at giving an unfair advantage to skaters from his nation in the Ice Dance competition), are unethical. Those actions automatically disadvantage other Competitors, which cannot be tolerated or deemed to be ethically correct. It is alarming that Mr Balkov presents his behavior as a service to the sport. This complete lack of remorse, combined with an almost escapist self-assessment of being a "patron" of Ice Dancing whilst actually attempting to manipulate an event, is another aggravating factor when considering the sanction to be imposed.
- [87] Such actions are also harmful to the skating family- the sporting relationship of athletes between each other and the wider skating community. It is hoped that there is a mutual understanding and respect of other competitors, based on the essential precondition that everybody competes and subject to a fair and even framework of established rules and ethical standards (e.g., follows the ISU Code of Ethics).
- [88] Officials operating outside this framework, manipulating results to favour "their" skaters cause a loss of trust and respect for the favoured athletes of their country. In this case, even though the Ukrainian athletes are in no way responsible, nor at fault for the behavior of the Alleged Offender, he has still potentially damaged their reputation as the impression might arise that their good results are the result of such immoral actions. This is neither in the interest of the Ukrainian skaters nor of any athlete from any country. The ISU DC is, therefore, aware of its responsibility to prevent this from happening again, and this is reflected in the imposed sanction.
- [89] The DC applauds the responsible and courageous actions of the contacted Judge in reporting this message. It was only due to this that further damage could be prevented.

- [90] Mr Balkov conducted his intentional manipulation actions in connection with a Junior Grand Prix and clearly tried to incite the contacted Judge to place the Ukrainian couple in 1st place by giving sufficiently high marks (he even told the contacted Judge which range of marks they should give). He showed at least tacit acceptance that other skaters would potentially lose this placement and suffer loss of associated prize money.
- [91] Additionally, Mr Balkov has caused very serious damage to the reputation and integrity of Figure Skating, to the ISU, to the athletes, and to the Officials both inside and outside the Ice Dance/Figure Skating/ISU community.
- [92] By his actions, Mr Balkov has engaged in manipulation of the judging process. The Complaint against him is proven to the required standard of proof (comfortable satisfaction).
- [93] The ISU has a genuine interest in ensuring a fair base and equality of opportunity for athletes in the judging of Figure Skating events. Every Judge must assess and evaluate skaters' performances free from any bias or outside influence. By his actions, Mr Balkov showed conduct which is detrimental to the interests and reputation of the ISU, and to the reputation and welfare of the ISU sports. By approaching the "contacted Judge", he created a situation of conflict and pressure on that Judge that could affect their neutrality in a positive or negative manner. Therefore, any behavior resembling that of Mr Balkov in this case, will be sanctioned accordingly.
- [94] Athletes and member Federations deserve to have confidence in the integrity of the Judging System. As Judging in Ice Dancing/Figure Skating relies on Judges applying rules that often require evaluative and discretionary decisions, this central role needs to be protected. Any allegations striking this field are subject to careful review, and – if found proven - to result in serious sanctions as a deterrent to others.
- [95] Furthermore, the actions of Mr Balkov have, in the past, caused serious damage to the integrity of Figure Skating, and reputation of the ISU. He was sanctioned and banned for 1 year for attempting to manipulate the Ice Dance competition at the Nagano Olympic Winter Games in 1998, cf. Exhibit 4.
- [96] Exhibit 4 references a 2014 media article ahead of the Mr Balkov judging at the Winter Olympic Games in Sochi 2014. Mr. Balkov's actions in the past led to a very negative reputation in the media, not only for him, but also for the ISU in general.
- [97] When the present decision and included facts are published, the reputation, credibility, and integrity of the ISU and of Figure Skating judging will likely be damaged again, particularly if no adequate sanction is imposed.
- [98] In order to protect the integrity of ISU Sports, deter repetition of behaviour and considering all the aggravating circumstances described above, the ISU DC finds that an **exclusion for life from all ISU activities and events** is justified and sanction for Mr Balkov based on the merits of the present case.

Alleged Offenders 2, 3 and 4 (Ms Lisova, Ms Esen and Mr Mäder)

- [99] Alleged Offenders 2, 3 and 4 are accused of having intentionally manipulated the result of the Rhythm Dance Event at the ISU JGP 2024 in Ljubljana, through intentionally and systematically giving higher scores for the Ice Dance Teams of Ukraine, Turkey and Switzerland.
- [100] They all deny receiving any message or communication from Mr Balkov before or during the ISU JGP, Ljubljana 2024. There is no evidence that Ms Lisova, Ms Esen and/or Mr Mader personally are the Judges Mr Balkov referred to in his message after the Rhythm Dance (“... *and several judges will support you.*”).
- [101] Of these three judges, only Ms Esen judged the second segment of the competition which took place after the message was received. No allegations relate to the judging results of that segment.
- [102] Apart from the “contacted Judge”, there is no other evidence to show that any other Judges were contacted by Mr Balkov or colluded in this event.
- [103] While unlikely, it is possible the words, indicating that there will be support from other Judges, may not reflect the actual circumstances.
- [104] They could be stated to potentially encourage the contacted Judge to follow his instructions, creating the impression that this Judge would not be alone giving high marks to these skaters. Also, Mr. Balkov’s message only referred to supporting the Ice Dance Couple from Ukraine and not to supporting those from Switzerland or Turkey.
- [105] There is no direct evidence of the alleged collusion/manipulation (such as independent witnesses, intercepted messages or admissions proving the alleged system of manipulation); the evidence supplied is inferences drawn from analysis of the marking of the Rhythm Dance event, and the expert opinions that the marks cannot be correct.

[106] The DC then turns to the Judges' scores for the relevant dance couples as follows:

 Junior Grand Prix of Figure Skating 2024/25, Ljubljana Cup 2024 October 2 - 5, 2024, Ljubljana / SLO														 2024 LJUBLJANA CUP 4 October 2024		
JUDGES DETAILS PER SKATER																
JUNIOR ICE DANCE RHYTHM DANCE																
Rank	Name	Nation	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)			Total Deductions							
1	Iryna PIDGAINA / Artem KOVAL	UKR	15	67.83	38.28	29.55			0.00							
#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel	
1	1PD4+kpYYYY		5.50	0.90	2	2	2	2	2	2	1	1	1		6.40	
2	SqTwW4+SqTwM4		7.34	2.51	3	3	4	3	4	3	3	3	3		9.85	
3	2PD2+kpNNYY		4.00	0.90	2	2	2	1	3	2	0	1	2		4.90	
4	RoLi4		5.45	1.10	2	3	2	2	3	3	2	2	2		6.55	
5	MiSiW3+MiSiM3		8.20	2.38	2	3	3	2	3	2	2	2	2		10.58	
			30.49													38.28
Program Components			Factor													
Composition			1.33	7.50	7.75	7.75	6.75	7.75	7.50	7.50	6.50	7.00	7.75		7.43	
Presentation			1.33	7.00	7.50	8.00	6.50	7.50	7.75	7.25	7.00	7.50		7.36		
Skating Skills			1.33	6.75	7.75	7.75	7.50	7.75	7.50	6.50	7.00	7.75		7.43		
Judges Total Program Component Score (factored)															29.55	
Deductions:																0.00
Rank	Name	Nation	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)			Total Deductions							
5	Gina ZEHNDER / Beda Leon SIEBER	SUI	2	62.71	34.63	28.08			0.00							
#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel	
1	1PD3+kpYNNY		4.75	0.83	1	2	1	1	2	2	1	2	2		5.58	
2	2PD2+kpYNNY		4.00	0.30	1	1	0	0	1	2	0	0	1		4.30	
3	SILi4		5.45	0.82	1	3	1	1	2	2	1	2	3		6.27	
4	SqTwW4+SqTwM4		7.34	1.60	2	2	1	2	2	3	2	2	2		8.94	
5	DiSiW2+DiSiM2		7.46	2.08	2	3	1	2	2	3	2	1	2		9.54	
			29.00													34.63
Program Components			Factor													
Composition			1.33	7.25	7.50	5.75	7.00	7.50	7.75	6.50	7.25	6.75		7.11		
Presentation			1.33	7.00	7.75	5.75	7.00	7.25	7.50	6.75	6.75	6.75		7.00		
Skating Skills			1.33	7.00	7.25	6.50	6.75	7.25	7.50	6.75	7.00	7.00		7.00		
Judges Total Program Component Score (factored)															28.08	
Deductions:																0.00
Music requirements violation										(2 of 10)						
Rank	Name	Nation	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)			Total Deductions							
11	Irmak YUCEL / Danil PAK	TUR	17	51.06	28.82	22.24			0.00							
#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel	
1	StLi4		5.45	0.69	1	1	1	2	2	2	1	1	2		6.14	
2	MiSiW2+MiSiM1		7.21	0.89	1	1	0	1	1	1	0	1	1		8.10	
3	1PD2+kpNNYY		4.00	0.08	0	1	0	0	0	0	-1	1	0		4.08	
4	SqTwW3+SqTwM4		6.97	0.11	0	0	-1	-1	1	0	1	1	0		7.08	
5	2PD1+kpNNYY		3.50	-0.08	0	0	-1	0	0	0	-1	0	0		3.42	
			27.13													28.82
Program Components			Factor													
Composition			1.33	6.25	6.25	5.25	5.25	6.25	6.25	4.00	6.00	3.25		5.61		
Presentation			1.33	6.00	6.25	5.25	5.00	6.50	6.00	4.25	5.75	3.25		5.50		
Skating Skills			1.33	5.75	6.00	5.50	5.25	6.50	6.00	4.50	6.25	4.50		5.61		
Judges Total Program Component Score (factored)															22.24	
Deductions:																0.00
Music requirements violation										(2 of 10)						

[107] Ms Lisova was Judge No 2, Ms Esen was Judge No 6 and Mr Mäder was Judge No 5.

[108] The ISU DC recognizes the anomalies in the judging of the Ukrainian Ice Dance couple (placed 1st overall in the Rhythm Dance – “RD”), that fit into the alleged pattern / system. However, this allegation of collaboration these Judges from UKR, SUI and TUR by systematically elevating the scores of (all of) their skating couples cannot be proven according to the required standard of proof for the RD of the JGP 2024 in Ljubljana (the sole base for

the Complaint). When comparing the marks of the Alleged Offenders (Judge 2, 5 and 6) with the marks of other Judges in the RD judging panel, there are inconsistencies recognizable in the alleged pattern / system.

- [109] Regarding element no. 4, Rot. Lift (identified as RoLi4), the marks of the Alleged Offenders clearly coincide with the alleged pattern (all of them awarded a GOE of +3, whereas all other Judges only awarded a +2, so an uplift by the Alleged Offenders can be seen). But in element 1, Pattern Dance (identified as 1PD4+kpYYYY), Judges 1, 3 and 4 awarded the same GOE (+2) as the Alleged Offenders. The same for element 3 (identified as 2PD2+kpNNYY); even though Mr Mäder awarded a +3, the highest GOE for this element, Ms Lisova and Ms Esen awarded a GOE of +2, as did Judges 1, 3 and 9.
- [110] Regarding element 2, Seq. Twizzles (identified as SqTwW4+SqTwM4), the alleged pattern is also not visible. The lowest GOE for this element was +3, which was awarded by almost the complete panel (including Ms Lisova and Ms Esen). Mr Mäder, awarded a +4, which was also awarded by Judge no. 3.
- [111] When looking at the Component marks, Ms Lisova and Mr Mäder awarded 7.75 for “Composition“, as did Judges 3 and 9; Ms Esen awarded a lower score of 7.50, which is close to the average of the whole judging panel (7.43 points). For “Presentation“, Ms Lisova and Mr Mäder awarded 7.50 (close to the 7.43 points average of the whole panel for this mark) as did Judge 9. Although Ms Esen (Judge 6) deviated further from this average with a score of 7.75, she was still lower than the highest score for this section (8.00) awarded by Judge 3. In “Skating Skills“, Ms Lisova and Mr Mäder gave 7.75 points, as did Judges 3 and 9; Ms Esen awarded 7.50 points, close to the average of the judging panel (7.43 points).
- [112] Therefore, the conclusion of intentional collusion drawn, from the marks alone in one segment of a competition, does not have sufficient evidential weight to prove the case to the DC to the required standard of comfortable satisfaction. However, this conclusion could well be different if the same or a similar pattern keeps occurring.
- [113] The assessment by the TC expert witness that e.g., the GOEs for the Pattern Dance elements were generally too high (indicating that Judges other than the Alleged Offenders made errors or poor scoring, while the Alleged Offenders intentionally elevated their scores), cannot be held against the Alleged Offenders. When awarding the same GOE as other Judges, the principle “*in dubio pro reo*” leads to the consequence that this could also have been a mistake by the Alleged Offenders, and not the result of an intentional elevation.
- [114] The alleged pattern is more evident in the components for the Swiss couple (placed 5th overall in the RD). Alleged Offenders 2, 3 and 4 were consistently either slightly higher than other Judges and/or the average of the panel (cf. Mr Mäder’s scoring of 7.25 points for “Presentation” – where the average was 7.00 points), or even significantly higher (cf. Ms Lisova’s scoring of 7.75 points for “Presentation”, or Ms Esen’s scoring of 7.75 points for “Composition”, where the average was 7.11 points). However, when looking at the GOEs, there are similar inconsistencies (e.g. Element 1, 1PD3+kpYNY, Judges 8 and 9 awarded the same GOE as the Alleged Offenders).
- [115] The pattern is similar for the Turkish Ice Dance couple (overall placed 11th in the RD). There are certainly indications supporting the alleged system / pattern (especially in the Alleged Offenders’ scoring of the components); however, insufficient evidence is given in the present case.

[116] While inferences and evidence can be drawn from an analysis of the marks, consideration must also be given to the individual discretion of Judges in their scoring.

[117] In this case, the Complaint is manipulation of results in the Rhythm Dance event at the JGP 2024 in Ljubljana. It is not for the DC to decide if the marks were correct or not (that is for the expert OACs, Referee and TC), but rather to decide if the legal basis for collusion and manipulation is proven.

[118] There is a high evidential threshold for the ISU (who has the burden of proof) to meet. The applicable standard of proof in such decisions of the ISU Disciplinary Commission is the standard of “comfortable satisfaction.”

[119] For the DC to find the Complaint proven, there must be evidence against the Alleged Offender(s) named in the Statement of Complaint. Similar patterns identified in other competitions, where other persons judged for their Federation, cannot be held as evidence against these three Alleged Offenders unless there is evidence that they had an illegitimate involvement in those other competitions or scoring as well.

[120] The above analysis shows that the alleged manipulation system includes deviations from the alleged intentional system; additionally, certain marks given by the Alleged Offenders are not be proven to be intentional overmarking and could be errors (however none of the Alleged Offenders admit to making errors).

[121] This leads to the conclusion that whilst suspicious, the alleged manipulation has not been proven against Alleged Offenders 2, 3 or 4 in this case. Therefore, the Complaint against them is dismissed.

Obiter Dictum

[122] In this case, the required standard of proof has not been reached. However, the DC does not overlook the IDTC analysis of a suspicious overall judging pattern detected over a series of competitions. The expert OAC witness also pointed to anomalies in the judging of another competition (outside the complaint), where a similar pattern was recognized.

[123] Given the broad nature of evidence presented at the hearing, the DC confirms its jurisdiction, and that the ISU Code of Ethics and that other ethical / disciplinary provisions apply equally to coaches and others involved in competitions. Any proven violations can result in sanctions.

[124] The ISU Disciplinary Commission recognizes that the OAC Members in this case, the Referee, Technical Controller and ISU Ice Dance Technical Committee Members, (the experts in skating and judging), and the ISU Legal Advisor are carefully carrying out their duties and encourage them to continue closely monitoring these and any other identified irregularities.

[125] If the present pattern persists, or additional irregularities and sufficient evidence is obtained, a further Complaint against relevant Alleged Offenders can be filed to the DC.

VI. Decision

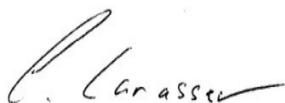
Based on the above considerations the ISU Disciplinary Commission rules as follows:

1. The Alleged Offender 1 (Mr. Yuri Balkov, UKR) is excluded for life from all ISU activities and events.
2. The complaint against the Alleged Offenders 2, 3 and 4 (Ms. Olena Lisova (UKR), Ms. Ece Ezen (TUR) and Mr. Roland Mäder (SUI) is dismissed.
3. The Parties bear their own costs.
4. All persons involved in this case (whether as Parties / (Alleged) Offenders, or as Counsel / Representatives / Witnesses etc.) are prohibited from disclosing the identity and/or any direct or indirect information regarding the identity of the “contacted Judge” to others. A violation of this section can result in further disciplinary proceedings.

Dated : 25 March 2025



Susan Petricevic
Chair, ISU DC Panel



Eugen Larasser
ISU DC Panel



Dr Keith King
ISU DC Panel

The present decision is subject to appeal to the Court of Arbitration for Sport, Avenue de Beaumont 2, CH 1012 Lausanne, Switzerland, within 21 days upon receipt of the decision, in accordance with Article 25 Para. 12 and Article 26 of the ISU Constitution 2024.