

INTERNATIONAL SKATING UNION

HEADQUARTERS ADDRESS: AVENUE JUSTE OLIVIER 17 - CH 1006 LAUSANNE -
SWITZERLAND

TELEPHONE (+41) 21 612 66 66

TELEFAX (+41) 21 612 66 77

E-MAIL: info@isu.ch

Disciplinary Commission

Case No. 2018-02

18.06.2018

Panel:

Volker Waldeck (Chair)
Dr. Allan Böhm
Susan Petricevic

Final Decision in the matter of

International Skating Union,

- Complainant -

against

**Mr. HUANG Feng,
CHINA**

- Alleged Offender -

and

Chinese Skating Association,

- Interested ISU Member -

Regarding the Violations of the Duties of Judges and the ISU Code of Ethics

I. History of the Procedure

On March 4, 2018 the International Skating Union, represented by ISU Legal Advisor, Dr. Béatrice Pfister, filed a motion against the Alleged Offender for his provisional suspension from officiating at ISU Events with immediate effect reasoned by his unacceptable judging at 2018 OWG in Gangneung. On March 5, 2018, the Alleged Offender and the Interested Member were invited by the ISU Disciplinary Commission to file a statement of reply within 21 days upon receipt of the complaint. By Order No. 1 the ISU Disciplinary Commission provisionally suspended the Alleged Offender from participating as a judge or referee in ISU Events and International Competitions until the final decision was rendered.

The Alleged Offender asked for a 30-day time extension to prepare the defense. By Order No. 2 the Disciplinary Commission extended the time limit for a Statement of Reply to April 16, 2018.

On April 7, 2018, the Complainant supplemented their Statement of Complaint with further details and provided 13 exhibits. The supplement to the Statement of Complaint was sent to the Alleged Offender and the time limit for a response was extended by Order No.3 to April 27, 2018.

On April 26, 2018 the Alleged Offender filed a Statement of Defense together with 21 exhibits.

II. Procedural Matters

The disciplinary/ethical offence the Alleged Offender is accused of is preferential marking of the Chinese competitors while officiating as a Judge at the 2018 Winter Olympic in the Pairs Figure Skating competition. The case is not subject to the jurisdiction of the International Olympic Committee (IOC) but to the jurisdiction of the ISU Disciplinary Commission.

Rule 126 of the ISU General Regulations 2016 states:

1. *Skating Competitions at the Olympic Winter Games*
The skating competitions in the Olympic Winter Games are International Competitions and not ISU Championships and are subject to the provisions of the Olympic Charter and its Bye-Laws and ISU Regulations governing such competitions.

The relevant provisions of the Olympic Charter 2017 are Rule 26 and Rule 46:

- Rule 26 Mission and role of the International Federations (IFs) within the Olympic Movement*
1. *The mission and role of the IFs within the Olympic Movement are:*
 - 1.1 *to establish and enforce, in accordance with the Olympic spirit, the rules concerning the practice of their respective sports and to ensure their application;*
 - ...
 - 1.5 *to assume the responsibility for the control and direction of their sports at the Olympic Games;*

- Rule 46 Role of the IFs in relation to the Olympic Games*
1. *Each IF is responsible for the control and direction of its sport at the Olympic Games. All elements of the competitions, including the schedule, field of play, training sites and*

all equipment must comply with its rules.

By-law to Rule 46

1. Rights and Responsibilities of the IFs at the Olympic Games:

The IFs have the following rights and responsibilities regarding the arrangements at the Olympic Games:

1.1 To establish the appropriate rules, regulations and requirements of their respective sports, disciplines and events.

From this it follows that the competent body to decide upon this case is the ISU and not the IOC.

Article 25 Paragraph 8 of the ISU Constitution 2016 states that some Complaints are not subject to the jurisdiction of the Disciplinary Commission. Paragraph 8 letter c) rules:

c) Performance evaluations of Officials, including Assessments, warnings, criticisms, letters of advice and other evaluations issued by the Technical Committees and the Council, and the appointment or removal of ISU Officials, are not disciplinary but technical decisions. Accordingly, they are not subject to the jurisdiction of the DC. Complaints alleging incompetence, carelessness, lack of proper attention to duty, deficient performance, error or faulty judgment, are therefore not subject to the jurisdiction of the DC and shall be referred to the relevant ISU Official or body for performance evaluation and resolution.

The Complaint is neither a performance evaluation nor an assessment of the marks that the Alleged Offender gave, but is aimed at the deliberate preference of competitors from his country over competitors from other countries in the Short and Free Programs of the Pairs Figure Skating event at the Olympic Winter Games 2018. Therefore Article 25 Paragraph 8 c) does not exclude the jurisdiction of the Disciplinary Commission.

The Alleged Offender has signed the “Declaration for Competitors and Officials entering ISU Events” for the season 2017-2018 on October 20, 2017. In that Declaration the Alleged Offender confirmed,

I/we, the undersigned,

I) accept the ISU Constitution, which establishes an ISU Disciplinary Commission (Article 25) and recognizes the Court of Arbitration for Sport (CAS), in Lausanne, Switzerland as the arbitration tribunal authorized to issue final and binding awards involving the ISU, its Members and all participants in ISU activities, excluding all recourse to ordinary courts (Articles 26 & 27);

VI) am familiar with the ISU Code of Ethics (ISU Communication 1717 or any update of the Communication)....

The Complaint is subject to the jurisdiction of the ISU Disciplinary Commission.

The Complaint is admissible.

III. Facts

The Alleged Offender is an ISU Judge from China, who is qualified in the Ice Dance and Single and Pair Skating disciplines and an International Referee for Single and Pair Skating. This is recorded in ISU Communication 2111 “List of Judges Season 2017-2018 for Single and Pair Skating and Ice Dance”. He officiated as judge No. 2 in the Pairs Short Program Event of the Olympic Winter Games 2018 and as judge No. 3 in the Pairs Free Program Event.

Prior to the Olympic Winter Games 2018, on January 15, 2018, the ISU Officials Assessment Commission (OAC) sent a “Letter of Warning” to the Alleged Offender regarding his judging in the Pairs event at the ISU Grand Prix Final 2017. The letter read as follows:

Letter of Warning
ISU Grand Prix Final Pairs

Dear Mr. Feng Huan,

The appointed Officials Assessment Commission members and the Single and Pair Technical Committee have reviewed the scores awarded by you in the above-mentioned competition. They jointly concluded that though the general quality of your work is good, a clear support for the two Chinese Pairs without any objective reasons either in elements and in components and this has been evaluated as national bias.

The following pages show extracts from the official protocol of the Short and Free Programs in the Pairs events at the Olympic Winter Games 2018. Only the results for the first six and four couples, respectively, are shown here. The protocols show the judges details per skater, specifying the “Grade of Execution” (GOE) for the Executed Elements and the marks for each of the 5 Program Components.

The marks given by the Alleged Offender are framed in red.

Pair Skating Short Program, Wed. 14 February 2018

Judges Details per Skater



Gangneung Ice Arena
강릉 아이스 아레나
Palais des glaces de Gangneung

WED 14 FEB 2018

Figure Skating
피겨 스케이팅 / Patinage artistique
Pair Skating
피겨 스케이팅 페어 / Patinage en couple
Short Program
쇼트 프로그램 / Programme court



Judges Details per Skater

선수별 심판 세부채점 정보 / Notation détaillée des juges par patineur

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
1	SUI Wenjing / HAN Cong	CHN	17	82.39	44.49	37.90	0.00

#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel
1	3T		4.30	1.50	2	3	3	2	2	2	2	2	2		5.80
2	3FTh		5.50	2.10	3	3	3	3	3	3	2	3	3		7.60
3	3Tw4		6.60	1.90	3	3	3	3	2	2	2	3	3		8.50
4	PCoSp4		4.50	1.29	3	3	2	2	2	3	3	3	2		5.79
5	StSq4		3.90	1.80	3	3	3	2	3	2	2	3	2		5.70
6	3Li4		4.50	1.50	3	3	2	3	3	3	3	3	3		6.00
7	FiDs4		3.50	1.60	2	3	2	1	2	3	3	3	1		5.10
			32.80												44.49
Program Components				Factor											
Skating Skills				0.80	9.75	9.50	9.50	9.00	9.50	9.25	9.00	9.50	9.25		9.36
Transitions				0.80	9.50	9.75	9.50	9.00	9.00	9.25	8.25	9.75	9.25		9.32
Performance				0.80	9.75	10.00	9.75	9.25	10.00	9.50	8.50	9.50	9.50		9.61
Composition				0.80	9.50	10.00	9.50	9.25	9.50	9.25	9.00	10.00	9.50		9.50
Interpretation of the Music				0.80	9.75	10.00	9.50	9.25	9.75	9.25	8.75	10.00	9.50		9.57
Judges Total Program Component Score (factored)															37.90

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
2	TARASOVA Evgenia / MOROZOV Vladimir	OAR	22	81.68	43.97	37.71	0.00

#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel
1	3Tw4		6.60	2.10	3	3	3	3	3	3	3	3	3		8.70
2	3T		4.30	1.90	2	2	3	2	3	3	3	3	3		6.20
3	3LoTh		5.00	2.10	3	3	3	3	3	3	3	3	3		7.10
4	FiDs4		3.50	1.40	2	2	2	2	2	2	2	3	2		4.90
5	PCoSp4		4.50	1.14	3	2	2	2	2	2	3	3	2		5.64
6	3Li4		4.50	1.43	3	2	2	3	3	3	3	3	3		5.93
7	StSq4		3.90	1.60	3	2	2	2	2	3	2	3	2		5.50
			32.30												43.97
Program Components				Factor											
Skating Skills				0.80	9.75	9.25	9.50	9.25	9.50	9.50	9.00	10.00	9.50		9.46
Transitions				0.80	9.50	8.75	9.25	9.25	9.25	9.25	8.00	9.75	9.50		9.25
Performance				0.80	9.50	9.50	9.50	9.50	9.50	9.75	9.00	9.75	9.50		9.54
Composition				0.80	9.75	9.00	9.50	9.50	9.50	9.50	9.25	10.00	9.50		9.50
Interpretation of the Music				0.80	9.75	8.75	9.50	9.50	9.00	9.50	9.00	9.75	9.50		9.39
Judges Total Program Component Score (factored)															37.71

Deductions:

0.00



Gangneung Ice Arena
강릉 아이스 아레나
Palais des glaces de Gangneung

WED 14 FEB 2018

Figure Skating
피겨 스케이팅 / Patinage artistique
Pair Skating
피겨 스케이팅 페어 / Patinage en couple
Short Program
쇼트 프로그램 / Programme court



Judges Details per Skater

선수별 심판 세부채점 정보 / Notation détaillée des juges par patineur

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
3	DUHAMEL Meagan / RADFORD Eric	CAN	19	76.82	41.26	35.56	0.00

#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel
1	3Tw3		6.20	1.50	3	2	2	2	2	2	2	2	3		7.70
2	3Lz		6.00	-0.30	0	-1	-1	0	0	-1	0	0	-1		5.70
3	3LzTh		5.50	0.50	2	0	1	1	0	1	1	1	0		6.00
4	FiDs4		3.50	1.60	3	2	2	2	3	3	2	2	2		5.10
5	3Li4		4.50	1.29	3	2	2	2	3	3	3	3	2		5.79
6	PCoSp4		4.50	1.07	3	2	2	2	3	2	2	2	2		5.57
7	SiSq4		3.90	1.50	2	2	2	1	3	2	2	2	3		5.40
			34.10												41.26
Program Components				Factor											
	Skating Skills		0.80	9.75	9.00	9.00	8.75	9.00	9.00	8.75	8.75	8.75			8.89
	Transitions		0.80	9.50	8.50	8.50	8.50	9.00	8.50	8.50	8.75	8.75			8.64
	Performance		0.80	9.50	8.75	8.75	8.75	9.25	9.00	8.75	8.75	9.00			8.89
	Composition		0.80	9.50	8.75	9.00	8.50	9.50	8.75	9.00	9.00	9.00			9.00
	Interpretation of the Music		0.80	9.50	8.75	9.00	8.75	9.50	8.75	9.00	9.25	9.00			9.04
Judges Total Program Component Score (factored)															35.56

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
4	SAVCHENKO Aljona / MASSOT Bruno	GER	21	76.59	39.16	37.43	0.00

#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel
1	3Tw4		6.60	2.10	3	3	3	3	3	3	3	3	3		8.70
2	2S		1.30	-0.26	-1	-2	-2	-2	-1	-2	1	0	-1		1.04
3	3FTh		5.50	1.00	3	1	1	1	0	2	2	2	1		6.50
4	3Li4		4.50	1.43	3	2	2	3	3	3	3	3	3		5.93
5	SiSq4		3.90	2.10	3	3	3	3	3	3	3	3	3		6.00
6	FiDs4		3.50	1.70	3	1	2	3	2	3	3	2	2		5.20
7	PCoSp4		4.50	1.29	3	2	2	3	3	2	3	3	2		5.79
			29.80												39.16
Program Components				Factor											
	Skating Skills		0.80	9.75	9.25	9.00	9.25	9.25	9.25	9.25	9.75	9.00			9.29
	Transitions		0.80	9.75	8.75	8.75	9.00	9.25	9.00	9.50	9.75	9.00			9.18
	Performance		0.80	9.75	9.00	9.00	9.25	9.50	9.00	9.75	9.50	9.25			9.32
	Composition		0.80	9.75	9.00	9.25	9.25	9.50	9.50	9.75	9.75	9.25			9.46
	Interpretation of the Music		0.80	9.75	9.25	9.00	9.50	9.50	9.50	9.75	9.75	9.50			9.54
Judges Total Program Component Score (factored)															37.43

Deductions:

0.00



Gangneung Ice Arena
강릉 아이스 아레나
Palais des glaces de Gangneung



WED 14 FEB 2018

Figure Skating
피겨 스케이팅 / Patinage artistique
Pair Skating
피겨 스케이팅 페어 / Patinage en couple
Short Program
쇼트 프로그램 / Programme court



Judges Details per Skater

선수별 심판 세부채점 정보 / Notation détaillée des juges par patineur

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
5	YU Xiaoyu / ZHANG Hao	CHN	12	75.58	42.10	33.48	0.00

#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel
1	3T		4.30	1.20	2	3	2	1	2	2	1	1	2		5.50
2	3Tw4		6.60	2.00	3	3	3	3	3	3	2	2	3		8.60
3	FiDs4		3.50	1.20	2	2	1	1	1	3	2	2	2		4.70
4	SiSq4		3.90	1.30	2	2	2	1	1	2	2	2	2		5.20
5	3LoTh		5.00	2.10	3	3	2	3	3	3	3	3	3		7.10
6	3Li4		4.50	1.21	3	3	2	2	2	2	3	3	2		5.71
7	PCoSp4		4.50	0.79	2	2	1	1	1	2	2	2	1		5.29
			32.30												42.10
Program Components				Factor											
	Skating Skills			0.80	9.00	8.75	8.00	8.25	8.50	8.75	8.25	8.25	8.00		8.39
	Transitions			0.80	8.50	9.00	7.50	7.75	8.50	8.75	7.75	8.75	8.00		8.29
	Performance			0.80	9.00	9.00	8.25	7.75	8.25	9.25	8.25	8.50	8.00		8.46
	Composition			0.80	8.75	8.75	7.75	8.25	8.50	9.00	8.50	9.00	7.75		8.50
	Interpretation of the Music			0.80	8.75	8.75	7.75	8.25	7.75	9.00	8.00	8.25	7.50		8.21
	Judges Total Program Component Score (factored)														33.48

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
6	JAMES Vanessa / CIPRES Morgan	FRA	15	75.34	40.67	34.67	0.00

#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel
1	3Tw4		6.60	1.30	2	2	2	2	1	2	2	1	2		7.90
2	3S		4.40	1.50	2	3	2	2	2	3	2	2	2		5.90
3	3Li4		4.50	1.00	3	2	2	2	2	2	2	2	2		5.50
4	3FTh		5.50	1.30	2	2	2	2	1	2	3	1	2		6.80
5	FiDs4		3.50	1.20	2	1	2	2	1	2	2	2	1		4.70
6	SiSq3		3.30	1.07	2	2	2	2	2	2	3	3	2		4.37
7	PCoSp4		4.50	1.00	3	2	2	2	2	2	2	2	2		5.50
			32.30												40.67
Program Components				Factor											
	Skating Skills			0.80	9.50	8.50	8.75	8.75	8.50	9.00	8.50	8.50	8.50		8.64
	Transitions			0.80	9.00	8.25	8.75	8.50	8.00	8.50	8.50	8.50	8.00		8.43
	Performance			0.80	9.25	9.00	9.25	8.75	8.75	9.00	8.75	8.75	8.50		8.89
	Composition			0.80	9.25	8.50	9.00	8.75	8.50	8.50	9.00	8.50	8.50		8.68
	Interpretation of the Music			0.80	9.50	8.75	9.00	8.75	8.50	8.50	9.00	8.50	8.50		8.71
	Judges Total Program Component Score (factored)														34.67

Deductions:

0.00

Pair Skating Free Program, Thu. 15 February 2018

Judges Details per Skater



Gangneung Ice Arena
강릉 아이스 아레나
Palais des glaces de Gangneung

THU 15 FEB 2018

Figure Skating
피겨 스케이팅 / Patinage artistique
Pair Skating
피겨 스케이팅 페어 / Patinage en couple
Free Skating
프리 스케이팅 / Programme libre



Judges Details per Skater

선수별 심판 세부채점 정보 / Notation détaillée des juges par patineur

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
1	SAVCHENKO Aljona / MASSOT Bruno	GER	13	159.31	82.07	77.24	0.00

#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel
1	3Tw4		6.60	2.10	3	3	3	3	3	3	3	3	3		8.70
2	3FTh		5.50	1.80	3	2	2	2	3	3	2	3	3		7.30
3	3S+2T+2T		7.00	1.30	1	2	1	2	2	2	2	2	2		8.30
4	3T		4.30	1.50	3	2	2	2	3	2	2	2	2		5.80
5	3STh		4.50	2.10	3	3	2	3	3	3	3	3	3		6.60
6	5RLi4		7.50	1.90	3	2	2	2	3	3	3	3	3		9.40
7	3Li4		4.50	1.43	3	2	2	3	3	3	3	3	3		5.93
8	CCoSp4		3.50	1.00	2	2	2	2	3	2	2	2	2		4.50
9	PCoSp4		4.50	1.14	2	2	2	2	3	3	2	3	2		5.64
10	ChSq1		2.00	2.10	3	3	3	2	3	3	3	3	3		4.10
11	BoDs4		4.50	1.70	3	2	2	2	3	3	2	3	1		6.20
12	5ALi4		7.50	2.10	2	3	3	3	3	3	3	3	3		9.60
			61.90												82.07
Program Components				Factor											
Skating Skills				1.60	9.75	9.50	9.25	9.00	9.75	9.75	9.50	9.75	9.50		9.57
Transitions				1.60	9.75	9.25	9.25	9.00	9.75	9.75	9.25	9.50	9.50		9.46
Performance				1.60	10.00	9.75	9.50	9.50	10.00	10.00	9.75	9.75	10.00		9.82
Composition				1.60	9.75	9.50	9.25	9.50	9.75	10.00	9.50	9.75	9.75		9.64
Interpretation of the Music				1.60	10.00	9.75	9.50	9.25	10.00	10.00	9.50	9.75	10.00		9.79
Judges Total Program Component Score (factored)															77.24

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
2	DUHAMEL Meagan / RADFORD Eric	CAN	14	153.33	79.86	73.47	0.00

#	Executed Elements	Info	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel	
1	3Tw3		6.20	1.40	3	1	1	2	3	2	2	2	2		7.60	
2	3Lz		6.00	-1.20	-2	-1	-2	-2	-1	-2	-2	-2	-1		4.80	
3	4STh		8.20	0.57	0	0	2	1	1	0	0	1	1		8.77	
4	3S+2T+2T		7.00	1.20	1	1	2	2	2	2	1	2	3		8.20	
5	FCoSp4		3.50	1.21	3	2	2	2	2	2	3	3	3		4.71	
6	5RLi4		7.50	1.80	2	2	2	3	3	3	2	3	3		9.30	
7	3LzTh		5.50	1.40	2	1	2	2	2	2	2	2	2		6.90	
8	5ALi4		7.50	1.80	2	2	2	3	3	3	2	3	3		9.30	
9	ChSq1		2.00	1.60	2	2	2	2	2	3	2	3	3		3.60	
10	PCoSp4		4.50	1.07	2	2	2	2	3	2	2	3	2		5.57	
11	3Li4		4.50	1.21	2	2	3	2	3	2	3	3	2		5.71	
12	BoDs3		4.00	1.40	2	2	2	2	3	2	2	2	2		5.40	
			66.40												79.86	
Program Components				Factor												
Skating Skills				1.60	9.00	9.25	9.00	9.25	9.50	9.25	9.00	9.75	9.25		9.21	
Transitions				1.60	9.00	8.75	9.25	9.00	9.25	9.00	8.50	9.50	9.00		9.04	
Performance				1.60	9.25	9.00	9.50	9.25	9.50	9.25	9.00	9.50	9.50		9.32	
Composition				1.60	9.00	8.75	9.25	9.25	9.50	9.25	9.00	9.75	9.25		9.21	
Interpretation of the Music				1.60	9.00	9.00	9.00	9.25	9.25	9.25	8.75	9.75	9.25		9.14	
Judges Total Program Component Score (factored)															73.47	
Deductions:																0.00



Gangneung Ice Arena
강릉 아이스 아레나
Palais des glaces de Gangneung

THU 15 FEB 2018

Figure Skating
피겨 스케이팅 / Patinage artistique
Pair Skating
피겨 스케이팅 페어 / Patinage en couple
Free Skating
프리 스케이팅 / Programme libre



Judges Details per Skater

선수별 심판 세부채점 정보 / Notation détaillée des juges par patineur

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
3	SUI Wenjing / HAN Cong	CHN	15	153.08	76.29	76.79	0.00

#	Executed Elements	INFO	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel
1	4Tw3		8.60	1.00	0	-1	2	1	1	2	0	2	1		9.60
2	3T+1T+2T		6.00	-1.20	-2	-2	-1	-1	-2	-2	-2	-2	-1		4.80
3	3S		4.40	-1.10	-1	-2	-1	-2	-1	-2	-2	-1	-2		3.30
4	BoDs4		4.50	1.50	2	2	3	2	3	2	2	2	2		6.00
5	5RLi4		7.50	2.00	2	2	3	3	3	3	3	3	3		9.50
6	FCCoSp4		3.50	1.43	3	2	3	3	3	3	3	3	2		4.93
7	3FTh		5.50	2.10	3	2	3	3	3	3	3	3	3		7.60
8	3STh		4.50	2.10	3	3	3	3	3	3	3	3	3		6.60
9	ChSq1		2.00	2.00	2	2	3	3	3	3	3	3	3		4.00
10	PCoSp2		3.50	1.36	2	2	3	3	3	3	3	3	2		4.86
11	5ALi4		7.50	2.10	3	2	3	3	3	3	3	3	3		9.60
12	3Li3		4.00	1.50	3	2	3	3	3	3	3	3	3		5.50
			61.50												76.29
Program Components				Factor											
Skating Skills				1.60	9.50	9.50	9.50	9.75	9.75	9.50	9.25	9.75	9.50		9.57
Transitions				1.60	9.50	9.00	9.75	9.50	9.50	9.25	9.50	9.75	9.25		9.46
Performance				1.60	9.50	8.75	9.75	9.50	9.75	9.50	9.25	9.75	9.50		9.54
Composition				1.60	9.75	9.25	10.00	9.75	10.00	9.50	9.50	9.75	9.75		9.71
Interpretation of the Music				1.60	9.75	9.50	10.00	9.75	10.00	9.75	9.50	9.75	9.50		9.71
Judges Total Program Component Score (factored)															76.79

Rank	Name	NOC Code	Starting Number	Total Segment Score	Total Element Score	Total Program Component Score (factored)	Total Deductions
4	TARASOVA Evgenia / MOROZOV Vladimir	OAR	16	143.25	70.08	74.17	-1.00

#	Executed Elements	INFO	Base Value	GOE	J1	J2	J3	J4	J5	J6	J7	J8	J9	Ref.	Scores of Panel	
1	4Tw3		8.60	0.57	0	0	1	0	1	1	2	1	0		9.17	
2	2S		1.30	-0.34	-2	-2	-2	0	-2	-2	-2	1	-2		0.96	
3	3STh		4.50	-1.80	-2	-3	-3	-3	-2	-2	-3	-2	-3		2.70	
4	3T+2T+2T		6.90	1.00	1	2	2	3	1	1	2	1	1		7.90	
5	5RLi4		7.50	1.80	2	2	2	3	3	3	3	3	2		9.30	
6	BoDs2		3.50	1.00	0	2	1	2	1	2	1	1	2		4.50	
7	FCCoSp4		3.50	1.21	3	2	2	2	2	3	3	3	2		4.71	
8	ChSq1		2.00	1.30	1	2	2	2	2	2	2	3	1		3.30	
9	3LoTh		5.00	2.10	3	3	3	3	3	3	3	3	3		7.10	
10	5ALi4		7.50	1.80	3	2	3	2	2	3	3	3	2		9.30	
11	3Li4		4.50	1.14	2	2	2	2	2	3	3	3	2		5.64	
12	PCoSp4		4.50	1.00	2	2	1	2	2	2	2	3	2		5.50	
			59.30												70.08	
Program Components				Factor												
Skating Skills				1.60	9.50	9.50	9.50	9.25	9.75	9.50	9.50	9.75	9.50		9.54	
Transitions				1.60	9.00	9.25	9.00	9.00	9.50	9.25	9.00	9.50	9.25		9.18	
Performance				1.60	8.75	9.00	9.00	9.25	9.25	9.50	9.25	9.50	8.75		9.14	
Composition				1.60	8.75	9.50	9.25	9.50	9.25	9.50	9.25	9.75	9.00		9.32	
Interpretation of the Music				1.60	8.75	9.25	9.00	9.50	9.00	9.50	9.25	9.50	8.50		9.18	
Judges Total Program Component Score (factored)															74.17	
Deductions: Falls																-1.00

Analysis of the Short Program:

In the following tables the Grades of Execution (GOE) for 7 elements in the Short Program are added up.

The 5 scores for the Program Components in the Short Program are also added up.

OWG 2018 Pairs Short Program - GOE										
		AUS	CHN	FRA	ISR	CAN	HUN	GER	ITA	FIN
Sui / Han	CHN	19	21	18	16	17	18	17	20	16
Tarasova / Morozov	OAR	19	16	17	17	18	19	19	21	18
Duhamel / Radford	CAN	16	9	10	10	14	12	12	12	11
Savchenko / Massot	GER	17	10	11	14	13	14	18	16	13
Yu / Zhang	CHN	17	18	13	12	13	17	15	15	15
James / Cypres	FRA	16	14	14	14	11	15	16	13	13

Pairs Short Program - Program Components										
Sui / Han	CHN	48,25	49,25	47,75	45,75	47,75	46,5	43,00	48,75	47,00
Tarasova / Morozov	OAR	48,25	45,25	47,25	47,00	46,75	47,50	44,25	49,25	47,50
Duhamel / Radford	CAN	47,75	43,75	44,25	43,25	46,25	44,00	44,00	44,50	44,50
Savchenko / Massot	GER	48,75	45,25	45,00	46,25	47,00	46,25	48,00	48,50	46,00
Yu / Zhang	CHN	44,00	44,25	39,25	40,25	41,50	44,75	40,75	42,75	39,25
James / Cypres	FRA	46,50	43,00	44,75	43,50	42,25	43,50	43,75	42,75	42,00

The Alleged Offender has given for the Chinese couple Sui/Han a total of 21 GOE points in the Short Program. He scored each of the 7 elements with a GOE of +3, which none of his fellow judges did.

He awarded the second highest scores in GOE to the second Chinese couple Yu / Zhang and the third highest to the Russian couple. None of the other judges gave the second highest GOE score to Yu/Zhang.

In contrast, the Alleged Offender scored the total GOE for the elements performed by the couple Savchenko / Massot (Germany) at 10 points, which is the lowest score compared to all the judges.

He awarded the highest GOE of all competing pairs to the two Chinese pairs and the lowest GOE to the Canadian Pair.

The second part of the judges' marks relates to evaluation of the Program Components. In the Short Program the Alleged Offender gave 49,25 points out of a maximum of 50 points to the Chinese couple Sui/Han. He awarded the maximum score of 10 for 3 of the components.

When judging the German couple Savchenko / Massot, the strongest competitors to the Chinese couple Sui / Han, the Alleged Offender awarded them 4 points less, resulting in their total mark of 45,25 points.

The Complainant analyzed the Judges Details in the Short Program as follows:

“As follows from the GOE chart Short Program, the total GOE points awarded by the Alleged Offender to Sui/Han was 11 points(!) higher than for Savchenko/Massot, while all other judges – except for of judge no. 3 with 7 points - had a maximum advantage of the Chinese pair of 4 points.

Further, the Alleged Offender obviously favored his pair also vis-à-vis the other top candidates for the Olympic gold medal, Tarasova/Morozov (RUS) and Duhamel / Radford (CAN). While all other judges had a maximum of 2 more GOE points for Sui/Han than for Tarasova/Morozov, the Alleged Offender had a plus of 5 points. And with regard to Duhamel/Radford all other judges had between 3 and 8 GOE points more for Sui/Han while the Alleged Offender had 12 points more.

Similarly, the component chart (which shows the difference in the total component scores between Sui/Han and Tarasova/Morozov on one hand and between Sui/Han and Savchenko/Massot on the other) shows that for Tarasova/Morozov all other judges had a maximum of 1.0 points in favor of Sui/Han, while the difference of the Alleged Offender was 4.25 points, which means 0.75 to 1.0 in every component. And while one judge awarded 2.75 points and the majority of judges a maximum of 0.75 more to Sui/Han than to Savchenko/Massot, the Alleged Offender had a difference of 4 component mark points in favor of “his” pair!”

Analysis of the Free Program:

OWG 2018 Pairs Free Skating Program - GOE										
		FIN	RUS	CHN	FRA	USA	CZE	HUN	AUS	AUT
Savchenko / Massot	GER	31	28	26	28	35	33	30	33	30
Duhamel / Radford	CAN	19	16	20	21	26	21	19	25	25
Sui / Han	CHN	20	14	27	24	25	24	22	25	22
Tarasova / Morozov	OAR	13	14	14	18	15	19	19	23	12
Pairs Free Skating Program - Program Components										
Savchenko / Massot	GER	49,25	47,75	46,75	46,25	49,25	46,50	47,50	48,50	48,75
Duhamel / Radford	CAN	45,25	44,75	46,00	46,00	47,00	46,00	44,25	48,25	46,25
Sui / Han	CHN	48,00	46,00	49,00	48,25	49,00	47,50	47,00	48,75	47,50
Tarasova / Morozov	OAR	44,75	46,50	45,75	46,50	46,75	47,25	46,25	48,00	45,00

A comparison of the first 4 couples is sufficient to analyze the results from the Free Program.

The Alleged Offender is the only judge who gave 27 GOE points to the Chinese couple Sui / Han which in his ranking put them in first place. The same applied to his marks for the Program Components. With 49 points in total, the Alleged Offender also placed the Chinese couple in first place.

The official result for the Chinese couple in the Free Program was third place.

The Complainant analyzed the Judges Details in the Free Program as follows:

“In Free Skating all other judges had their total GOE points in favor of Savchenko/Massot with a difference of between 4 and 11 points; the Alleged Offender was the only judge to have them second with 1 GOE point less than for “his” pair! In components six out of the nine judges had between the same total marks and +2.25 in favor of Savchenko / Massot; of the three judges with more component mark points for Sui/Han the Alleged Offender was with 2.25 points the one with the biggest difference.”

In his statement of reply the Alleged Offender challenged the data samples provided by the Complainant, alleging that the Complainant failed to publish the “official” scores. The Complainant allegedly selected the sample data without guidance of the ISU rules and regulations, especially without guidance of the ISU Communication No. 2089.

Further the Alleged Offender pleaded the principle of “field of play”, which prohibits officials in international Sport organization from “second-guessing” the decisions of judges.

IV. Motions

The Complainant moves:

1. To find the Alleged Offender guilty of violations of the Duties of Judges according to Rule 430 paragraph 2 of the ISU Special Regulations & Technical Rules Single & Pair Skating and Ice Dance and the ISU Code of Ethics.
2. To impose on the Alleged Offender a sanction in accordance with Article 25 paragraph 9.a) of the ISU Constitution.
3. To exclude the Alleged Offender from officiating at the occasion of the next Olympic Winter Games 2022 in Beijing.

The Alleged Offender moves:

1. To affirm that there is no legal basis to impose penalty on Respondent.
2. To dismiss all charges against Respondent.
3. To order ISU Referee and Officials in OAC, Technical Committee, Sports Director, Legal Committee and ISU Vice President Figure Skating Branch to testify in a hearing.
4. To order the Complainant to refund the Respondent’s round-trip flight tickets from Beijing to Sophia, Bulgaria.
5. To order the Complainant to pay all costs of Respondent incurred in defending the charges, including legal fees.

V. Law

As stated above the Complaint is admissible.

The proceedings against the Alleged Offender do not violate the “field of play doctrine”. The “field of play doctrine” is defined in consistent practice of the Court of Arbitration for Sports (CAS) *for example* in its award of August 21, 2016, CAS OG 16/28:

35. CAS jurisprudence has consistently reaffirmed that CAS Arbitrators do not overturn the decisions made on the playing field by judges, referees, umpires or other officials charged with applying the rules of the game unless there is some evidence that the rule was applied in arbitrarily or in bad faith....

36. The rationale for the "field of play" doctrine is self-evident. CAS Arbitrators are not specifically trained in the rules of any or all sports and do not have the advantage of being present to observe the events. It would be unfair to a decision-maker as well as to athletes to interfere with decisions made by match officials, who are the technical experts, in these circumstances. Other practical reasons for the "field of play" doctrine include the prevention of constant interruptions of the game by appeals to a judge or an arbitrator. There are practical reasons for match officials not to have their decisions during games visited retrospectively.

37. Furthermore, for a CAS Panel to overturn a field of play decision, there must be evidence, which generally must be direct evidence, of bad faith. In other words, "there must be some evidence of preference for, or prejudice against, a particular team or individual.

The “field of play doctrine” is the reason behind Article 25 Paragraph 8 c) ISU Constitution which states that performance evaluations of Officials and Assessments are not subject to the jurisdiction of the Disciplinary Commission. But in the case at hand there is evidence of preference for the Chinese couples and prejudice against their strongest competitors. Therefore, the panel can overturn the “field of play decision” of the Alleged Offender.

The Respondent challenges the legal basis to impose a penalty. The current ISU Regulations do not have any provision regarding “National Bias”. The expression “National Bias” was present in earlier ISU Rules, but does not appear in the current ones. Since there is no specific provision for “National Bias” in the currently valid ISU regulations, a penalty on Respondent would violate the legal principle “*nulla poena sine lege*”.

The Panel agrees that the term “National Bias” does not occur in the current rules. However, Rule 430 General f) ISU Special Regulations for Single and Pair Skating 2016 states:

f) Officials must

- not show bias for or against any Competitor on any grounds;

The term “bias” comprises any kind of bias, personal bias as well as bias due to the same origin or nationality.

The legal basis for a sanction against the Alleged Offender is:

Rule 430 General e) and f) ISU Special Regulations for Single and Pair Skating 2016:

e) Officials must adhere fully to the Code of Ethics.

f) Officials must

- not show bias for or against any Competitor on any grounds;*
- be completely impartial and neutral at all times.*

ISU Code of Ethics 2017 (published in Communication No. 2104)

4 a) I agree to give particular attention to all provisions respecting fair, impartial sport competition measures.

4 h) I agree to

(3) absolute independence on my part which excludes any violation of the Olympic Movement Code on the Prevention of Manipulation of Competition, in particular any kind of corruption, any misuse of inside information, favoritism for, or prejudice against, any ISU Member, Coach, Skater or his/her family member, ISU Office Holder or country;

The Panel finds that the Alleged Offender has violated Rule 430 ISU Special Regulations for Single and Pair Skating 2016 and the Code of Ethics 2017.

In the Pairs Short Program

The GOE scores for the Chinese Pair, Sui / Han, (where all elements had a +3 score) showed a clear tendency towards bias. However, some other colleagues, who have awarded a similar high score, have supported this result. The major criticism is his high tendency of low GOE scores for elements, executed by the couple Savchenko / Massot, which has not been supported by his fellow judges. He awarded his own two pairs the highest GOE of all competing pairs and amongst the medal candidates the second lowest GOE for the couple Savchenko / Massot.

The Program Component scores show anomalies that are very much like the GOE scores. As an example, the Chinese Pair Sui / Han have been awarded 49,25 total points by the Alleged Offender in the Components, while the best following pair in his ranking has received 4,0 points less.

In the Pairs Free Program

The marks of the Alleged Offender for the Free Program show the same approach to judging as in the Short Program. In general, he awarded his own pair, Sui / Han, the highest GOE score of +3 for each element, with the exception that when they made a major mistake he applied the lowest possible deduction of -1. Also, in his Free Program judging he shows a clear tendency to set a difference in points between his pair and their direct competitors. His highest GOE score was given to his own pair, and in the Program Components he also had set a difference of 2,25 points between Sui / Han and the next ranked pair. Such a tendency has not been supported by any other judge nor through the result. The Alleged Offender was the only judge, who awarded the Chinese couple Sui / Han the first place.

With the decisions of GOE and Program Component scores, the Alleged Offender shows a clear bias for the Chinese couples.

The Respondent challenges the evaluation method of the complaint, submitting that the correct evaluation method should be evaluating deviation points from judges in accordance with ISU Communication 2098.

The scales of values should be converted to actual points according to ISU Communication 2098 First Part. The Respondent presents the following charts for the Short Program and Free Program:

Skater Short Program	Complainant's Total GOE Results	Respondent's Total GOE Results
SUI Wenjing / HAN Cong	21	13.5
TARASOVA Evgenia / MOROZOV Vladimir	16	10.4
DUHAMEL Meagan / RADFORD Eric	9	5.5
SAVCHENKO Aljona / MASSOT Bruno	10	7.2
YU Xiaoyu / ZHANG Hao	18	11.6
JAMES Vanessa / CIPRES Morgan	14	8.6

Skater Free Skating Total GOE	Respondent's Figures	Complainant's Figures
SAVCHENKO Aljona / MASSOT Bruno	17	26
SUI Wenjing / HAN Cong	17.7	27

But even the calculation method of the Respondent shows the same preferences for the Chinese couples. In the Short Program the Respondent calculates a GOE Result of 13,5 for the couple Sui / Han, which is the highest result, and the second highest GOE result of 11,6 for the Chinese couple Yu/Zhang.

In the Free Skating Program, the Respondent calculates a GOE of 17,7 points for Sui / Han and 17 points for Savchenko / Massot, which means that even with another calculation method the Alleged Offender has placed the Chinese couple in front of Savchenko / Massot.

The Panel finds that the calculation method of the Complainant as well as the method of the Respondent both prove the preference of the Chinese couples and the alleged bias.

The respondent requests that the Referee, OAC officials who were at the competition, Technical Committee Members, Sports Director, Legal Advisor and Vice President of ISU in charge of skating testify at a hearing. The testimonies are submitted to assist the Respondent in understanding how ISU scoring and disciplinary procedures function and how the decision-making process works, in order to better protect the statutory rights of Respondent.

The Panel has neither set up a hearing nor summoned the ISU Officials to testify. The Panel finds that the decisive facts are proven by the official protocol of the Pair Skating Event at the Olympic Winter Games 2018. The marks which the Alleged Offender has given are uncontested. No testimony of an ISU Official and no witness can overrule the Official Protocol of the Pairs event.

For the same reason the Panel did not review the video footage of the pairs event, which the Complainant and the Respondent offered as evidence. According to the “field of play doctrine” the Panel refrained from evaluating the performances of the skaters and the marks the judges had given. The Panel has established the decision only in reference to the Official Protocol and the marks of the Alleged Offender.

Thus, the Alleged Offender has violated Rule 430 of the Special Regulations for Single and Pair Skating 2016 and the Code of Ethics 2017.

The Panel imposes a sanction on the Alleged Offender in accordance with Article 25 paragraph 9.a) iii) of the ISU Constitution 2016. In doing so the Panel takes into consideration that the Alleged Offender has received a “Letter of warning” from the OAC Commission for “national bias” in January 2018, only one month prior to the Olympic Winter Games. By showing obvious and systematic bias the Alleged Offender has committed one of the most serious ethical offences a judge can be accused of. The seriousness of his misconduct is aggravated by the fact that it was committed at the Olympic Winter Games, the doubtlessly most important and prestigious competition that exists in Figure Skating. Both, the biased judging at the Grand Prix Final in December 2017 and the biased judging at the Winter Olympics in February 2018 show a clear support for the two Chinese Pairs without any objective reasons either in elements and in components. Thus, a suspension for one year in his function as ISU Judge is reasonable.

VI. Decision

1. Mr. Huang Feng has violated Rule 430 General e) and f) of ISU Special Regulations & Technical Rules Single and Pair Skating and Ice Dance 2016 and the Code of Ethics 2017.
2. Mr. Huang Feng is suspended in his function as ISU Judge for Ice Dance and Single & Pair Skating and International Referee for Single and Pair Skating for one year, starting on the date of this decision.
3. All parties bear their own costs.
4. All other motions are dismissed.



Volker Waldeck



Dr. Allan Böhm



Susan Petricevic

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 Paragraph 12 and Article 26 of the ISU Constitution 2016.