



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

CAS 2025/A/11220 Evangelia Trikomiti & European Gymnastics v. Gymnastics Ethics Foundation

ARBITRAL AWARD

delivered by the

COURT OF ARBITRATION FOR SPORT

sitting in the following composition:

President: Dr Heiner Kahlert, Attorney-at-law, Munich, Germany
Arbitrators: Dr Despina Mavromati, Attorney-at-law, Lausanne, Switzerland
Mr Romano F. Subiotto KC, Solicitor-Advocate, London, United Kingdom
Clerk: Ms Stéphanie De Dycker, Clerk with the CAS, Lausanne, Switzerland

in the arbitration between

Evangelia Trikomiti, Cyprus

Represented by Ms Michelle Duncan and Mr Stephen Karori, Attorneys-at-law, Joseph Hage Aaronson LLP, London, United Kingdom, and by Mr Nick De Marco KC and Mr Luka Krsjanin, Barristers, Blackstone Chambers, London, United Kingdom

First Appellant

European Gymnastics, Lausanne, Switzerland

Represented by Mr Stefan Pfister, Attorney-at-law, Freiermuth Studer Rechtsanwälte, Zofingen, Switzerland

Second Appellant

and

Gymnastics Ethics Foundation

Represented by Mr Sébastien Besson and Mr Patrick Pithon, Attorneys-at-law, Lévy Kaufmann-Kohler, Geneva, Switzerland

Respondent

I. PARTIES

1. Ms Evangelia Trikomiti (the “First Appellant” or “Ms Trikomiti”) is a gymnastics judge from Cyprus, who, at the time of the relevant facts, was also serving as the President of the Rhythmic Gymnastics Technical Committee of European Gymnastics.
2. European Gymnastics (the “Second Appellant” or “EG”) is recognised as the Continental Union for Europe by the Fédération Internationale de Gymnastique (“FIG”), which in turn is the world governing body for gymnastics. EG is a non-profit association established under Swiss law with its seat in Lausanne, Switzerland.
3. The Gymnastics Ethics Foundation (the “Respondent or “GEF”) is a non-profit foundation under Swiss law established by the FIG, with its seat in Lausanne, Switzerland.
4. The First Appellant and the Second Appellant are jointly referred to as the “Appellants”. The Appellants and the Respondent are jointly referred to as the “Parties”.

II. FACTUAL BACKGROUND

A. Introduction

5. The present appeal was brought by Ms Trikomiti and EG against a decision rendered on 6 February 2025 (the “Decision”) by the Disciplinary Commission of the GEF (the “DC”). According to the Decision, Ms Trikomiti manipulated scores at the 2024 Rhythmic Gymnastics European Championships (the “RGEC”) by unduly interfering with the judges’ scoring. As a result, she was declared ineligible for a period of four years for all gymnastics-related activities. Moreover, her FIG Judge Brevet was annulled. EG, in turn, was held responsible for the offence committed by Ms Trikomiti and was ordered to pay a contribution to GEF’s investigative costs.
6. Below is a summary of the relevant facts based on the Parties’ submissions (this term including oral pleadings and evidence adduced). Additional facts may be set out, where relevant, in connection with the legal discussion that follows. While the Panel has considered all facts transpiring from the Parties’ submissions in the present proceeding, it refers in this award (the “Award”) only to the facts it considers necessary to explain its reasoning.

B. Rhythmic Gymnastics

7. Rhythmic Gymnastics (“RG”) is one of the eight gymnastics disciplines governed by the FIG. For individual gymnasts, RG is composed of four routines. Each of those routines bears the name of the apparatus used by the gymnast to perform the routine, namely Hoop, Ball, Clubs and Ribbon.

C. Judging Mechanism at the RGEC

8. It is common ground between the Parties that judging at the RGEC was governed by the FIG Technical Regulations and the FIG Code of Points, including its Appendix. It is undisputed that, based on those regulations, the judging at the RGEC was to be conducted as follows:

9. For each of the four routines, i.e., Hoop, Ball, Clubs and Ribbon, a separate score is given to the gymnast. That score is the sum of three different score components, namely Difficulty (“D”), Artistry (“A”) and Execution (“E”). The Difficulty score, in turn, is the sum of two sub-components, namely Difficulty Body (“DB”) and Difficulty Apparatus (“DA”). The scores for the four routines are then added to form the gymnast’s overall score for the relevant stage of the competition. While, in certain cases, a gymnast may perform only three of the above-mentioned routines, or only the scores of the gymnast’s best three routines will form the final scores, this is not relevant to the present case.
10. The above-mentioned scores are given, primarily, by the Judges’ Panel (the “JP”). According to Article 3.3 of the FIG Code of Points, the JP is composed of 12 judges: two DB judges (entering a common DB score), two DA judges (entering a common DA score), four A judges (scoring individually, with the lowest and highest score being eliminated and the remaining two being averaged to yield the A score) and four E judges (same calculation method as for the A score applies).
11. However, to reduce the risk of any “grave error of judgment” (Article 7.8.1(2) of the FIG Technical Regulations), there is also a Superior Jury (the “SJ”) in place, which consists of eight persons: The SJ President, the SJ Secretary, two SJ members for DB (each of them being responsible for two of the four routines), two SJ members for DA (each of them being responsible for two of the four routines), one SJ member for A one SJ member for E. Pursuant to Article 7.8.1 of the FIG Technical Regulations, the President of the RG Technical Committee of EG (the “TC”) acts as SJ President, while the other positions on the SJ are filled with other TC members or other judges approved by the FIG. According to the same provision, the SJ President assigns each SJ member his/her specific role on the SJ.
12. After each gymnast’s performance, the JP members enter their scores individually in the electronic scoring system, named SmartScoring, using personal consoles. In parallel, the SJ members do the same. While the SJ President and SJ Secretary do not enter any scores themselves, they usually judge the routines for themselves to be prepared in case of any blocked scores (see on this concept para. 15 below).
13. The JP and SJ members enter their scores into the SmartScoring System as follows: First, they type in the score. Thereafter, they press a “submit” button. Subsequently, they have the choice between pressing a “confirm” button (in which case the score will be entered into the system) or a “cancel” button (in which case they are taken back to the first step and may type in the score again). Accordingly, before pressing the “confirm” button, the JP/SJ members can change their score. By contrast, once the “confirm” button is pressed, the score is locked and can only be unlocked by the SmartScoring staff, who will do so only upon instruction by the SJ President.
14. JP and SJ members enter their scores ‘blindly’, i.e., they do not see on their screens the scores of any other JP or SJ members. By contrast, the SJ President and the SJ Secretary see on their screens every score entered by all JP and SJ members in real time. The other SJ members see the scores of the JP only once all JP and SJ scores have been entered.
15. The score given by the JP for any given routine is final, unless the difference between the JP’s score and the SJ’s score for DA, DB, E and/or A exceeds a certain threshold specified in the

Appendix to the FIG Code of Points. For DB, which is the relevant score component in this case, the threshold is 0.5 points. If the applicable threshold is exceeded, the JP's score for the relevant score component(s) will be automatically blocked by the SmartScoring system. In respect of the handling of blocked scores, Article 1.3(2) of the Appendix to the FIG Code of Points provides the following (using the term “*intervention*” instead of “*block*”, arguably because the same provision applies also to competitions in which the electronic blocking system is not used):

„In case of an intervention, the President of the Superior Jury must contact the judges concerned and inform them of the score given by the Supervisor [i.e., the relevant SJ member]. The judges have the choice to change their score. In case judges decide not to change the score, the President of the Superior Jury may overrule them”.

16. The procedure of resolving blocked scores was further described as follows in an e-mail sent by the FIG's Sports Event Manager, Ms Martinet, to EG's General Director, Ms Worthmann, prior to the RGEC:

“[T]he President of the Superior Jury must review and judge the routine. This is mandatory. Then, according to the score she has, she decides which score(s) must be changed. It can be the score of the Superior Jury member or the score of 1, 2, 3 or 4 judges”.

17. Requests by the SJ President to JP or SJ members to change their scores in order to resolve the block are made through the SmartScoring system. To this end, the SJ President will instruct SmartScoring staff to send a message that will appear on the relevant JP/SJ member's screen, and that will request them to change their score to the score indicated on their screen. If the JP/SJ member does not react, SmartScoring staff will need to walk over (on instruction of the SJ President) and change the score themselves on the relevant JP/SJ member's console.

18. The score will be published on the electronic scoreboard, if the score is no longer blocked. A national member federation may file an inquiry with the SJ President within a certain time period, pursuant to Article 8.5 of the FIG Technical Regulations, if it disagrees with the DA and/or DB score(s) given. The SJ will then assess the inquiry and change the score, if it agrees that the inquiry is justified. The score is final once any inquiries have been dealt with.

D. Events at the RGEC

19. The RGEC took place in Budapest from 23 to 26 May 2024. It was composed of different competitions, including the Senior Individuals Qualifications, which were held on 23 May 2024 (Hoop and Ball) and on 24 May 2024 (Clubs and Ribbon). This was the last opportunity for the competing gymnasts to qualify for the 2024 Olympic Games in Paris. The main contenders for the Olympic quota were Ms Liliana Lewinska from Poland, Ms Panagiota Lytra from Greece and Ms Vera Tugolukova from Cyprus (jointly the “Contenders”).

20. Being the TC President at the time, Ms Trikomiti served as the SJ President. Moreover, she had informed Ms Elena Aliprandi (Italy, TC Vice-President at the time) some time before the RGEC that she would be acting as SJ Secretary. On 20 May 2024, at a TC meeting in Budapest, Ms Trikomiti assigned the other roles on the SJ as follows:

- Ms Hristiana Todorova (Bulgaria, TC member): SJ member for DB (Hoop and Clubs)
- Ms Alexandra Piscupescu (Romania, TC member at the time): SJ member for DB (Ball and Ribbon)
- Ms Isabelle De Cossio (France, TC member): SJ member for DA (Hoop and Clubs)
- Ms Eliso Bedoshvili (Georgia, TC member at the time, now ad-interim TC President): SJ member for DA (Ball and Ribbon)
- Ms Milena Reljin Tatic (Croatia): SJ member for E
- Ms Talia Abduramanova (Uzbekistan): SJ member for A

21. When judging during the RGEC, all SJ members were sitting in the same row next to each other, together with two staff members from SmartScoring. To Ms Trikomiti's left were (in that order) Ms Aliprandi, Ms Bedoshvili and Ms De Cossio. To her right were the two SmartScoring staff members, Ms Todorova, Ms Piscupescu, Ms Reljin Tatic and Ms Abduramanova (again in that order). It is undisputed that the two SmartScoring staff members were not always sitting in their seats during the competition. The JP members, in turn, were sitting in the two rows in front of the SJ, each of which was 30cm lower than the previous row.

22. After Ms Lytra's Ball routine in the morning of 23 May 2024, the JP gave a DB score of 10.0. Ms Piscupescu, being the SJ member in charge of DB for the Ball routine, initially gave a 9.5. However, 1:55 minutes after that initial score, she changed her score to 9.0. As this second score created a difference in score between the JP and the SJ of more than 0.5, the JP score was automatically blocked. The relevant JP judges then received the message "*MESSAGE FROM PSJ: INPUT: 9.0*" on their screens and entered that score, which became the final DB score for Ms Lytra's Ball routine.

23. After Ms Lewinska's Ball routine in the afternoon of 23 May 2024, all four score components (E, A, DA and DB) were automatically blocked due to the differences in score between the JP and the SJ. For each score component, the SJ had given a lower score than the JP. In respect of the DB score specifically, the JP had given 11.4. On the SJ level, Ms Piscupescu had initially given 10.3, which however she changed 5 seconds later to 10.4; another 48 seconds later, she changed the score to 10.6. As a result of an inquiry, the DB score was subsequently changed to 10.8.

24. At the end of the Senior Individuals Qualifications, the final scores of the Contenders were as follows:

- (i) Ms Tugolukova (Cyprus): 130.55
- (ii) Ms Lewinska (Poland): 130.30
- (iii) Ms Lytra (Greece): 117.35.

25. The Olympic quota was therefore granted to Ms Tugolukova.

E. Events after the RGEC

26. Between 28 May 2024 and 20 June 2024, Ms Anna Mrozińska, Ms Tina Carlsen Ahlquist and Ms Orane Suter (all JP members at the RGEC), Ms Aliprandi, Ms De Cossio, Ms Piscupescu and Ms Marie Moltubakk (a member of the FIG's RG Technical Committee who attended the RGEC as a guest) each separately contacted the GEF to report their concerns about possible score manipulation at the RGEC.
27. On 3 June 2024, the Polish Gymnastics Association (the “PGA”) filed an official complaint to the GEF requesting it to (i) initiate proceedings to verify the scores, (ii) suspend Ms Trikomiti temporarily, and (iii) hear all persons who served as JP members on 23 May 2024.
28. During the first week of June 2024, the GEF held a series of interviews by videoconference, including with Ms Piscupescu on 3 June 2024 and with Ms Aliprandi on 6 June 2024. On 13 June 2024, the GEF invited Ms Trikomiti to attend a videoconference to present her position regarding the alleged incidents that occurred during the RGEC. Although Ms Trikomiti did not participate in the meeting, she submitted written comments. On 1 July 2024, the GEF invited Ms Abduramanova, Ms Reljin Tatic and Ms Todorova to participate in a videoconference to express their views on the allegations of score manipulation. Each of them informed the GEF that they were unavailable for a videoconference, but that they would be willing to respond to questions in writing. On 4 July 2024, Ms Todorova submitted her written responses to the questions asked by the GEF.
29. Likewise in June and July 2024, interviews were also conducted by EG, including with Ms Trikomiti, Ms Aliprandi, Ms Piscupescu, Ms Todorova, Ms Abduramanova, Ms Reljin Tatic, Ms Bedoshvili, Ms De Cossio and two staff members from SmartScoring.
30. On 17 June 2024, Ms Trikomiti, Ms Aliprandi, Ms Bedoshvili, Ms De Cossio, Ms Todorova and Ms Piscupescu met virtually, upon request of EG, for a re-judging of the RGEC routines of Ms Lewinska and Ms Tugolukova (the “TC Review”). According to the TC Review, the final score for Ms Lewinska should have been 123.00 points (actual score at the RGEC: 130.30), while the score of Ms Tugolukova should have been 128.8 (actual score at the RGEC: 130.55).
31. In parallel, the FIG commissioned a group of experts to perform a review of the routines at the RGEC and the given scores (the “FIG Review”). The FIG has kept the identity of the experts confidential, but has confirmed that none of them was judging at the RGEC. On 24 July 2024, the FIG disclosed to the GEF a report (the “FIG Report”) that was based on the FIG Review, but was limited to a review of the scores obtained by Ms Lewinska and Ms Tugolukova. According to that report, the score of Ms Lewinska should have been 128.70, while the score of Ms Tugolukova should have been 122.60.
32. On 12 September 2024, following a request by the DC, the FIG also disclosed a spreadsheet showing the individual scores that each expert participating in the FIG Review gave to each of the 20 gymnasts for whom the FIG Review was conducted.

F. Proceedings before the Disciplinary Commission of the Gymnastics Ethics Foundation

33. On 23 July 2024, the GEF served a notice of charge and a request for provisional measures on Ms Trikomiti and EG based on alleged score manipulation by Ms Trikomiti at the RGEC.
34. On 7 August 2024, a 30-day suspension was imposed upon Ms Trikomiti pending the outcome of the disciplinary proceedings.
35. On 13 and 14 December 2024, the DC held a hearing on the merits.
36. On 6 February 2025, the DC issued the Decision, the operative part of which reads as follows:
 - “1. *Ms. Evangelia Trikomiti has been found guilty of breaking the FIG Code of Ethics, FIG Code of Conduct, the FIG General Judges’ Rules and the Judge’s Oath by manipulating the scores of the 2024 Rhythmic Gymnastics European Championships.*
 2. *Ms. Evangelia Trikomiti is declared ineligible for a period of 4 years of all gymnastics related activities excluding coaching activities, starting on the date of notification of this decision. The period of provisional suspension (30 days) shall be deducted from this period. Ms. Evangelia Trikomiti’s FIG Judge Brevet is annulled.*
 3. *European Gymnastics is held responsible for the offence committed by Ms. Evangelia Trikomiti pursuant to art. 4 of the FIG Code of Discipline.*
 4. *European Gymnastics is ordered the payment of €8,000 for the reimbursement of the GEF’s investigative costs.*
 5. *All other motions or prayers for relief are dismissed*”.

III. PROCEEDINGS BEFORE THE COURT OF ARBITRATION FOR SPORT

37. On 27 February 2025, the Appellants filed an appeal against the Decision before the Court of Arbitration for Sport (the “CAS”) and submitted their Statement of Appeal pursuant to Article R48 of the Code of Sports-related Arbitration (2023 edition) (the “CAS Code”). In their Statement of Appeal, the Appellants nominated Dr Despina Mavromati, Attorney-at-law in Lausanne, Switzerland, as arbitrator.
38. On 28 February 2025, the CAS Court Office informed the Parties that the present arbitration proceedings had been assigned to the Appeals Arbitration Division of the CAS and invited the Appellants to file their Appeal Brief within the prescribed time limit and the Respondent to nominate an arbitrator.
39. On 14 March 2025, the Respondent appointed Mr Romano F. Subiotto KC, Solicitor-Advocate in London, United Kingdom, as arbitrator.
40. On 24 March 2025, within the agreed time limit, the Appellants filed their Appeal Brief with the CAS Court Office, including requests to order the production of “*the full records of the scores awarded by the FIG experts on the FIG Review*” as well as of any notes taken of the

GEF's initial interviews in this matter.

41. On 9 May 2025, within the agreed time limit, the Respondent filed its Answer with the CAS Court Office.
42. On 14 May 2025, the CAS Court Office informed the Parties that the Panel appointed to decide the present procedure was constituted as follows:

President: Dr Heiner Kahlert, Attorney-at-law in Munich, Germany

Arbitrators: Dr Despina Mavromati, Attorney-at-law in Lausanne, Switzerland

Mr Romano F. Subiotto KC, Solicitor-Advocate in London, United Kingdom

The CAS Court Office also informed the Parties that Ms Stéphanie De Dycker, Clerk with the CAS, would assist the Panel in the present matter.

43. On the same day, the CAS Court Office also invited the Parties to indicate whether they preferred a hearing to be held in this matter or for the Panel to issue an award based solely on the Parties' written submissions and whether they requested a case management conference ("CMC") with the Panel to discuss procedural issues.
44. On 21 May 2025, the Appellants informed the CAS Court Office that they considered that a hearing was necessary but that a CMC was not. The Appellants further requested for leave to file a Reply limited to the new legal and factual issues raised by the Respondent in its Answer.
45. On the same day, the Respondent informed the CAS Court Office that it considered that a hearing in this matter was necessary but that a CMC was not.
46. On 22 May 2025, the CAS Court Office informed the Parties that the Panel considered it useful to convene a CMC in order to discuss the organisation of the hearing and the various evidentiary requests submitted by the Parties, and consulted the Parties on possible dates for such CMC; furthermore, the CAS Court Office invited the Respondent to comment on the Appellants' request for leave to file a Reply as set out in the letter dated 21 May 2025 as well as on the Appellants' requests for disclosure contained in the Appeal Brief.
47. On 28 May 2025, upon receipt of the Parties' availabilities, the CAS Court Office informed the Parties that a CMC would be held on 6 June 2025 and invited the Parties to submit a jointly agreed hearing schedule, which would be discussed during the CMC.
48. On 30 May 2025, the Respondent filed its comments with respect to (i) the Appellants' request for leave to file a Reply and (ii) the Appellants' requests for document production.
49. On 5 June 2025, the Respondent informed the CAS Court Office that the Parties had been unable to agree on all aspects of a hearing schedule in this matter and made some proposals as to the overall structure of the hearing.
50. On 6 June 2025, the Appellants informed the CAS Court Office that the Parties had been unable to agree on all aspects of a hearing schedule in this matter and communicated their own proposal.

51. On 6 June 2025, the Panel held a CMC by videoconference in the presence of the Parties' counsels.
52. On 11 June 2025, following the CMC, the CAS Court Office informed the Parties that the Panel had decided to dismiss the Appellants' request to order the production of "*the full records of the scores awarded by the FIG experts on the FIG Review*", but to accept the Appellants' request to order the GEF to produce any notes taken of its initial interviews with Ms Aliprandi and Ms Piscupescu, indicating that the reasons for the Panel's decisions on the evidentiary requests would be provided in the Award. In addition, the CAS Court Office informed the Parties that the Panel had decided to allow the Appellants to file a concise Reply strictly limited to any matters of fact and law raised for the first time in the Respondent's Answer, and that the Respondent would be granted an opportunity to file a Rejoinder, strictly limited to the contents of the Reply. Finally, the Panel consulted the Parties on possible hearing dates.
53. On 20 June 2025, the Appellants filed their Reply with the CAS Court Office as well as the list of witnesses they proposed to call to give evidence.
54. On the same day, the Respondent filed the notes from its initial interviews with Ms Aliprandi and Ms Piscupescu.
55. On 4 July 2025, the Respondent filed its Rejoinder with the CAS Court Office.
56. On 24 July 2025, after having consulted the Parties, the CAS Court Office informed the Parties that a hearing would be held on 25 and 26 September 2025 at the CAS Court Office and by videoconference for the persons who were required to attend remotely. The CAS Court Office also invited the Parties to communicate the names of all persons who would be attending the hearing, specifying whether they would attend in person or remotely.
57. On 28 July 2025, the CAS Court Office provided the Parties with a tentative hearing schedule inviting them to provide their comments within a specified time limit, which both Parties did on 4, 6 and 12 August 2025.
58. On 7 August 2025, the Respondent as well as the Appellants provided the names and contact details of their respective hearing attendees.
59. On 15 August 2025, the CAS Court Office issued an order of procedure (the "Order of Procedure") and requested the Parties to return a completed and signed copy, which the Parties did on 22 August 2025. The CAS Court Office also communicated the updated version of the tentative hearing schedule.
60. On 25 August 2025, the PGA and Ms Lewinska filed a request for intervention pursuant to Article R41.3 of the CAS Code, alternatively a request to file an *amicus curiae* brief.
61. On 29 August 2025, the CAS Court Office invited the Parties to express their position on the request for intervention, alternatively the request to file an *amicus curiae* brief.
62. On 5 September 2025, the Appellants and the Respondent separately provided their comments as to the requests filed by the PGA and Ms Lewinska.

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63. On 9 September 2025, the CAS Court Office informed the Parties that the Panel had decided to dismiss the request for intervention filed by the PGA and Ms Lewinska, explaining that *“the Panel does not find it established that the latter are bound to the arbitration agreement and have the requisite direct legal interest in participating in this arbitration”*. The CAS Court Office letter further explained that the Panel had decided to dismiss the PGA and Ms Lewinska’s request for leave to file an *amicus curiae* brief, and their request that the case file of *CAS 2024/A/10684* be added to the record of the present procedure, based on the fact that *“[c]onsidering also that a hearing is scheduled to be held in approximately two weeks, each of those requests, if upheld, would adversely affect procedural economy”* and that there was no evidence that *“such effects would be outweighed by any other benefits that an *amicus curiae* brief or the addition of the case file from *CAS 2024/A/10684* may have”*.
64. On 22 September 2025, the Appellants filed with the CAS Court Office three hearing bundles for use at the hearing.
65. On 23 September 2025, the Respondent objected to the hearing bundles being added to the case file.
66. On 24 September 2025, the CAS Court Office informed the Parties that the Appellants’ hearing bundles filed on 22 September 2025 were inadmissible and that the reasons for this decision would be detailed in the Award.
67. On 25 and 26 September 2025, a hearing was held at the headquarters of the CAS in Lausanne, Switzerland. In addition to the members of the Panel, Ms Amelia Moore, CAS Counsel, and Ms Stéphanie De Dycker, CAS Clerk, the following persons attended the hearing:
68. For the Appellants: Ms Lisa Worthmann, EG General Director [in person]
Mr Tom Thingvold, EG Vice President [in person]
Ms Evangelia Trikomiti, First Appellant [in person]
Mr Nick De Marco KC, Counsel [in person]
Mr Luka Krsljanin, Counsel [in person]
Ms Michelle Duncan, Counsel [in person]
Mr Stephen Karori, Counsel [in person]
Mr Stefan Pfister, Counsel [in person]
Ms Hristiana Todorova, Witness [in person]
Ms Eliso Bedoshvili, Witness [by videoconference]
Ms Natalia Frolova, Interpreter [by videoconference]
- For the Respondent: Mr Simon Geinoz, GEF Acting Director [in person]
Mr Sébastien Besson, Counsel [in person]
Mr Patrick Pithon, Counsel [in person]
Ms Elena Aliprandi, Witness [by videoconference]
Ms Alexandra Piscupescu, Witness [in person]
Ms Orane Suter, Witness [by videoconference]
Ms Giorgio Donà, Interpreter [by videoconference]
69. At the outset of the hearing, the Parties confirmed that they had no objections as to the constitution of the Panel or to the procedure adopted up to that point.

70. At the hearing, the Panel heard evidence from Ms Trikomiti as well as from the above-listed witnesses. Before taking their evidence, the President of the Panel admonished Ms Trikomiti and each of the witnesses that they were obliged to tell the truth subject to sanctions of perjury under Swiss law. The Parties had the opportunity to examine, respectively cross-examine, Ms Trikomiti and each witness, with a further opportunity for re-direct, respectively re-cross.

71. At the end of the hearing, the Parties confirmed that they were satisfied with the procedure throughout the hearing, and that their right to be heard and to be treated equally had been fully respected.

IV. POSITION OF THE PARTIES AND REQUESTS FOR RELIEF

72. The aim of this section of the Award is to provide a summary, rather than a comprehensive list, of the Parties' main arguments. However, the Panel confirms that in deciding this case, it has carefully considered all submissions made, regardless of whether there is any specific reference to them in this Award.

A. The Appellants

73. In their Appeal Brief, the Appellants requested the following relief:

- “i. *To set aside the Decision and therefore to dismiss the charges brought by GEF by way of Notice of Charges dated 23 July 2024 against Ms. Trikomiti and EG;*
- ii. *To order that GEF shall bear the costs of this Appeal proceeding; and*
- iii. *To order GEF to contribute to the Second Appellants' legal fees and other expenses related to this Appeal”.*

74. The Appellants' submissions, in essence, may be summarised as follows:

1. Liability

75. The CAS Panel shall review the case *de novo*, including with respect to fact-finding as there is, under Article R57 of the CAS Code, no requirement of deference with respect to witness credibility. The ‘caution’ principle only engages with respect to issues of witness credibility where the first-instance body had an opportunity to hear from witnesses but the CAS does not, which is not at all the case in the present proceedings.

76. The testimonies of the witnesses called by the Appellants clearly contradict the conclusions of the DC. In particular, they testified on the events before the RGEC as follows:

- Ms Trikomiti informed Ms Aliprandi before the start of the RGEC that she would recuse herself from the judging or decisions under scrutiny and that Ms Aliprandi would be in charge of overseeing the judging and any blocking in respect of the Contenders. Mr Thingvold, Vice-President of EG and President of the Jury of Appeal at the RGEC, confirmed that Ms Trikomiti recused herself from judging Ms Tugolukova. Ms Todorova confirmed that Ms Trikomiti did not judge either of Ms Lewinska or Ms Tugolukova, and

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that she had said at various points that she would not judge them. Ms Bedoshvili confirmed that Ms Trikomiti was not judging when Ms Lewinska performed.

- Ms Bedoshvili, Ms Todorova, Ms Vilyayeva and Ms Nicolaeva confirmed that, before the start of the competition, the members of the SJ and of the JP met and reviewed video footage of the gymnasts but that no gymnast was singled out.
- Ms Bedoshvili confirmed that at the meeting with the members of the SJ and the JP prior to the competition, Ms Trikomiti said that in case of blocking “*in order to avoid a delay to the competition she hoped that the judges would change their score if they were asked to do so*”.
- Ms Abduramanova confirmed that “*no one, including Ms Trikomiti, spoke to [her] either before or during the competition about the scores for any gymnast*” and that she “*was not put under any pressure or asked to give a particular score for any gymnast, including [...] [Ms] Lewinska*”. Ms Reljin Tatic confirmed that nobody asked her before the competition to give particular scores to any particular gymnast.
- Ms Trikomiti confirmed that Ms Tugolukova trains in her daughter’s club, which however is the only club in Cyprus with elite level facilities.

77. The testimony of the Appellants’ witnesses on the events during the RGEC includes, in particular, the following:

- Ms Trikomiti explained that it would have been impossible for her to speak to Ms Piscupescu and Ms Todorova as they were seated away from her. Ms Todorova confirmed the same. Ms Bedoshvili also confirmed that she did not see Ms Trikomiti talking to JP members during the competition.
- Ms Reljin Tatic confirmed that she judged freely and independently. She received messages through the SmartScoring system in relation to any request to change a score as a result of blocking.
- Ms Nicolaeva confirmed that she was not put under any pressure by Ms Trikomiti, and that she did not observe Ms Trikomiti putting pressure on anybody else. Rather, she observed that Ms Trikomiti was neutral, professional and independent.
- Ms Abduramanova explained that, in relation to Ms Lewinska’s Ball routine, she raised her score to 7.60 following a prompt message from the SmartScoring system. She was not otherwise asked or influenced to change her score, whether by Ms Trikomiti or otherwise.
- Ms Todorova explained that Ms Piscupescu entered her score for Ms Lewinska in relation to the DB for Ball, without any interruption or interference, and that the blocks in relation to these scores were dealt with in the routine way, according to the usual process, with no one asking either her or Ms Piscupescu to alter their scores.
- Ms Shaliyeva from SmartScoring confirmed that Ms Piscupescu entered the following scores for DB on Ball for Ms Lewinska: 10.3, 10.4, 10.6. This means that the scores increased, contradicting the GEF’s case that Ms Piscupescu was forced to decrease her score. The first change in the DB score, from 10.3 to 10.4, occurred within 5 seconds, and is more likely the result of a modification entered in the SmartScoring system before the

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score was even confirmed in the system. The second change, from 10.4 to 10.6, is inconsistent with an artificial attempt to create a block since already the score of 10.4 would have triggered the block.

- Ms Worthmann, the General Director of EG, attended the RGEC to ensure that it was smoothly run. She confirmed that she observed no contravention of any applicable FIG rules or EG rules and that the blocking system was applied and used properly. Mr Thingvold equally confirmed that he had no reason to suspect that anything unusual was happening with the scoring.

78. In respect of the events after the RGEC, the Appellants' witnesses testified, in particular, as follows:

- Ms Worthmann confirmed that in June 2024, she and other senior members of EG personally interviewed each member of the SJ and that her interview notes confirm that every member of the SJ considered that correct procedures were followed and that correct scores were applied. In particular, Ms Aliprandi and Ms Piscupescu did not make any of the allegations which they make in the present proceeding.
- Mr Boutard and Ms Kolar, Vice-Presidents of EG, confirmed that Ms Worthmann's interview notes were accurate.

79. The evidence given by the witnesses called by the GEF, by contrast, shows numerous flaws, which seriously undermines its reliability. In particular:

- Ms Aliprandi's first interview with EG blatantly contradicts the allegations she subsequently made. Moreover, at the hearing, Ms Aliprandi testified that Ms Trikomiti requested Ms Piscupescu to lower the score for DB in relation to Ms Lewinska's Ball routine, which is contradicted by the undisputed fact that the score for DB went up, not down.
- Ms Piscupescu's evidence against Ms Trikomiti must be approached with circumspection given that, in 2012, Ms Piscupescu lost against Ms Trikomiti's daughter in a competition for a qualification quota for the 2012 Olympic Games in London. At the final competition at the same event, Ms Piscupescu wore a black armband in protest against the decision. Moreover, in a TV interview with Ms Piscupescu and her coach, the latter asserted, *inter alia*, that the father of Ms Trikomiti's daughter “*had bought the place at the Olympics*”.
- In addition, Ms Piscupescu did not mention in her first interview conducted by EG any of the allegations she made before the GEF and the DC. Moreover, Ms Piscupescu's testimony that, at a TC meeting before the start of the RGEC, Ms Trikomiti openly “*made it clear that she wished for the cypriot gymnast to take the Olympic quota*”, is inherently implausible. It is, in any event, not supported by any other witness. Furthermore, with respect to Ms Lewinska's performance, Ms Piscupescu has a biased view that Ms Lewinska's performances on the Qualification days of the RGEC were “*very underscored*” whereas the FIG Report considered that she was overscored.
- Ms Piscupescu's testimony that she was told to increase the score for Ms Lewinska's Ball routine is contradicted by Ms Aliprandi's statement according to which Ms Piscupescu was told by Ms Trikomiti to lower the score. Moreover, raising the score of Ms Lewinska's

Ball routine from 10.4 to 10.6 would not have made any sense since there was already a block with the score of 10.4.

- With respect to Ms Lytra's Ball routine, Ms Piscupescu contends that Ms Trikomiti told her to change her score before the JP had entered their own scores, whereas the screenshots from SmartScoring indicate that Ms Piscupescu entered a score of 9.5 after the JP had entered their scores, and two minutes later lowered her score to 9.0, and that she would not have seen the JP score until she had entered her first score.
- Regarding Ms Lewinska's Ribbon routine, Ms Piscupescu's allegation is that Ms Todorova instructed her to wait before handing over her score, which – even if true – would not demonstrate that Ms Trikomiti manipulated that score.
- Finally, Ms Todorova confirmed that there was no interruption, interference or influence exercised on Ms Piscupescu in relation to her scoring. Furthermore, Ms Piscupescu is not able to explain how she could have heard Ms Trikomiti given that she was seated several seats away from her, and as Ms De Cossio had testified that she was even unable to hear what Ms Aliprandi said, who was one seat away from her.

80. The Decision is also flawed for the following reasons:

- Whilst the DC acknowledged that, pursuant to Article 18 of the FIG Code of Discipline, the GEF bore the burden of proof, the actual process of reasoning of the DC in the Decision rather shows that the opposite approach was taken: by asking itself why the GEF's witnesses would lie, the DC actually devised an evidential presumption that evidence advanced by the GEF was truthful and reliable and that the burden rested on Ms Trikomiti and EG to demonstrate the opposite.
- Despite acknowledging that Ms Aliprandi's new and central allegation in oral evidence before the DC – that Ms Trikomiti stood up in the middle of the competition and loudly ordered judges to change their scores – did not happen, the DC still accepted her evidence and failed to conclude that Ms Aliprandi's entire evidence was put in doubt.
- Similarly, the DC accepted Ms Piscupescu's evidence that she had been told to reduce her scores for Ms Lewinska's Ball routine – despite this being flatly contradicted by the contemporaneous evidence of the scores, which show that Ms Piscupescu actually increased the concerned score.
- In light of the GEF's failure to articulate or substantiate the factual allegations adequately, the Decision contains no comprehensible finding of what Ms Trikomiti is alleged to have done wrong.
- The Decision errs in law by dismissing the application of the 'field of play' doctrine, which is well established in CAS jurisprudence, and according to which it was not open to the DC to review the scores awarded by the members of the JP and of the SJ at the RGEC and draw inferences from the scoring about whether the scores were right or wrong, and from those inferences then draw further inferences about whether scoring was the result of manipulation.

2. Sanctions

81. There would be no restriction to the Panel's power to review the sanction imposed on Ms Trikomiti, if Ms Trikomiti were found guilty of score manipulation at the RGEC, as the *de novo* power of review extends to the issue of sanctions.

82. It was incorrect for the DC to impose part of the GEF's investigation costs on EG. By doing so, the DC created an inadmissible strict causal liability in a context where there is no such strict liability (be it in sports law or in general civil law), especially for an international association like EG. In any event, Ms Trikomiti was not appointed by EG officials and it is her responsibility (as well as that of each member of the SJ) to ensure the correctness of the scores, not that of EG. If, in general, EG could be held (financially) responsible for any misconduct of Ms Trikomiti, EG would have exculpated itself: it has carried out thorough investigations in this matter, and it cannot therefore be said that it failed to take all the necessary and reasonable steps that could have been expected given its position and knowledge. Finally, the Decision opens the door to arbitrary decisions on the *de facto* cross-financing of the GEF if part of the investigation costs is to be borne by third parties.

B. The Respondent

83. In its Answer, the Respondent requested the following relief:

- "i. *The Appeal filed by Ms Evangelia Trikomiti and European Gymnastics and all of their prayers for relief are dismissed.*
- ii. *The Decision of the GEF Disciplinary Commission of 6 February 2025 is upheld.*
- iii. *The Appellants shall be ordered to pay a contribution towards the legal costs incurred by the GEF in connection with these proceedings*".

84. The Respondent's submissions, in essence, may be summarised as follows:

1. Liability

85. The role of the Panel is not to re-evaluate every procedural or evidentiary aspect in isolation, but rather to determine whether the findings of the first instance body are soundly based and the conclusions derived therefrom are reasonable. In this respect, CAS jurisprudence shows that CAS panels should afford a certain margin of deference to the first-instance body; hence, when reviewing the evidence, especially witness statements and testimony, the Panel should give appropriate weight to the findings of the DC on witness credibility.

86. Having seen in real time the scores entered by the JP and SJ members, Ms Trikomiti requested members of the SJ to lower their scores or to input a specific score, with the intention of triggering the block system. Once the scores were blocked, Ms Trikomiti, as President of the SJ, could request that the JP members amend their scores. This manipulation was to the detriment of Ms Lewinska and Ms Lytra, and was intended to unduly favour Ms Tugolukova. Such interference occurred on three specific occasions:

- Interference in the scoring of Ms Lytra's Ball routine: the witness statements and oral evidence from Ms Piscupescu and Ms Todorova sufficiently demonstrate that after Ms

Lytra's Ball routine, Ms Piscupescu changed her score from 9.5 to 9.0 because Ms Trikomiti instructed her to do so, thereby triggering a block of the score of the JP. As explained by Ms Shaliyeva, and corroborated by Ms Piscupescu's testimony before the DC, only Ms Trikomiti had the authority to request that the system be reopened to allow the SJ to input a new score. This is why, as Ms Piscupescu testified, Ms Trikomiti instructed the SmartScoring staff to reopen the system, and, under her pressure, Ms Piscupescu entered the new score of 9.5. Ms Todorova's contradicting statement is not reliable.

- Interference in the scoring of Ms Lewinska's Ball routine: both Ms Piscupescu and Ms Aliprandi confirm that Ms Trikomiti instructed Ms Piscupescu to change the DB score for Ms Lewinska's Ball routine. By testifying at the hearing that she was instructed by Ms Trikomiti to "*raise*" the DB score for Ms Lewinska's Ball routine, Ms Piscupescu did not contradict herself, having merely testified previously that she was instructed to "*change*" such score. Ms Aliprandi's oral statement at the hearing according to which Ms Trikomiti instructed Ms Piscupescu and Ms Todorova to "*lower*" the score was in fact a reference to the athlete's general score, which did go down from 34.7 to 32.4. In addition, the highly unusual circumstance in which all four score components for Ms Lewinska's Ball routine were simultaneously blocked strongly suggest that Ms Trikomiti interfered with other judges' scoring as well. Ms Suter, Ms De Cossio and Ms Moltubakk all confirmed that the blocking of all components of a single score was highly unusual.
- Interference in the scoring of Ms Lewinska's Ribbon routine: Ms Piscupescu understood from Ms Todorova, who was sitting closer to Ms Trikomiti, that the latter had instructed Ms Piscupescu to change the DB score initially given by Ms Piscupescu. Eventually, Ms Piscupescu entered the score that she believed was the correct one, despite Ms Trikomiti's request. Ms Moltubakk, who was a member of the TC and was observing the competition from the tribune as a spectator, confirmed that during the competition, several communications took place between Ms Trikomiti and members of the SJ before the latter entered their scores, including after Ms Lewinska's Ribbon routine. Several pictures of the jury table also confirm that it was perfectly possible for Ms Trikomiti to lean over and speak to both Ms Piscupescu and Ms Todorova.

87. While it is not necessary for the GEF to prove any motive that Ms Trikomiti might have had to manipulate scores, she did in fact have a clear motive, which is a further evidentiary element. Ms Trikomiti and Ms Tugolukova not only share the same nationality and are both affiliated with the Gymnastics Federation of Cyprus, but Ms Tugolukova is also affiliated with the gymnastics club owned by Ms Trikomiti's own daughter. Moreover, Ms Trikomiti's husband was a member of the Executive Committee of the Cyprus Olympic Committee. Consequently, Ms Trikomiti had a direct personal interest in ensuring that Ms Tugolukova secured a quota place for the Olympic Games to ensure the sporting success of the Trikomiti family.

88. In addition, as was confirmed by Ms De Cossio and Ms Piscupescu, Ms Trikomiti assigned the responsibilities of the members of the SJ at the last minute during the RGEC, whereas standard FIG practice requires assigning a specific component to each TC member well in advance. This constitutes further circumstantial evidence of Ms Trikomiti's misconduct as it

shows that Ms Trikomiti intended to create favourable conditions for interfering with the judges' scoring.

89. Ms Trikomiti exerted undue pressure on judges to ensure they complied with her instructions. Ms Suter, a member of the JP at the RGEC, confirmed that during a meeting before the start of the RGEC, Ms Trikomiti explicitly instructed the JP that, in case of blocked scores, it was necessary to enter the score requested on the screen, without discussion. This directly contradicts Article 1.3 of the Appendix to the FIG Code of Points, which clearly states that "*judges have the choice to change their score*". Ms De Cossio's, Ms Aliprandi's and Ms Piscupescu's statements all go in the same direction.
90. Numerous other witnesses present at the competition shared the belief that Ms Trikomiti manipulated the scores in favor of Ms Tugolukova. This is the case of Ms Alquist, Ms Suter and Ms Mrozinska, who were all members of the JP.
91. In doing so, Ms Trikomiti infringed Article 2(g) of the FIG Code of Ethics, the Judges and Officials FIG Code of Conduct, the FIG General Judges Rules, and the Judges' Oath.
92. The 'field of play' doctrine is irrelevant in this context: CAS is not tasked with reviewing or correcting the gymnasts' scores or the Olympic quota allocation. Instead, CAS must determine whether Ms Trikomiti violated the FIG regulations by deliberately intervening and manipulating scores at the Championships. As such, the Decision is a disciplinary one, not a 'field of play' decision. In any event, even if one were to consider that the 'field of play' doctrine applied, the present matter relates to score manipulation, which means that the scores awarded to the gymnasts are tainted, at least by fraud, thereby allowing this Panel to review such decisions despite the 'field of play' doctrine.
93. The testimonies of the witnesses called by the GEF are fully credible:
 - Ms Aliprandi confirmed her initial statement that Ms Trikomiti stood up to urge a judge to change her score. The fact that this incident was not corroborated by other witnesses who merely indicated that they did not see the incident is irrelevant. There is no reason to believe that Ms Aliprandi invented this incident.
 - Ms Piscupescu confirmed that she has no issues with Ms Trikomiti or her family. Ms Piscupescu was never subject to disciplinary proceedings after her coach's public statement regarding Ms Trikomiti's daughter's qualification for the Olympic Games in London in 2012. Since then, Ms Piscupescu has built a respected career as national coach and international judge.
 - The accuracy of Ms Worthmann's notes of EG's interviews is firmly contested by Ms De Cossio, Ms Aliprandi, and Ms Piscupescu, who never saw the notes before they were circulated. In any event, Ms Aliprandi and Ms Piscupescu have confirmed that the interviews were extremely short (approximately 3-5 minutes) and that they did not feel comfortable speaking openly to EG about what happened at the RGEC. In any event, by the time Ms De Cossio, Ms Aliprandi, and Ms Piscupescu were interviewed by Ms Worthmann, each of them had already formally reported their concerns to GEF.

94. By contrast, the testimonies of the Appellants' witnesses are unreliable as those testimonies contain multiple inconsistencies, and the witnesses were blatantly uncooperative. In particular, Ms Todorova's unquestionable compliance with Ms Trikomiti's instructions to alter the scores as well as her failure to report Ms Trikomiti's conduct to the GEF and to cooperate during the disciplinary proceedings before the DC can be explained by the fact that, as the Appellants acknowledge in their written submissions, Ms Todorova considered herself at the time of the RGEC engaged with Ms Trikomiti's son, and that in the meantime a child was born from that relationship. Before the DC, Ms Todorova nevertheless misleadingly confirmed that she was not "*officially*" engaged to anyone. Ms Trikomiti similarly indicated to the DC that Ms Todorova and her son were mere friends.

95. The FIG Report is not decisive for the outcome of the present case as the question of whether the scores given were ultimately correct is not directly relevant to the issue at hand. In any event, the FIG Report not only shows that Ms Lewinska should have gone to the Olympic Games instead of Ms Tugolukova, but it also shows that the scores would have been correct or, at the very least, aligned with the FIG Report, if the scores awarded by the JP had not been blocked. This further supports the conclusion that the SJ, led by Ms Trikomiti, unduly interfered with the scoring. It is irrelevant that the identity of the experts who performed the FIG Review is unknown.

96. The TC Review, in turn, was clearly insufficient to give any evidentiary weight to it. As Ms Aliprandi and Ms De Cossio both confirmed, the process was not conducted freely or independently.

2. Sanctions

97. The four-year ineligibility period imposed on Ms Trikomiti by the DC and the cancellation of her FIG Judge Brevet should simply be confirmed without any reassessment of their quantum, since the Appellants did not raise any arguments challenging the sanction imposed by the DC on Ms Trikomiti. It is well-established in CAS jurisprudence that panels should exercise self-restraint when reviewing the quantum of a sanction imposed by a disciplinary body in first instance, and should reassess such sanctions only where they are evidently and grossly disproportionate to the offence, or where the panel reaches a different conclusion on the merits from that of the first instance body.

98. Ms Trikomiti clearly qualifies as a judge, official and person who officiated during a competition within the meaning of Article 4 of the FIG Code of Discipline. Since it has been established that Ms Trikomiti engaged in score manipulation and committed multiple violations of FIG regulations, EG is objectively liable for her conduct in accordance with Article 4 of the FIG Code of Discipline. The sanction imposed upon EG directly arises from the application of Article 4 of the FIG Code of Discipline, in connection with Article 25(1) of the same Code and Article 24(17) of the FIG Statutes. The sanction imposed on EG is proportionate, or rather lenient.

V. JURISDICTION

99. Article R47 of the CAS Code provides as follows:

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“An appeal against the decision of a federation, association or sports-related body may be filed with CAS if the statutes or regulations of the said body so provide or if the parties have concluded a specific arbitration agreement and if the Appellant has exhausted the legal remedies available to it prior to the appeal, in accordance with the statutes or regulations of that body. [...]”.

100. The Panel notes that, on 20 February 2025, the GEF, Ms Trikomiti and EG entered into an arbitration agreement (the “Arbitration Agreement”), whose clause 3 provides that *“each Party agree that any appeal of the Decision, or any other decisions, determinations or rulings made by the Panel in the Proceedings, shall be made to the CAS only, and not to any other court or authority”* and that *“any appeal shall be made pursuant to Section C of the CAS Code (Articles R47 to R59)”*. Moreover, the Panel notes that the GEF has not disputed the jurisdiction of the CAS, which it also expressly confirmed by its signature of the Order of Procedure.
101. As a result, the Panel finds that it has jurisdiction over the present appeals proceeding.

VI. ADMISSIBILITY

102. Article R49 of the CAS Code provides as follows:

“In the absence of a time limit set in the statutes or regulations of the federation, association or sports-related body concerned, or in a previous agreement, the time limit for appeal shall be twenty-one days from the receipt of the decision appealed against. The Division President shall not initiate a procedure if the statement of appeal is, on its face, late and shall so notify the person who filed the document. When a procedure is initiated, a party may request the Division President or the President of the Panel, if a Panel has been already constituted, to terminate it if the statement of appeal is late. The Division President or the President of the Panel renders her/his decision after considering any submission made by the other parties. [...]”.

103. Moreover, according to the Arbitration Agreement, *“any appeal shall be made pursuant to Section C of the CAS Code (Articles R47 to R59)”* and *“any appeal made under this clause 3 shall be filed with CAS within 21 days from the receipt of the Decision, per Article R49 of the CAS Code”*.
104. The Panel notes that the Statement of Appeal was filed on 27 February 2025, i.e. within 21 days from the issuance of the Decision, and that the other conditions set out in Article R48 of the CAS Code are also fulfilled. The Panel therefore concludes that the present appeal is admissible.

VII. APPLICABLE LAW

105. Article R58 of the CAS Code provides as follows:

“The Panel shall decide the dispute according to the applicable regulations and, subsidiarily, to the rules of law chosen by the parties or, in the absence of such a choice, according to the law of the country in which the federation, association or sports-related body which has issued

the challenged decision is domiciled or according to the rules of law that the Panel deems appropriate. In the latter case, the Panel shall give reasons for its decision”.

107. The Panel also notes that, as per clause 3.4 of the Arbitration Agreement, “[t]he law applicable to the merits of any appeal shall be the same as the law applicable to the Proceedings pursuant to Article 1 of the FIG Code of Discipline 2021, per Article R58 of the CAS Code”.

108. The Panel further notes that Article 1 of the FIG Code of Discipline provides that:

“[...]

This Code governs all the disciplinary proceedings [...].

In the absence of a specific provision in this Code, in the WADA Code or in other disciplinary provisions of the FIG Rules, the Disciplinary Authority shall rule according to the general principles set out in this Code and according to the general principles of justice, fairness and equality. It shall apply the general principles of Swiss law, and principles acknowledged internationally.

The FIG Member Federations, gymnasts, officials (judges, coaches, medical staff and others) as well as the FIG Authorities are bound by the FIG disciplinary rules”.

109. The Panel shall therefore apply the rules and regulations of the FIG, and, in the absence of specific provisions therein, decide according to general principles of Swiss law and internationally recognised principles.

VIII. PROCEDURAL MATTERS

110. The Panel will explain in this section the decisions it took during the arbitration on certain procedural requests.

A. Appellants’ request for production of records related to the FIG Review

111. In their Appeal Brief, the Appellants requested that the Panel order the FIG to produce (or, alternatively, order the GEF to obtain from the FIG and produce) *“the full records of the scores awarded by the FIG experts on the FIG Review”*. The Appellants argued that the FIG Report undermined any case against Ms Trikomiti and that such data would allow all Parties to understand the conclusions reached in the FIG Report. In addition, the Appellants submitted that the FIG, even if not formally a party to the present arbitration, was an interested party in any proceedings under the FIG Code of Discipline pursuant to Articles 10 and 30 of the FIG Code of Discipline.

112. On 30 May 2025, the GEF objected to the Appellants’ request, noting that it had received the FIG Report, which summarised the FIG Review for the scores of Ms Lewinska and Ms Tugolukova, and adding that it was not in possession of any additional document that was not already available to the Appellants. The GEF further submitted that the Panel had no authority to compel a third party (in this case, the FIG) to produce documents or submit evidentiary measures. Moreover, the GEF argued that the Appellants already had in their possession a spreadsheet containing the raw data of the scores assigned by the expert judges to the 20 gymnasts concerned. The GEF further contended that, in any event, the Appellants had failed to demonstrate how the documents requested would be relevant for the outcome of the present

proceedings, since the question of whether the scores awarded were ultimately correct was not directly relevant to the issue at hand.

113. On 11 June 2025, following the CMC during which the above request was discussed, the Panel dismissed the Appellants' document production request.
114. Article R44.3 of the CAS Code, which applies to the present appeals procedure pursuant to Article R57 of the CAS Code, provides as follows:

"A party may request the Panel to order the other party to produce documents in its custody or under its control. The party seeking such production shall demonstrate that such documents are likely to exist and to be relevant".

115. The Panel first notes that the FIG is not a party to the present proceedings and that, as a result, the Panel has no power to order the FIG to produce documents (MAVRONATI/REEB, *The Code of the Court of Arbitration for Sport, Commentary, Cases and Materials*, 2nd ed., 2025, Article R44.3, par. 34; CAS 2012/A/2756, par. 3.12 and 3.18). Moreover, and in any event, the Appellants failed to explain why the production of "*the full records of the scores awarded by the FIG experts*" during the FIG Review were relevant to decide this case. This holds true, in particular, as both the FIG Report and the spreadsheet containing the scores given during the FIG Review are on record. As a result of the foregoing considerations, the Panel dismissed this document production request.

B. Appellants' request for production of GEF interview notes

116. Likewise in their Appeal Brief, the Appellants requested the Panel to order the production of any notes taken of the GEF's initial interviews in the present matter, noting that the testimonies of Ms Aliprandi and Ms Piscupescu during the DC hearing made it evident that such notes had been taken. The Appellants contended that such interview notes should be in the case file as the case turns on the evidence provided, in particular, by Ms Piscupescu and Ms Aliprandi, and that these witnesses changed their evidence. Moreover, the Appellants submitted that it was a matter of equality of arms to have on record the investigation notes from both sides, EG and the GEF.
117. On 30 May 2025, the GEF objected to such request, submitting that the documents requested would be irrelevant for the outcome of the present proceedings as they were internal preparatory materials used by the GEF in its initial assessment of the case and that, in any event, the relevant witnesses had each submitted a witness statement and would be available for cross-examination at the hearing.
118. On 11 June 2025, following the CMC during which the above request was discussed, the Panel granted the Appellants' document production request so far as it related to any notes taken by the GEF of its initial interviews with Ms Aliprandi and Ms Piscupescu. This decision was based on the Panel's consideration that the testimonies of Ms Aliprandi and Ms Piscupescu were of significant relevance to the case and that the Panel's assessment of their testimonies would benefit from knowing the contents of the initial testimonies given by those witnesses before the GEF, especially in view of the Appellants' argument that those witnesses had given inconsistent evidence. The Panel notes that the GEF subsequently provided the

interview notes within the time limit set by the Panel.

C. Appellants' request for admission of their hearing bundles

119. On 22 September 2025, the Appellants filed three hearing bundles with the CAS Court Office.
120. On 23 September 2025, the Respondent objected to the hearing bundles being added to the case file, arguing that (i) the renumbering of the exhibits only a few days before the hearing would create unnecessary confusion for the Panel and the witnesses; and (ii) the Appellants took this opportunity to introduce numerous new exhibits that did not form part of the record of this arbitration, without even alleging any exceptional circumstances within the meaning of Article R56 of the CAS Code.
121. On 24 September 2025, the Appellants provided their comments as to the admissibility of their hearing bundles, arguing that all the exhibits in the hearing bundles were not 'new' within the meaning of Article R56 of the CAS Code. Rather, those documents were already exhibited to the submissions before the DC and, accordingly, were in the possession of the Parties since 2024. Moreover, the documents had been referenced explicitly in the Appeal Brief. In any event, such circumstances would constitute exceptional circumstances justifying the hearing bundles being added to the case file.
122. On 24 September 2025, the CAS Court Office informed the Parties that the Appellants' hearing bundles filed on 22 September 2025 were inadmissible. The reason behind this decision was that, even if any of the documents not forming part of the record of this arbitration had been introduced in the previous instance already and even if they had been referenced in the Appeal Brief (neither of which was specifically established by the Appellants by reference to each of the documents concerned), the fact remained that the Appellants had had the opportunity to introduce those documents into the record of this arbitration during two rounds of written submissions, but had chosen not to do so. Instead, the Appellants waited until two days before the hearing to submit those new exhibits, leaving hardly enough time for the Respondent to review the bundles to prepare for whatever might happen at the hearing in relation to those documents. As the Appellants failed to provide any explanation for their decision to not introduce those documents earlier, let alone an explanation that would meet the threshold of "*exceptional circumstances*" within the meaning of Article R56 of the CAS Code, the Panel did not find it appropriate to admit the hearing bundles.

IX. MERITS

123. The Panel agrees with the Appellants that it is not entirely clear from the Decision which actions or omissions of Ms Trikomiti precisely the DC found to have been established, and to have amounted to a violation of the applicable rules. While the DC did refer specifically to certain actions, in particular Ms Trikomiti having allegedly instructed Ms Piscupescu to change her score for Ms Lytra's Ball routine (para. 81 of the Decision), it resorted elsewhere to a rather general reference to "*the core allegations*" made by Ms Aliprandi and Ms Piscupescu (para. 85 of the Decision).
124. Against this background, the Panel found the following specification in GEF's Answer useful:

“It is GEF’s case that Ms Trikomiti, having seen in real time the scores entered by the Judges’ Panel members and the members of the Superior Jury, requested certain members of the Superior Jury to lower their scores or to input a specific score, with the intention of triggering the block system. Once this was done and the scores of the Judges’ Panel members were blocked, Ms Trikomiti, acting in her capacity as President of the Superior Jury, was in a position to request that the Judges’ Panel members amend their scores. This manipulation was to the detriment of Ms Lewinska and Ms Lytra, and was intended to unduly favour Ms Tugolukova” (emphasis added).

125. The Panel does not consider that this formulation of the GEF’s case goes beyond the subject-matter of the Decision. This view seems to be shared by the Appellants, who have responded to this case at the hearing without objection. Accordingly, the Panel’s analysis of the merits will be based on the GEF’s case as formulated above. For ease of reference, the Panel will refer to the GEF’s case by adopting the ‘label’ used by the parties, namely score manipulation.
126. It is undisputed between the Parties, and the Panel has no reason to doubt, that Ms Trikomiti was, at all relevant times, bound by the FIG regulations at issue in this case, specifically the FIG Code of Discipline, the FIG General Judges’ Rules, the FIG Code of Ethics, the FIG Technical Regulations, the FIG Code of Conduct and the FIG Code of Points, including the Appendix thereto. It is likewise common ground between the Parties, and the Panel agrees, that if Ms Trikomiti engaged in score manipulation, this would amount to a violation of the following provisions:

- Article 3 of the FIG Code of Disciplinary:

“Any infringement of the Statutes, Rules and Regulations [...] as well as of the principles of integrity and sports fairness by the FIG member Federations, gymnasts, officials (judges, coaches, medical staff or others) [...] is liable to sanctions provided for by the Statutes and this Code.

These principles are infringed should someone:

- Not abide by the FIG written Statutes, rules, regulations, decisions and directives; [...]*
- Act in such a way so as to influence the course or the result of the competitions in an improper way;*
- Show unsatisfactory and/or biased judging at competitions;*

[...]" (emphasis added).

- Section 1. of the FIG General Judges’ Rules:

“Judges officiating at competitions have to:

- maintain integrity of all decisions, showing no preference or bias*

[...]

- respect the judges' oath and the FIG Code of Ethics” (emphasis added).

- **Article 2(g) of the FIG Code of Ethics:**

“*The FIG members, officials, judges and participants of FIG events are not permitted to demonstrate undue pressure or influence the vote or the direction of decisions made in the FIG, and especially must avoid any cooperation sought by influencing the work and evaluation of the judges*” (emphasis added).

- **Article 7.12.1 of Section 1 of the FIG Technical Regulations:**

“*The following oath shall be delivered by a judge in person or virtually during the opening ceremony of the World Championships, and other important international events:*

«*In the name of all the judges and officials, I promise that we shall officiate in these World Championships (or any other official FIG Event) with complete impartiality, respecting and abiding by the rules which govern them, in the true spirit of sportsmanship»*

Sporting justice, ethics and honesty are the basis of a fair judgment.

If a judge does not abide by his oath, he incurs the risk of being sanctioned as provided for by the Statutes and the Code of Discipline. The judge in question may be denounced to the GEF Disciplinary Commission by the TC. These provisions shall also be applicable to the elected members of the TCs and the Jury of Appeal who have not abided to their duty of neutrality, of respect and the application of the rules and the COP.

[...]" (emphasis added).

- **Section II(3) of the FIG Code of Conduct:**

“*The judge and the official commit to:*

• Absolute fairness, impartiality, and consistency in all judging situations.

[...]" (emphasis added).

127. What is heavily disputed between the Parties, however, is whether Ms Trikomiti did in fact manipulate any scores. Accordingly, the Panel's main task in this arbitration is to assess the evidence before it and to decide whether any score manipulation by Ms Trikomiti was established under the applicable standard of proof. For the reasons set out below, the Panel finds this to be the case (see section A. below). Moreover, the Panel finds that the sanctions imposed in the Appealed Decision on Ms Trikomiti (see section B. below) and EG (see section C. below) are lawful.

A. Score Manipulation by Ms Trikomiti

1. Burden and standard of proof

128. The GEF asserts that Ms Trikomiti violated Article 3 the FIG Code of Discipline, read in conjunction with other FIG regulations, by manipulating scores at the RGEC. Per Article 18(5) of the FIG Code of Discipline, the GEF “*shall have the burden of establishing that an infringement of this Code has occurred*”. Consequently, the GEF bears the burden of proving that Ms Trikomiti committed the violation(s) that the GEF asserts she committed.

129. According to the next sentence of the same provision, the “*standard of proof [...] shall be the balance of probabilities (a standard that implies that on the preponderance of the evidence it is more likely than not that an infringement of this Code has occurred)*”. Neither Ms Trikomiti nor the GEF have called into question that the applicable standard of proof as is that of a balance of probabilities. EG, by contrast, argued in closing that given the seriousness of the allegation, a stricter standard of proof should apply. The Panel is not persuaded by this argument. Article 18(5) of the FIG Code of Discipline explicitly provides for a balance of probabilities. The Panel does not consider such standard of proof to be incompatible with Swiss law, let alone public policy, and notes that the same burden of proof has been accepted by other CAS tribunals for allegations of competition manipulation (CAS 2020/A/7596, paras. 179 et seq. with further references).

130. However, the Panel is also not convinced by GEF’s argument that because of the nature of score manipulation as a concealed action, the Panel should not apply the balance of probabilities standard too strictly. Leaving aside the question of whether that standard of proof is open at all to a ‘less strict’ application, the GEF does not in fact allege any concealed action by Ms Trikomiti. Instead, the GEF alleges that Ms Trikomiti manipulated scores very openly, even publicly. This being so, it does not matter for the assessment of the evidence in the present case that, in other cases of alleged score manipulation, the alleged conduct may be more concealed and therefore less likely to have been witnessed by others.

2. Admissible means of evidence

131. The FIG Code of Discipline does not provide for any restrictions in respect of admissible means of evidence. Instead, it provides in Article 18(1) that infringements “*may be established by various types of evidence such as written statements, audio or video recording, confession or others*”, and alludes in Article 18(2) to witness testimony. Therefore, the means of evidence relied upon by the Parties in this arbitration, in particular oral and written witness testimony, are admissible means of evidence. That said, if a witness is not called to appear at the hearing, this may affect the evidentiary value of the witness testimony (see NOTH/HAAS, in ARROYO, M.: *Arbitration in Switzerland – The Practitioner’s Guide*, 2nd ed, Article R44, para. 41; cf. also Swiss Federal Tribunal, judgment of 31 May 2012, 4A_682/2011, paras. 4.1 *et seq.*). This holds true, in particular, if the counterparty challenges the contents of the written witness statement or has indicated that it seeks to cross-examine that witness.

3. Principles for the assessment of evidence

132. As highlighted by the Swiss Federal Tribunal (decision of 17 January 2013, 4A_538/2012, para. 5.1), the free assessment of evidence is a pillar of international arbitration. However, the

Panel wishes to highlight the following evidentiary principles by which it will be guided in its assessment of the evidence.

133. Firstly, multiple pieces of evidence can have a cumulative effect (CAS 2013/A/3124, para. 12.3; CAS 2017/A/4937, para. 51; CAS 2022/A/8653, para. 195 with further references). This is sometimes described by a ‘strands in a cable’ metaphor: while each strand of evidence by itself may not be strong enough to meet the burden of proof, the cable created by all strands together may be sufficient to prove the relevant fact (CAS 2015/A/4059, paras. 120, 139, 141; CAS 2017/A/5434, para. 212).
134. Secondly, the Panel is not persuaded by the Appellants’ argument made at the hearing that one may not instead resort to circumstantial evidence if direct evidence proffered in support of a certain allegation is found to be unreliable. As mentioned before, it is the Panel’s task to assess the evidence as a whole. There is no reason why the Panel should disregard all other pieces of evidence if one piece of evidence (whether direct or circumstantial) proves unreliable. Whether those other pieces of evidence are sufficient to prove the allegation is a different question.
135. Thirdly, in respect of witness testimony specifically, the position under Swiss law is as follows according to the Swiss Federal Tribunal (decision of 1 September 2020, 5A_550/2019, para. 9.1.3.1.):

“The focus here is not on credibility as a personal characteristic, but rather on the credibility of the specific statement [references omitted]. Although this principle was developed by the Swiss Federal Tribunal for criminal proceedings [...], it also applies to civil proceedings, as the concept of ‘general credibility’ is considered to be of little use in the psychology of testimony [references omitted]. The specific statement should be examined by methodical analysis of its content (presence of reality criteria, absence of fantasy signals) to determine whether the information relating to a specific event stems from the actual experience of the person being questioned [reference omitted]”.

Panel’s translation from the German original:

„Dabei steht nicht die Glaubwürdigkeit als persönliche Eigenschaft, sondern die Glaubhaftigkeit der konkreten Aussage im Vordergrund [references omitted]. Diesen Grundsatz hat die bundesgerichtliche Rechtsprechung zwar für den Strafprozess entwickelt [...], doch beansprucht er auch für den Zivilprozess Geltung, denn in der Aussagepsychologie wird das Konzept einer ‘allgemeinen Glaubwürdigkeit’ als wenig brauchbar bewertet [references omitted]. Es soll die konkrete Aussage durch methodische Analyse ihres Inhalts (Vorhandensein von Realitätskriterien, Fehlen von Fantasiesignalen) darauf überprüft werden, ob die auf ein bestimmtes Geschehen bezogenen Angaben einem tatsächlichen Erleben der befragten Person entspringen [reference omitted]”.

136. According to Swiss law jurisprudence, examples of indications of truthfulness of witness statements include logical consistency, a high level of detail, a disorganised account of the events witnessed, spatial-temporal connections, descriptions of interactions, the reproduction of conversations or the description of unusual details and trivialities, of the witness’ own psychological processes and of those of the person with which the witness interacted (see,

e.g., Zurich Court of Appeal, decision of 15 September 2021, SB190206, para. 2.1.3; decision of 21 February 2012, SB110639, para. 3.3). The more of those indications of truthfulness are present, the more likely it is that the witness is giving a truthful account of its perception/recollection of the relevant events.

137. Moreover, potential motivations for a witness to lie may be of relevance when determining the likelihood of a witness intentionally making untrue statements (see CAS 2018/A/5906, para. 91 et seq.; CAS 2018/A/5920, para. 102; CAS 2020/A/7526 & 7559, para. 136). The same holds true for proven instances of the same witness lying before on a matter of relevance to the testimony in question (see, for example, CAS 2019/A/6319, para. 86).
138. That said, the Panel is very conscious of the fact that witness testimony may be subjectively true, and therefore show many of the foregoing indications of truthfulness, but may still be objectively untrue because the witnesses' good faith perception or recollection of the witnessed events may not accord with reality (cf., for example, CAS 2012/A/2699, para. 94).

4. Assessment of the evidence

139. In its Answer, the GEF relied on three distinct allegations of score manipulation by Ms Trikomiti: in relation to Ms Lytra's Ball routine, Ms Lewinska's Ball routine and Ms Lewinska's Ribbon routine, the GEF alleges that Ms Trikomiti interfered in each case with Ms Piscupescu's DB score. Those allegations will be dealt with in turn in sections a. to c. below.
140. The Panel notes that the GEF referred in its pleadings also to other alleged conduct by Ms Trikomiti that the GEF considered inappropriate. However, such alleged conduct was mentioned in the Answer under the heading "*other circumstantial evidence*", indicating that it was invoked by the GEF not as a separate violation of the FIG's regulations, but rather as evidence supporting the three distinct allegations identified in para. 139 above. This is also consistent with the fact that such further alleged conduct by Ms Trikomiti did not consist of specific requests for score changes by SJ members as described in the GEF's formulation of its own case. Accordingly, the Panel will deal with such alleged conduct by Ms Trikomiti in the context of its assessment of the evidence for the three specific violations alleged by the GEF.

a. Alleged interference during Ms Lytra's Ball routine

141. According to the GEF, Ms Trikomiti verbally instructed Ms Piscupescu to change the SJ's DB score for Ms Lytra's Ball routine from initially 9.5 to 9.0, so that the JP's DB score was blocked and Ms Trikomiti could thereafter request the JP to change its DB score from 10.0 to 9.0. These scores as such are undisputed, and they are confirmed by screenshots from the SmartScoring system. What is heavily disputed, however, is whether Ms Piscupescu changed the DB score from 9.5 to 9.0 points because Ms Trikomiti requested her to do so.
142. Based on the totality of the evidence, especially the below-mentioned pieces of evidence, the Panel finds that it is more likely than not that Ms Trikomiti did request Ms Piscupescu to change her score from 9.5 to 9.0, and thereby violated Article 3 of the FIG Code of Discipline and the other provisions mentioned in para. 126 above.

(i) Ms Piscupescu's testimony

143. Above all, the Panel found Ms Piscupescu's testimony in respect of the score change for Ms Lytra's Ball routine credible, for the following reasons.
144. Firstly, Ms Piscupescu did not merely generically allege that Ms Trikomiti requested her to change her score, but instead provided details of what happened. For instance, Ms Piscupescu mentioned in two of her statements that Ms Trikomiti said the initial score of 9.5 was “*too much*”. Another example is her testimony that Ms Trikomiti was “*leaning towards*” Ms Piscupescu and Ms Todorova or, per another statement, that Ms Trikomiti would “*turn to her right side*” when speaking to them. Contrary to Ms Trikomiti's argument in one of her witness statements, Ms Piscupescu had made those statements about Ms Trikomiti leaning towards her even before Ms Trikomiti argued in one of her witness statements that it was too loud for Ms Piscupescu to hear her. As a further example of relevant circumstantial details, concerning spatial-temporal connections as a further criterion for truthful testimony, Ms Piscupescu mentioned that “[d]uring the break after Group A of the 1st day of Qualification – 23rd of May”, “*in the judges room*” (or, per GEF's initial interview notes, in the “*superior judge – meeting room*”), Ms Trikomiti criticised her for her initial score given for Ms Lytra's Ball routine.
145. Secondly, Ms Piscupescu's testimony was rich in the description of her emotions at the time, such as “*I have never felt so intimidated, pressured and uncomfortable during any other judging experience*”, “*I did not feel free to judge [...], I felt pressured [...] and even intimidated*” or “*to me it was strange [because there was no block justifying a request to change her score]*”). Likewise, she repeatedly described the emotions she felt Ms Trikomiti had, e.g. “*ET then get mad*” or that Ms Trikomiti “*showed clearly [...] her disappointment after I didn't give the score she wanted/expected*”.
146. Thirdly, Ms Piscupescu's testimony regarding her scoring for Ms Lytra's Ball routine was entirely consistent throughout the many statements she was asked to give. Already in her first interview with the GEF on 3 June 2024, she testified (according to the GEF's interview notes, whose accuracy was not disputed in this regard) that Ms Trikomiti had asked her to lower the score for Ms Lytra's Ball routine. She gave materially identical testimony on that point in a letter to the PGA dated 19 June 2024, in written statements to the GEF dated 21 June 2024 and 4 September 2024, at the DC hearing and at the hearing in this arbitration. While Ms Piscupescu's testimony was consistent in substance over time, she did not make identical statements either. Instead, she often used different words and sometimes referred to details not mentioned in other statements. This gave the impression that she put her recollection of a real event into words each time she was questioned about it, rather than merely repeating a fictitious story that she had invented and memorised.
147. Contrary to the Appellant's argument, the Panel does not find that the consistency of Ms Piscupescu's testimony is undermined by the fact that she did not mention any request to change her score for Ms Lytra's Ball routine in her written statement to the GEF dated 29 April 2025 and in EG's interview notes of 3 June 2024.
148. In her 29 April 2025 statement to the GEF, Ms Piscupescu expressly confirmed all her previous statements and merely responded to one specific argument made in the Appeal Brief.

Hence, there was no reason for her to expressly repeat her earlier testimony in that document, and her failure to do so does not cast any doubt on the consistency of her testimony.

149. EG's interview notes of 3 June 2024, in turn, do contain the following alleged statement by Ms Piscupescu (not purporting this to be a verbatim quote of what Ms Piscupescu said): "*Nobody approached me for my scores during the event. I did not see any incorrect procedure*". However, Ms Piscupescu has denied having made such a statement, and the Panel notes that Ms Aliprandi and Ms De Cossio have likewise challenged the accuracy of the interview notes as regards their own interviews with EG. Instead, Ms Piscupescu explained in her written testimony in this arbitration that the question EG asked was whether she had been approached by anyone *from a national delegation*, to which she responded that this was not the case. While Ms Piscupescu was challenged in cross-examination about what she said during the EG interview, the Appellants did not challenge Ms Piscupescu's very specific recollection of the questions she was asked by EG during that interview. Also, neither EG's interview notes nor the witness statement of Ms Worthmann or Mr Boutard (who both conducted the interview with Ms Piscupescu) suggested that Ms Piscupescu had made her alleged statement in response to a different question. Therefore, the Panel is not convinced that the alleged statement by Ms Piscupescu as reflected in EG's interview notes was made outside the context of a question by EG as to whether Ms Piscupescu had been approached by any national delegations about her scores. That being so, even if the alleged statement had been made in those words, it would not be a confirmation by Ms Piscupescu that she had not been approached by Ms Trikomiti about her scores.
150. Moreover, and in any event, Ms Piscupescu testified that she did not believe that it would make any difference if she told EG about Ms Trikomiti's requests. According to Ms Piscupescu, EG had seen with their own eyes what had happened at the RGEC, and had not done anything about it, leading her to conclude that EG would support Ms Trikomiti. The Panel notes that Ms Aliprandi similarly testified that she did not have the impression that EG was interested in hearing what had really happened at the RGEC. As it has remained undisputed that those interviews were very short and as the Panel does not find it established that they involved any specific questions about scoring manipulation from within the SJ, the Panel finds it plausible that Ms Piscupescu did not feel comfortable speaking up vis-à-vis EG, being the organiser of the very event in which, according to Ms Piscupescu, scores had been manipulated by Ms Trikomiti. Regardless of whether she was justified in assuming that reporting her allegation to EG would be of no use, that feeling of hers does provide a convincing explanation for her not mentioning her allegation against Ms Trikomiti in that interview. Coupled with the fact that she had already reported that same allegation to the GEF *before* the interview with EG, the Panel does not consider that the (undisputed) omission of this allegation by Ms Piscupescu in her interview with EG carries any material weight.
151. Fourthly, the Panel notes that, in at least two instances, Ms Piscupescu readily acknowledged things she did *not* witness, even though they might have incriminated Ms Trikomiti. In particular, in one of her written statements to the GEF, Ms Piscupescu testified that during her conversation with Ms Trikomiti in the judges' meeting room after Ms Lytra's Ball routine, she felt that Ms Trikomiti was trying to convey the message that Ms Piscupescu should, for the rest of the competition, follow Ms Trikomiti's instructions on the scoring; however, she volunteered to clarify that Ms Trikomiti "*did not explicitly say it as such*", i.e., that this was merely Ms Piscupescu's interpretation of what Ms Trikomiti said. Similarly, even though in

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

connection with Ms Lewinska's Ball routine, Ms Piscupescu readily admitted that she did not hear what Ms Trikomiti said to the JP. Those parts of her testimony suggest that Ms Piscupescu was not simply on a mission to give testimony detrimental to Ms Trikomiti.

152. Fifthly, the Panel is not persuaded by the Appellants' argument that Ms Piscupescu had a motive to give false testimony against Ms Trikomiti because Ms Piscupescu allegedly held a personal grudge against Ms Trikomiti. In particular, this argument implies that Ms Piscupescu was intentionally lying (as opposed to being genuinely mistaken), which the Panel finds difficult to reconcile with the indications of truthfulness listed above.
153. Moreover, Ms Piscupescu must have been aware, and has confirmed in her oral testimony in this arbitration that she was in fact aware, of the very serious nature of the allegations she has made against Ms Trikomiti. She must have known that those allegations could seriously affect Ms Trikomiti's career in RG, and that Ms Piscupescu herself was also taking a significant risk in making those allegations, in particular if they were found to be untrue. The Panel readily accepts that Ms Trikomiti's daughter qualifying – unfairly, in Ms Piscupescu's view – to the Olympic Games instead of Ms Piscupescu must have been very difficult for Ms Piscupescu to deal with. In fact, Ms Piscupescu openly confirmed this in her oral testimony before the Panel. Moreover, she mentioned the 2012 event at the very beginning of her first interview with the GEF, and explained that it made her want to become a judge, showing how this event has had a lasting influence on her. However, even acknowledging that the 2012 events were a very difficult and influential experience in Ms Piscupescu's life, it is quite a leap to conclude that this would make her give false testimony, subject to sanctions of perjury, against the mother of her then-competitor, approximately 12 years after the fact.
154. This holds true, even more, as there is no indication on record that anyone ever noticed any grudge that Ms Piscupescu held against Ms Trikomiti. One would have expected any such grudge to have shown, in particular, during their collaboration on the TC. However, to the contrary, Ms Piscupescu testified that she and Ms Trikomiti worked well together in the TC. The Appellants have not called this into question. In fact, Ms Trikomiti herself testified that she had a friendly relationship with all TC members and trusted all of them. Theoretically, this does not of course exclude that Ms Piscupescu purposefully hid a grudge against Ms Trikomiti for 12 years so she could 'take revenge' when the opportunity presented itself. In that case, however, she would hardly have volunteered to disclose the source of that grudge at the very beginning of her first interview with the GEF. The Panel finds it much more plausible that, as explained by Ms Piscupescu herself, she mentioned her experience from 2012 because she was reminded of it by many others after what happened at the RGEC, was asked how she could let that happen given her personal history, and decided that she needed to do something so that similar things would not happen again. In other words, while the events in 2012 may well have provided additional motivation for Ms Piscupescu to make a report to the GEF, this does not mean that she lied.
155. Sixthly, the Panel is not convinced by the Appellants' argument that Ms Piscupescu's testimony was tainted by an alleged bias in favour of Ms Lewinska. In support of this argument, the Appellants relied on Ms Piscupescu's testimony that Ms Lewinska had been "*severely underscored*", which is indeed inconsistent with the finding in the FIG Report that Ms Lewinska was in fact overscored. However, even if one assumed that the FIG Report gave the only 'correct score', and that Ms Piscupescu was therefore wrong in saying that Ms

Lewinska was underscored, it does not follow that Ms Piscupescu was biased, as opposed to genuinely mistaken.

156. The Panel observes that the Appellants have never suggested that the scores given by Ms Piscupescu herself to Ms Lewinska were so high (or those given by her to Ms Tugolukova so low) as to show any bias in favour of Ms Lewinska. Indeed, any such suggestion would have been difficult to square with the fact that the scores given by Ms Piscupescu to Ms Lewinska for both Ball (10.4) and Ribbon (11.0) were *lower* than those given by the JP (11.4 and 11.1), while those for Ms Tugolukova (11.6 and 10.5) were *higher* than the JP's scores (10.8 and 10.0). If Ms Piscupescu's own scoring did not show any bias in favour of Ms Lewinska, the Panel does not find it plausible that any bias would then afterwards surface and cause her to make false allegations against Ms Trikomiti.
157. Instead, the Panel finds another explanation for Ms Piscupescu's statement more plausible: if one considers the FIG Report to have given the 'correct' scores, it follows, in the words of that report, that "*there is a clear trend that the official result book shows overrated scores for all gymnasts*". In other words, in the view of the experts who conducted the FIG Review, the judges at the RGEC were more generous with scores than they should have been. This holds true also for Ms Piscupescu's own scoring, both in relation to Ms Lewinska (where her scores in Ball and Ribbon were higher than the FIG Report) and Ms Tugolukova (where her Ball score was higher than the FIG Report). It is on the basis of the actual scoring at the RGEC, which the FIG Report found to be too high in general, that Ms Piscupescu thought Ms Lewinska had been underscored while Ms Tugolukova had been overscored. This much, in turn, is consistent with the FIG Report, according to which Ms Lewinska was overscored merely by 1.6 points, while Ms Tugolukova was overscored by 7.95 points.
158. In sum, the Panel does not find it established that Ms Piscupescu was in any way biased towards Ms Lewinska, and therefore does not accept that her testimony could be unreliable as a result of such bias.
159. Seventhly, the Panel does not accept the Appellants' argument that Ms Piscupescu's testimony is unreliable due to what the Appellants consider was untruthful testimony by Ms Piscupescu on other matters relevant to this case. This argument again implies that Ms Piscupescu lied about her scoring for Ms Lytra's Ball routine. As mentioned before, the Panel finds this unlikely in view of the multiple signs of truthfulness identified above.
160. Moreover, the Panel does not find it established that Ms Piscupescu intentionally lied on other matters. As regards her scoring of Ms Lewinska's Ball routine, the Panel finds it likely that, to the contrary, she was telling the truth (see section b. below). With respect to Ms Piscupescu's testimony that, during a TC meeting before the start of the TGEC, Ms Trikomiti "*made it clear that she wished for the CYP gymnast to take the Olympic quota*", the Panel agrees with the Appellants that it is unlikely for Ms Trikomiti to have said such a thing, especially as no other TC member confirmed it. However, the Panel also notes that different witnesses have described Ms Trikomiti's behaviour during that same meeting quite differently, with Ms Aliprandi, Ms De Cossio and Ms Piscupescu testifying that Ms Trikomiti singled out Ms Lewinska and Ms Lytra in a negative way during the video session, while Ms Todorova, Ms Bedoshvili and Ms Vilyayeva testified that that was not the case. This suggests that, unless three witnesses were lying, that Ms Trikomiti's behaviour during that meeting left

room for interpretation, in particular as regards her evaluation of the performances of the Contenders. In addition, Ms Piscupescu has never claimed she remembered the precise words used by Ms Trikomiti, instead resorting to the rather vague assertion that Ms Trikomiti had “*made it clear*” what her preference was in respect of the Olympic quota. This being so, the Panel finds it entirely possible that Ms Piscupescu’s testimony on this point reflected her genuine interpretation, which may have been a mis- or overinterpretation of something that Ms Trikomiti said, and that Ms Piscupescu thought “*made it clear*” that Ms Trikomiti wanted Ms Tugolukova to obtain the Olympic quota.

161. Eighthly, given the very specific instruction that she recalls having received from Ms Trikomiti as regards Ms Lytra’s score, the Panel finds it very unlikely that Ms Piscupescu’s testimony in this regard is based on a genuine misunderstanding or a lapse of memory. Rather, the Panel is convinced that this is what happened, if Ms Piscupescu did not lie (which the Panel finds unlikely for the reasons mentioned above).

(ii) Ms Trikomiti’s, Ms Todorova’s and Ms Bedoshvili’s testimony

162. Overall, the Panel considers that the truthfulness of Ms Piscupescu’s testimony is not called into question by the testimonies of Ms Trikomiti, Ms Todorova and Ms Bedoshvili. In essence, Ms Trikomiti denied having requested Ms Piscupescu to change her score for Ms Lytra. Ms Todorova said she did not hear any such request, but would have heard it, had one been made. Ms Bedoshvili, in turn, claimed that Ms Trikomiti had not been involved at all in the judging of any of the three gymnasts competing for the Olympic quota. The Panel finds those testimonies less credible than that of Ms Piscupescu, in particular for the following reasons.

163. Firstly, Ms Trikomiti testified that she had agreed with Ms Aliprandi in advance that, in order to avoid any conflict of interest, Ms Trikomiti would not resolve any blocked scores for the Contenders, and therefore also not judge their routines to be prepared for any blocked scores. Ms Bedoshvili and Ms Todorova testified that Ms Trikomiti had informed the TC of such agreement prior to the start of the competition.

164. This testimony is contradicted by what the Panel found to be Ms Aliprandi’s highly credible testimony. According to her, no such prior agreement existed (except for an agreement that Ms Trikomiti would not decide on any interventions by her own national federation). Instead, Ms Aliprandi gave very detailed and vivid testimony of how Ms Trikomiti, just before the three gymnasts competing for the Olympic quota started performing their routines, suddenly asked Ms Aliprandi to take over the judging from Ms Trikomiti. For instance, during her oral testimony before the DC, Ms Aliprandi stated that Ms Trikomiti “*was very nervous at that moment, and she was not able, so much so that she turned to me and said ‘I can’t judge’*”. This testimony, which is difficult to reconcile with any prior agreement on Ms Trikomiti not judging those routines, was consistent with three previous written statements and the oral testimony of Ms Aliprandi at the hearing. The fact that she used different words each time she described that sequence supports rather than undermines the credibility of the testimony.

165. Ms Trikomiti, by contrast, rather generically stated that she had “*agreed with*”, “*told*” or “*discussed [...] many times before the competition began*” with Ms Aliprandi that Ms Trikomiti would not judge the three gymnasts contending for the Olympic quota. She did not

mention when, where or in which context those conversations are supposed to have taken place. Neither did she provide any description of those conversations that would have positively signalled testimony based on genuine recollection. In addition, while two of Ms Trikomiti's written statements expressly referred to Ms Aliprandi's testimony on whether Ms Trikomiti judged the routines of those three gymnasts, Ms Trikomiti's testimony did not engage at all with Ms Aliprandi's lively description of how Ms Trikomiti asked her on the spot to take over judging as she could not do it.

166. While Ms Bedosvhili and Ms Todorova testified that Ms Trikomiti had informed the TC prior to the start of the competition that she would not judge any of the three athletes competing for the Olympic quota, this was not confirmed by any of the other TC members. Moreover, the Panel is reluctant to attach significant weight to this testimony in view of the other issues with the testimony of Ms Bedosvhili and Ms Todorova on related issues as mentioned below.
167. Similarly, the Panel does not consider that Mr Thingvold's testimony is of any help to Ms Trikomiti on this point. He merely testified that he and a colleague from the Jury of Appeal told Ms Trikomiti in Budapest before the start of the competition that they thought it was better if she did not get involved in the scoring of those three athletes, and that Ms Trikomiti agreed. However, there is no indication in Mr Thingvold's testimony that Ms Trikomiti reacted in any way that would have suggested that she had already discussed and agreed as much with Ms Aliprandi – which would have seemed a natural reaction had such prior agreement existed.
168. Moreover, the Panel is not convinced by the Appellants' suggestion that Ms Aliprandi is giving false testimony to disassociate herself from the judging at the RGEC as regards the Contenders. Apart from the fact that the same motive would exist for Ms Trikomiti, Ms Bedosvhili and Ms Todorova, the Panel found Ms Aliprandi's testimony on this particular situation during the RGEC credible based on the indications of truthfulness mentioned above. In addition, in her very first interview with the GEF, Ms Aliprandi stated that she would step down from the TC in view of what happened at the RGEC. In subsequent testimony, she confirmed that she had declined to become TC President (or remain on the TC as an ordinary member). This further reduces the plausibility of the Appellant's suggestion that Ms Aliprandi would give false testimony as she thought it would help her career in RG.
169. Secondly, Ms Trikomiti testified that she did not in fact play any role in respect of the scores given to the Contenders and that, instead, it was Ms Aliprandi who handled any blocked scores (and interventions) for those three gymnasts. Again, this testimony is supported by Ms Todorova, who testified she was not aware of any involvement of Ms Trikomiti in the judging of the three gymnasts, and by Ms Bedosvhili, who stated that, in relation to the Contenders, Ms Trikomiti "*was not involved and did not judge. The fact that she did not judge was obvious to me since she did not participate in any of our discussions for these gymnasts and I could see that she was sitting looking at her computer the entire time*".
170. This testimony is difficult to reconcile with the fact that, as confirmed by Ms Piscupescu and also by Ms Trikomiti herself, Ms Trikomiti asked to see the score sheets of Ms Piscupescu and Ms Todorova for Ms Lewinska's Ribbon routine. The Panel fails to see why Ms Trikomiti would have done so if it were true that she had decided not to be involved at all in the scores of Ms Lewinska. Indeed, Ms Trikomiti herself could not provide any reason for her request

to see the score sheets, instead testifying that she no longer remembered why she did so. As it is rather surprising for Ms Trikomiti to request to see the score sheets for a routine in whose judging she allegedly was determined not to get involved, the Panel does not find it likely that Ms Trikomiti would remember such unusual request, but not the reason why she made it. Similarly, the Panel considers that Ms Todorova's credibility was not helped by the fact that she claimed not to be aware of any involvement by Ms Trikomiti in the judging of the Contenders, but failed to mention that Ms Trikomiti asked to see her score sheet for one of those gymnasts. Likewise, Ms Bedoshvili's testimony that Ms Trikomiti was looking at her computer all the time (during the judging of the Contenders) cannot be correct – at some point, Ms Trikomiti must have communicated with someone to ask, as she undisputedly did, to see the score sheets of Ms Piscupescu and Ms Todorova for Ms Lewinska's Ribbon routine.

171. Thirdly, the Panel finds it difficult to accept Ms Trikomiti's testimony, which she reiterated in multiple witness statements, that she did not speak at all to any judges during the RGEC about any scores (but rather communicated with them exclusively via SmartScoring, and only in case of blocked scores).
172. This testimony is directly contradicted by the credible testimony of Ms Piscupescu that Mr Trikomiti verbally requested her to change her score for Ms Lytra's Ball routine (see section (i) above). It is also contradicted by Ms Aliprandi's and Ms Piscupescu's testimony that Ms Trikomiti did speak to Ms Piscupescu about her score for Ms Lewinska's Ball routine, which the Panel finds credible as well (see section b. below).
173. Moreover, this testimony is contradicted by Ms Aliprandi's and Ms Piscupescu's testimony that Ms Trikomiti stood up to speak to the JP members after Ms Lewinska's Ball routine. Ms Aliprandi's testimony in this regard was again highly detailed and vivid, and was confirmed by Ms Piscupescu (who however stated she did not know what Ms Trikomiti had said). The Panel sees no reason at all why Ms Aliprandi or Ms Piscupescu should have lied about this particular instance, especially because they (rightly, in the Panel's view) did not even seem to find it inappropriate for Ms Aliprandi to verbally request a score change from the JP after the scores had been blocked – indeed, Ms Aliprandi herself explained that "*on the judges' tablet, a message came up that the score was to be changed, so she was speeding up the time to tell the judges to change*". For the same reason, contrary to the Appellants' argument, the Panel considers that Ms Aliprandi's failure to mention this incident in any of her statements prior to the hearing before the DC was not an indication of false testimony. Instead, she obviously did not find this incident very significant and only mentioned it as a further detail when describing what she witnessed after Ms Lewinska's Ball routine.
174. While Ms Bedoshvili and Ms Todorova testified that they did not see Ms Trikomiti stand up and speak to JP members, this does not mean it did not happen, especially because Ms Aliprandi was the only witness sitting right next to Ms Trikomiti. In addition, the Panel found rather curious, and unconvincing, Ms Bedoshvili's statement that Ms Trikomiti "*wouldn't just have time to [...] stand up*". Similarly, the Panel does not find credible the testimony of both Ms Bedoshvili and Ms Todorova that, allegedly, there would have been no time for any requests by Ms Trikomiti to other judges that they change their scores. This is inconsistent with their own testimonies that, prior to entering their scores, they themselves often discussed with their fellow DB/DA SJ members (and, in Ms Bedoshvili's case, even with Ms Aliprandi). The Panel fails to see why there would have been time for such discussions, but not for

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Ms Trikomiti to make a verbal request for a score change. Ms Bedoshvili's and Ms Todorova's testimony about an alleged lack of time for any requests for a score change is also belied by the undisputed fact that almost two minutes passed between Ms Piscupescu's change of her score for Ms Lytra's Ball routine.

175. As a final point on whether Ms Trikomiti was involved in the judging of the Contenders, the Panel notes that Ms Moltubakk testified as follows:

"I observed several instances of what I presume was communication between the SJ president and SJ members. This happened several times, but certainly after the exercises of Lewinska and Tugolukova on the second day (clubs and/or ribbon). I observed this visually, as leaning forwards, turning to the sides, and maintaining this position for some time. I cannot know if anything was said, or what, and I cannot be sure exactly at which moments this happened. However, being familiar with the typical running of the competitions, I believe communication happened after the end of exercises and before the SJ members should submit their independent scores".

176. While Ms Moltubakk commendably clarified that she could not be sure if anything was said, her visual perception does align with Ms Aliprandi's and Ms Piscupescu's testimony on Ms Trikomiti's interactions with Ms Piscupescu. This reinforces the Panel's view that Ms Trikomiti's, Ms Bedoshvili's and Ms Todorova's testimony on Ms Trikomiti allegedly not being involved in the judging of the Contenders lacks credibility.

177. Fourthly, Ms Trikomiti testified that it was "*physically impossible*" for her to speak to Ms Piscupescu from where she was sitting because of the distance between the two of them. The Panel also notes Ms Todorova's testimony before the DC that it was "*impossible, like almost impossible to hear someone if you are not next to him or if they don't scream at you*", adding that she had to raise her voice (but not shout) to even speak to Ms Piscupescu right next to her.

178. Having seen a photograph of the seating of the SJ members during the RGEC, the Panel is not convinced that, even considering the music and other noise in the arena, it was outright impossible to communicate with someone seated three seats away, which was the number of seats between Ms Trikomiti and Ms Piscupescu. This holds true, in particular, if Ms Trikomiti, as would be consistent with the testimony of Ms Aliprandi, Ms Piscupescu and Ms Moltubakk, turned to her side and leaned towards Ms Piscupescu when speaking to her.

179. The Panel is aware that Ms De Cossio seems to have testified at the DC hearing that, due to the noise at the RGEC, it was very difficult for her to hear what Ms Aliprandi, who was sitting one seat away from her, was saying (this is according to the undisputed submission by the Appellants; this part of the DC's hearing transcript was not submitted to the Panel). However, "*very difficult*" is not the same as "*impossible*". Moreover, Ms Bedoshvili testified that Ms Trikomiti would in some cases discuss scores with Ms De Cossio, who was sitting two seats away from Ms Trikomiti, with both of those seats constantly occupied – contrary to two of the three seats between Ms Trikomiti and Ms Piscupescu, where the SmartScoring staff sometimes left their seats. In any event, given possible variations in the speaking volume, the direction in which something is said, the hearing capacity and attentiveness of the person to whom something is said, and the level of noise at the relevant time, the Panel prefers to rely

on what Ms Aliprandi and Ms Piscupescu have testified hearing or seeing Ms Trikomiti actually do, which aligns also with Ms Moltubakk's testimony, rather than relying on Ms De Cossio's testimony as to how difficult she found it to understand what Ms Aliprandi was saying.

180. Fifthly, the Panel considers that the reliability of Ms Trikomiti's testimony suffered from her insistence that her assignment of Ms Piscupescu to DB only after her arrival in Budapest was "*standard procedure*". Similarly, it did not further the credibility of Ms Bedoshvili and Ms Todorova that they avoided any statement on whether the assignment was unusual, instead pointing (in their written witness statements to the DC) in almost identical words to the absence of any objections from any TC member, before highlighting in later testimony (again in similar words) that all TC members were allegedly ready to judge all panels.
181. Based on the FIG's statement provided to the GEF on 10 April 2025, and the testimonies of Ms Aliprandi, Ms De Cossio, Ms Piscupescu and even Ms Todorova (who, in cross-examination at the hearing, conceded that "*it was late according to the rules*"), the Panel finds it established that it was clearly unusual for TC members to learn only days before the RGEC that they would be judging something else than the score component they had been asked to prepare ahead of that same event. This holds true, in particular, for the assignment of DB to Ms Piscupescu. The Appellants have not challenged her testimony that, at the 2023 Rhythmic Gymnastics European Championship (the "2023 RGEC"), she had been asked well in advance of the event to prepare video clips and educational material for judges' instructions in relation to Execution, and was then assigned to judge Execution on the SJ. This testimony aligns with the written witness statement of Ms De Cossio, who testified that well before the 2023 RGEC, she had been asked to prepare DB, and then was assigned that same role on the SJ. The Panel also notes Ms Aliprandi's testimony before the DC, where she recalled that when Ms Piscupescu learnt of her judging assignment at the RGEC, she asked in surprise "*But why do I have the DB?*".
182. There was no plausible explanation given by Ms Trikomiti for why she did not adopt for the RGEC the same approach as for the 2023 RGEC, i.e. assign the SJ roles to Ms Piscupescu and Ms De Cossio according to the roles they had been asked to prepare ahead of the competition. Instead, at the hearing, she merely stated that there were no formal rules on the timing of the assignment, and that the judges were ready – neither of which explains why she acted in a way that was both unusual and contrary to what had been done at the 2023 RGEC. This unusual last-minute assignment of Ms Piscupescu to DB, and Ms Trikomiti's insistence that this was completely normal, lends additional credibility to the GEF's case, given that it is precisely the SJ DB panel in relation to which Ms Trikomiti has been accused of manipulation.
183. Sixthly, Ms Trikomiti stated in her report to the GEF of 20 June 2024 that "[o]verall, the judging was good" at the RGEC and that "[u]nfortunately, the atmosphere changed on the evening of 23rd May 2024 following the first day of qualification [...] triggered by the judge from Poland and other members and officials of the Polish federation who were disappointed at the scores awarded to Ms Lewinska [...] and who reacted to this by launching a social media campaign [...]" . Similarly, Ms Todorova testified that "[t]here was no special atmosphere". Accordingly, it is their testimony that there was nothing out of the ordinary on 23 May 2024 (at least before the PGA started complaining in the evening). This portrayal is

conspicuously at odds with the testimony of multiple witnesses, in particular as regards the atmosphere after seven out of eight scores for Ms Lewinska's routines had been blocked. Ms Piscupescu testified that the crowd was booing the scores of Ms Lewinska and that Ms Piscupescu herself was "*left crying*", while she also "*saw a lot of judges confused, angry, disappointed or even crying*". Ms Aliprandi confirmed that "*[s]ome of my colleagues cried*". Ms Suter testified that "*the body movements of the [JP members] [...] reflected a great astonishment*" (while she confirmed that other blocked scores during the competition did not evoke any reactions from the JP members). Ms Ahlquist and Ms Foster stated that the atmosphere amongst the judges was "*very tense*", while Ms Lazašáyi mentioned that "*almost all the judges on the panel were disappointed*". The Panel finds it difficult to believe that those two SJ members and four JP members made this all up. It is equally difficult to believe that Ms Trikomiti and Ms Todorova were not aware of any of this happening. Accordingly, Ms Trikomiti's and Ms Todorova's testimony that everything went well on 23 May 2024 seems to be a rather clear embellishment of the real events, in an apparent attempt to defend Ms Trikomiti.

184. Seventhly, the Panel considers that Ms Trikomiti's reliance in her testimony on the TC Review and the FIG Review was equally self-serving.
185. Specifically, Ms Trikomiti claimed that the scores given at the RGEC were correct because they were confirmed by the TC Review. She did not seem to see any problem with the undisputed fact that the TC Review was conducted exclusively by persons who had themselves been on the SJ during the RGEC. This is surprising because, in the very same statement, she argued that Ms Moltubakk and Ms Sawade would be "*clearly conflicted*" to participate in the FIG Review as they had previously made clear that they did not agree with the judging at the RGEC (for the avoidance of doubt, the Panel notes that it is unclear whether these two persons in fact participated in the FIG Review). Also, Ms Trikomiti did not mention the fact that, according to witness statements given previously by Ms Aliprandi and Ms De Cossio, there was serious disagreement during the TC Review on the correct scores, with Ms Aliprandi and Ms De Cossio being largely aligned in their views while Ms Bedoshvili consistently scored lower for Ms Lewinska and higher for Ms Tugolukova.¹ This disagreement impacted the overall result of the TC Review because, as testified by both Ms De Cossio and Ms Trikomiti herself, the scores were averaged whenever there was any significant difference. Equally, Ms Trikomiti did not respond to Ms Aliprandi's testimony that, at one point during the TC Review, Ms Bedoshvili even pointed out that there would be problems if the TC Review gave scores that were too different from those given at the RGEC. This statement by Ms Bedoshvili raises further concerns not only as regards the reliability of the TC Review, but also regarding the credibility of Ms Bedoshvili's testimony in this arbitration. Likewise, Ms Trikomiti failed to mention that there was disagreement between Ms Aliprandi and Ms Bedoshvili as to the DA score that had been given for Ms Lewinska's Ball routine, when Ms Worthmann sent the results of the TC Review to the participants of the review. It is rather surprising for Ms Trikomiti to simply omit in her testimony all the above obvious issues with the TC Review, none of which have been effectively challenged by the Appellants, and to claim instead, without any reservation, that the TC Review confirmed the correctness of the judging at the RGEC.

¹ See, in particular, Aliprandi's 4th and 7th Statement, and De Cossio's 4th Statement.

186. In similar fashion, Ms Trikomiti relied in her testimony on the FIG Report to highlight that the blocking system worked, but failed to note that according to the same report, Ms Lewinska should have received a significantly higher score than Ms Tugolukova and, therefore, should have qualified for the Olympic Games instead of her.² Similarly, the Panel notes that, according to the transcript of her testimony before the DC, Ms Bedoshvili was very evasive when the GEF tried to elicit her view on the very big differences between the FIG Report and the results of TC Review.
187. In summary, Ms Trikomiti's testimony in respect of the TC Review and FIG Review gives the impression of a selective reproduction of reality in an attempt to find support for her own testimony. Also, Ms Bedoshvili's role in the TC Review, and her evasive testimony about it before the DC, provide further reason for the Panel to approach her testimony with caution.
188. Eighthly, Ms Trikomiti refused, during her testimony before the DC, to answer the question whether she was expecting a grandchild, and suggested that her son and Ms Todorova were merely friends. Similarly, Ms Todorova refused to reveal the identity of the father of her (at that time future) child, and to indicate whether she was in any romantic relationship with any member of the Trikomiti family.
189. It has been established, *inter alia* through Ms Todorova's confirmation at the hearing, that Ms Trikomiti's son is the father of Ms Todorova's child. Ms Todorova has also confirmed, in her written witness statement in this arbitration, that she considers herself engaged with Ms Trikomiti's son, even though she argued that her statement before the DC, whereby she was not "*officially engaged to anyone*", was correct because the formalities of an engagement according to Bulgarian custom were not fulfilled.
190. As Ms Todorova is the main witness supporting Ms Trikomiti's denial of any wrongdoing, those personal matters were of obvious relevance to the DC's assessment of whether Ms Todorova was an independent witness. Ms Trikomiti's and Ms Todorova's refusals to answer questions about it, and their (at least) misleading answers about Ms Todorova's relationship with Ms Trikomiti's son not only give rise to a suspicion of coordinated testimonies, but also indicate that they felt they had something to hide. Ms Todorova's apology at the hearing for her refusal at the DC hearing to disclose the identity of the father of her (then) future child is commendable, but does not detract from the foregoing conclusion. In particular, the Panel is not convinced by her explanation that those were very private matters and she was being overprotective of her (then) future child. As to Ms Todorova's reference to the private nature of this issue, the Panel notes that the GEF's questions at the DC hearing were triggered by the GEF finding in the public domain an invitation to Ms Todorova's and Mr Trikomiti's son's gender reveal party. Moreover, Ms Todorova did not take any issue at the DC hearing with the question of whether she was pregnant, and concerning the due date. Instead, she only refused to answer those further questions that would have revealed her personal relationship with a close family member of Ms Trikomiti. Such selective answering of questions about her pregnancy is inconsistent with the explanation of her being overprotective of her (then) future child.

² 1st Statement, para. 33.

191. Ninthly, the Panel finds that there is a plausible motive for Ms Trikomiti to try and lower the score of Ms Lytra. Contrary to the Appellants' suggestion, at this early stage of the competition, which is the moment that counts, Ms Lytra was still considered a direct competitor of Ms Tugolukova for the Olympic quota. Ms Tugolukova, in turn, was competing for Ms Trikomiti's own national federation (for completeness, the Panel does not find it decisive that she also holds Russian nationality). She was also affiliated to the gymnastics club operated by Ms Trikomiti's daughter. While Ms Trikomiti testified that this is the only club in Cyprus for elite level gymnasts, this does not detract from the fact that Ms Tugolukova qualifying to the Olympics is clearly favourable to the club operated by Ms Trikomiti's daughter. In addition, Ms Trikomiti's husband was on the Executive Committee of the Cypriot National Olympic Committee at the relevant time. Of course, it does not automatically follow that Ms Trikomiti would take the risk of manipulating scores to ensure the outcome certainly hoped for by her federation, her daughter and her husband. However, the existence of those multiple ties makes score manipulation in favour of Ms Tugolukova more likely than if no such ties had existed.

192. Finally, if Ms Trikomiti did request Ms Piscupescu to change her score for Ms Lytra, she had an obvious incentive to lie about it in her witness statements, given in particular the legal and reputational consequences of such score manipulation. Also, the Panel considers that it would be very difficult for Ms Todorova to give testimony against Ms Trikomiti, who is the grandmother of her child and the mother of her partner. As regards Ms Bedoshvili, it may be that she did not in fact hear any request from Ms Trikomiti to Ms Piscupescu – after all, Ms Trikomiti would have turned to her right to speak to Ms Piscupescu, whereas Ms Bedoshvili was sitting one seat away from Ms Trikomiti to her left. Also, Ms Bedoshvili was scoring Ball and Ribbon herself, suggesting that she may have not been paying attention to what Ms Trikomiti said to someone else while Ms Bedoshvili was occupied with her own scoring. That said, the Panel is troubled by some of Ms Bedoshvili's testimony, which was partly shown to be incorrect and partly seemed biased or evasive in favour of Ms Trikomiti.

193. In conclusion, the Panel finds that, more likely than not, Ms Trikomiti requested Ms Piscupescu to change her score for Ms Lytra's Ball routine, thereby creating a blocked score. For the avoidance of doubt, the Panel confirms that, contrary to the Appellants' argument, the 'field of play doctrine' does not prevent the Panel from making this finding. That doctrine is meant to prevent, in principle, interference by judicial bodies with sporting results (see, *ex multis*, CAS 2008/A/1641, para. 24 et seq.). This, however, is not at all what is at issue here. The Panel is not asked to re-judge the gymnasts' routines at the RGEC, and amend the results of that competition, if necessary, but rather to determine whether Ms Trikomiti engaged in score manipulation and therefore violated multiple FIG rules and regulations. The 'field of play doctrine' has no relevance for this disciplinary matter. In any event, as rightly noted by the Respondent, one recognised exception to the 'field of play' doctrine is if the decision in question was tainted by fraud or bad faith (see CAS 2004/A/704, para. 3.17; CAS 2008/A/1641, para. 37; CAS OG 02/007, para. 16). The allegation of score manipulation at stake here falls squarely within the scope of that exception.

b. Alleged interference in relation to Ms Lewinska's Ball routine

194. In relation to Ms Lewinska's Ball routine, the GEF asserts that Ms Trikomiti verbally instructed Ms Piscupescu to change her score from 10.4 to 10.6. For the following reasons,

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while the Panel finds that the GEF discharged its burden of proving such request on a balance of probabilities, the Panel does not consider that the GEF has established that this constitutes a case of score manipulation.

195. Both Ms Piscupescu and Ms Aliprandi have testified that Ms Trikomiti verbally requested Ms Piscupescu to change her score. Ms Aliprandi's testimony, in particular, was very detailed and extremely rich in her description of her own thoughts and emotions, and her interaction with Ms Trikomiti. For instance, in her testimony before the DC, Ms Aliprandi testified as follows:

"At one point, I turn to the right and ask Evangelia what she was doing and why. I think she heard me, because we were very close. The problem: she acted as if I didn't exist, and I assure you that I am a generally calm person. I went into a state of shock, because I couldn't believe what was happening. It has never happened to me, never, in any competition. She was very nervous. I remember that she also turned red in the face and my colleagues were very surprised by the DB. And I remember the look in my face, that they looked at me with wide eyes as if to say: 'What should we do? What is happening?'.

[...]

It made me feel uncomfortable in that situation. And it seemed unmanageable, both the situation and Evangelia's behavior. It didn't seem like her either. I mean, she was really out of her mind".

196. Moreover, the Panel does not agree with the Appellants that Ms Piscupescu's testimony on this particular request by Ms Trikomiti changed over time. While it is true that Ms Piscupescu initially testified that Ms Trikomiti asked her to "change" her score and later stated that she was asked to raise her score, this is not a contradiction, but rather a specification. Contrary to what the Appellants seemed to suggest, there is no testimony of Ms Piscupescu on record in which she claimed that she was requested to lower her score for Ms Lewinska's Ball routine. Moreover, while it is true that Ms Piscupescu did not mention this allegation in her initial interview with the GEF, the Panel does not consider that this would, in and of itself, suggest that Ms Piscupescu was lying. This holds true even more as Ms Piscupescu herself testified that the request to change her score came after the score was blocked, which may explain why she only mentioned the incident about Ms Lytra's Ball routine, where Ms Trikomiti's request *created a block*, in her initial interview with the GEF.

197. As to Ms Aliprandi's testimony, the Appellants' main challenge, and understandably so, is that Ms Aliprandi testified, both in her written statement to the PGA of 18 June 2024, and in her oral testimony before the Panel, that Ms Trikomiti had requested Ms Piscupescu to *lower* her score. This is contradicted not only by the testimony of Ms Piscupescu herself before the Panel that she was requested to *raise* her score, but is also difficult to reconcile with the undisputed fact that, as confirmed by SmartScoring screenshots, Ms Piscupescu did raise her score, from 10.4 to 10.6. The Panel considers that this part of Ms Aliprandi's testimony cannot be correct. For the following reasons, the Panel does not, however, accept the Appellants' suggestion that this means Ms Aliprandi was deliberately lying (much less, that she must have been lying in all other testimony against Ms Trikomiti as well).

198. The Panel finds it highly unlikely that Ms Aliprandi was intentionally lying, in particular in view of the fact that her testimony was the most detailed and most vivid of any witness in this arbitration. Her testimony was also consistent in its core parts despite Ms Aliprandi having given no less than eight statements over a period of more than a year. At the same time, despite the material consistency, she always used different words and sometimes added, sometimes omitted details of less (or no) relevance. Moreover, the differences between her and Ms Piscupescu's testimony essentially exclude any collusion between the witnesses against Ms Trikomiti (not that one was suggested by the Appellants). Furthermore, the Panel has already found above that it is not convinced Ms Aliprandi had any motivation to intentionally give false testimony.

199. What the Panel does find quite possible, however, is that there was a genuine misperception or false recollection on the part of Ms Aliprandi in relation to Ms Trikomiti's request that Ms Piscupescu raise her score. There are two elements in her testimony making this more than a theoretical possibility: firstly, when pressed at the hearing to specify which words she actually heard Ms Trikomiti say, she responded "*To change the score, yes. I did hear this word, change. [...] She pronounced the word change*" (emphasis added; Ms Aliprandi used the English word "change" in this part of her testimony multiple times although otherwise testifying in Italian). The Panel notes that the same word also appeared in Ms Aliprandi's letter to the PGA, where she stated that Ms Trikomiti "*spoke to the two SJ DB judges to change the score (the note to be entered) – to lower it*" (emphasis added). The same term again appeared in her testimony before the DC, where she said that Ms Trikomiti "*kept looking down and to the right and... asking to change*" (emphasis added). Secondly, Ms Aliprandi testified quite vividly how shocked she was herself about the scores in all score components going down. For instance, in her written statement to the GEF of 19 June 2024, she stated the following: "*ALL the judges' PANELS were blocked and the scores were changed. I witnessed this and kept saying stop and watch the total score go down. That's the thing that shocked me the most*". Similarly, in her oral testimony before the DC, she said that "*[a]t first glance, I'm honest, I was really in shock*". The Panel does not find it difficult at all to see how, having heard Ms Trikomiti request a "change" of the score, and having been shocked by all score components instantly going down a lot, Ms Aliprandi became convinced that what Ms Trikomiti asked for was in fact a lowering of the score. This reinforces the Panel's conclusion that Ms Aliprandi's reference to a request by Ms Trikomiti to lower the score was not an intentional lie. This apparent genuine mistake in Ms Aliprandi's testimony did, however, cause the Panel to assess her other testimony particularly carefully for potential similar mistakes. That said, the Panel considers that the risk of a mistake was particularly high after Ms Lewinska's Ball routine, given the above-mentioned circumstances and the fact that multiple witnesses have confirmed that the atmosphere amongst the judges at that particular moment was very tense.

200. For the reasons already set out in relation to Ms Lytra's Ball routine, the Panel does not consider that the testimonies of Ms Trikomiti, Ms Todorova and Ms Bedoshvili could call into question that Ms Trikomiti did ask Ms Piscupescu to change her score for Ms Lewinska's Ball routine, from 10.4 to 10.6. An additional reason for doubting the reliability of their testimony is that all three of them quite clearly sought to downplay the number of blocks on Ms Lewinska's scores on 23 May 2024, which included a block of all four score components for her Ball routine.

201. Ms Trikomiti, Ms Todorova and Ms Bedoshvili all initially testified that blocks are a normal occurrence in RG. In their later testimony, Ms Trikomiti and Ms Bedoshvili testified that they could not tell if the number of blocks for Ms Lewinska was unusual, because only the SJ President sees the number of blocks and they had not (previously) acted as SJ President at a competition whether the automatic blocking system had been used. The Panel found this testimony evasive at best, for the following reasons.
202. Based on the testimony of Ms Aliprandi, Ms Piscupescu, Ms de Cossio, Ms Suter, Ms Ahlquist, Ms Moltubakk and Ms Lazsányi, the Panel finds it established that the number of blocks for Ms Lewinska was very exceptional. All of those seven witnesses are experienced judges, and it is noteworthy that one of them (Ms Motubakk) did not herself judge at the RGEC, but rather participated as a spectator. The Panel sees no reason why those seven witnesses should have lied, much less as all of them provided plausible reasons for their view that the blocks on Ms Lewinska's scores on 23 May 2024 were unusual. This is made even less likely by the fact that there is no sign (or even suggestion by the Appellants) of any coordination between the testimony of those witnesses. Accordingly, it would be a very remarkable coincidence indeed for all of them to decide individually to give false testimony.
203. The reasons provided by those seven witnesses for their view that the blocks were unusual included that (i) it is difficult for high-ranking gymnasts to have blocks, in particular in DA or DB, as they have clearer routines, (ii) the number of blocks for Ms Lewinska was disproportionate to the number blocks for other high-level gymnasts at the RGEC, and (iii) there were no blocks for much higher scores that Ms Lewinska received in the final for the same routines. None of those observations would have required any previous experience with the block system. Instead, they are either based on an assessment of how likely it is to have a significant difference in score between the JP and the SJ, or on an observation of the blocks that occurred during the RGEC. As a result, it is a rather surprising coincidence that Ms Trikomiti, Ms Todorova and Ms Bedoshvili, despite being experienced judges themselves, all avoided to offer any views on the number of blocks for Ms Lewinska. Their references to blocks being a normal occurrence, or to a lack of own experience with the block system, appeared rather as pretexts than as credible justifications for such avoidance.
204. In view of the above, the Panel finds it established that Ms Trikomiti did ask Ms Piscupescu to change her score from 10.4 to 10.6. However, the Panel is not satisfied that this request even falls under the GEF's own formulation of its case. As mentioned above, it is the GEF's case that Ms Trikomiti provoked blocked scores by requesting Ms Piscupescu to change her scores – so that, after the block occurred, she could use her undisputed power under the applicable rules to determine the final score. The problem with this allegation is that Ms Piscupescu's score of 10.4 (which she confirms having given herself freely, after having corrected her initial score of 10.3) already created a block, given that the difference compared to the JP's DB score (11.4) exceeded the threshold of 0.5. Accordingly, the request to change the score from 10.4 to 10.6 did not create a block. Instead, it must have been made *after* the system had already automatically blocked the DB score. Indeed, this was expressly confirmed by Ms Piscupescu herself in her written witness statement in this arbitration, in which she stated that "*I do recall that in this particular case, I was instructed by the President of the Jury to adjust the score following the block*" (emphasis added).

205. The Panel is not convinced that such request by a SJ President to change an already blocked score is in violation of the FIG's rules. In particular, the Panel notes that Article 1.3 of the Appendix to the FIG Code of Points specifically empowers the SJ President to overrule a judge who refuses to change his/her blocked score. While the wording of Article 1.3 appears to refer only to the overruling of a score of a JP member, the Panel finds it established that, in practice, it is well accepted that the SJ President also has the power to request that the relevant SJ member changes his or her score. This follows already from the explanation of the block system given by the FIG's Sports Event Manager, Ms Martinet, to Ms Worthmann prior to the RGEC (see para. 15 above). In addition, this is precisely what happened, multiple times, at the RGEC. For instance, Ms Piscupescu herself testified that the SmartScoring screenshots submitted by the Appellants in relation to her score changes for the Ball routines of Ms Boryana, Ms Berta, Ms Atamanov and Ms Millet, and for the Ribbon routine of Ms Berta, all related to cases in which, after a block had occurred, Ms Trikomiti requested her to change her score. Similarly, Ms Abduramanova, the SJ member in charge of DA, testified that she changed her score for Ms Lewinska's Ball routine from 7.1 to 7.6 (which ended up being the final score) after being requested to do so via SmartScoring, to resolve the block that had occurred in view of the JP's score of 7.9. There is no suggestion by the GEF that those (or any other) instances of Ms Trikomiti requesting score changes by SJ members to resolve blocked scores at the RGEC amounted to score manipulation. As a result, the Panel fails to see why this should be any different in the case of the blocked DB score for Ms Lewinska's Ball routine. While it is unclear why Ms Trikomiti's requests for a score change was made verbally, rather than through SmartScoring, the Panel does not consider that the applicable rules provide for a mandatory way of communicating score change requests.

206. This does not mean that the sheer number of blocks on Ms Lewinska's routines on 23 May 2024, all of them resulting in a significant lowering of her scores (which, according to the testimony of Ms Moltubakk, is likewise very unusual), might not raise the question as to whether the scoring of those routines was above board. However, the GEF did not allege any specific actions of interference by Ms Trikomiti regarding any of the seven blocked scores other than the DB score for the Ball routine, and none of the other SJ members have testified that Ms Trikomiti interfered with their judging, or that they witnessed her interfering with the judging of other SJ members. Ms Trikomiti's request for a change of the DB score, in turn, came after the block and, therefore, did not violate the FIG's rules. Accordingly, there is no sufficient basis for the Panel to find any score manipulation by Ms Trikomiti in respect of Ms Lewinska's Ball routine (and, much less, in respect of her Hoop routine in relation to which the GEF did not make any specific allegations).

c. Alleged interference in relation to Ms Lewinska's Ribbon routine

207. In its written submissions, the GEF asserted that Ms Trikomiti interfered indirectly with Ms Piscupescu's DB score for Ms Lewinska's Ribbon routine. It is not entirely clear to the Panel whether the GEF maintained this allegation at the hearing, given that it was no longer mentioned in the GEF's closing argument where the GEF seemed to list the specific actions of Ms Trikomiti that the GEF considered amounted to score manipulation.

208. However, even assuming that the GEF maintained the allegation that Ms Trikomiti manipulated Ms Lewinska's score for the Ribbon routine, the Panel does not find such allegation established on a balance of probabilities. The only evidence proffered for this

allegation is the testimony by Ms Piscupescu that she was asked by Ms Todorova to refrain from entering her score for DB prior to Ms Todorova discussing the intended score with Ms Trikomiti, because Ms Todorova allegedly felt Ms Trikomiti may consider the intended score to be too high. Importantly, Ms Piscupescu did not testify that she saw or heard Ms Trikomiti do or say anything that would amount to a request that she change her score for Ms Lewinska's Ribbon routine. She only testified that after she had put her score (without waiting for any potential requests from Ms Trikomiti), Ms Trikomiti looked at her angrily, and that it took longer than usual for the final score to be announced.

209. The Panel does not consider that this evidence is sufficient for the GEF to discharge its burden of proof on this particular allegation. It is necessary for the GEF to establish a specific act or omission by Ms Trikomiti that amounts to score manipulation. Ms Piscupescu's testimony that Ms Trikomiti seemed angry with her scoring, and that it took longer than usual to publish the score, might be regarded as circumstantial evidence underscoring a bias in favour of Ms Tugolukova, but is not evidence of any act that could, in and of itself, be qualified as score manipulation. Therefore, the Panel dismisses the GEF's allegation of score manipulation in relation to Ms Lewinska's Ribbon routine.

B. Sanctions imposed on Ms Trikomiti

210. While the Appellants argued that the Panel's power to decide *de novo* implied its power to amend the sanctions imposed by the DC, they did not make any specific argument as to whether, and why, the sanction imposed on Ms Trikomiti would have to be changed (assuming that she was found to have manipulated scores). However, contrary to what the Respondent seemed to suggest, the Panel does not consider that this should prevent the Panel from determining whether the sanction imposed was proportionate. Instead, the Panel finds itself obliged to do so. The principle of proportionality is a fundamental principle of Swiss law and, therefore, directly applicable in view of the Parties' choice of law.

211. That said, the Panel is mindful of the well-established CAS jurisprudence whereby CAS panels should not 'tinker' with sanctions imposed by the previous instances, but should amend sanctions only if they are "*evidently and grossly disproportionate to the offence*" (see, *ex multis*, CAS 2009/A/1870, para. 125; CAS 2011/A/2645, para. 44; CAS 2015/A/3874, para. 202). The Panel has found Ms Trikomiti to have manipulated the score of Ms Lytra's Ball routine. Moreover, in line with CAS jurisprudence, the Panel considers that the manipulation of sporting results is a serious breach of sporting fairness, which at the same time undermines the trust of athletes, coaches, other participants and the public at large in the integrity of sports. As such, score manipulation warrants a significant sanction, not only as a proportionate response to the wrongdoing but also to deter future breaches. As a result, the Panel does not consider that a period of ineligibility of four years, and the annulation of her FIG Judge Brevet, is grossly and evidently disproportionate in the present case. This takes into account also that, as TC President and SJ President, Ms Trikomiti was subject to the highest standards of integrity (as acknowledged by herself at the hearing), which renders her violation of the rules particularly serious.

212. The Panel wishes to reiterate that the present proceedings are purely disciplinary in nature. Accordingly, the applicable standard of proof was a mere balance of probabilities, a comparatively low threshold that requires only that the alleged conduct be more likely than

not, rather than proved with any heightened degree of certainty. The conduct at issue does not amount to a criminal or quasi-criminal offence, nor does it carry the gravity of sanctions typically associated with such matters. Rather, it concerns an infraction of ethical obligations, to be assessed within the disciplinary framework and the principles of proportionality that govern matters of this nature.

213. Therefore, the Panel confirms the sanctions as imposed on Ms Trikomiti by the DC.

C. Sanction imposed on EG

214. The Decision held EG liable, under Article 4 of the FIG Code of Discipline, for Ms Trikomiti's score manipulation, and imposed as a sanction a reimbursement of GEF's investigative costs in the amount of CHF 8,000.

215. Article 4 of the FIG Code of Discipline reads as follows, in its relevant part:

“The Federations are also liable for the behaviour of their members, gymnasts, judges and officials as well as for any other person assigned by them to officiate during a competition. They are liable for the implementation of any sanction of the FIG imposed against those persons. Any failure of a Federation to implement any sanction of the FIG may lead to a disciplinary action against the Federation concerned” (emphasis added).

216. The Appellants do not dispute, and the Panel agrees, that Ms Trikomiti qualified, in her role as TC President SJ President, as a “judge” within the meaning of Article 4 of the CoD. If one saw this differently, she would qualify as an “official” (also in view of her being the TC President at the time) or as an “other person assigned [...] to officiate officiating during a competition”. Article 4 of the FIG Code of Discipline explicitly provides that the “Federations”, which defined term includes Continental Unions pursuant to Appendix 1 to the FIG Code of Discipline, “are liable for the behaviour” of the judges assigned by them to a competition. EG selected Ms Trikomiti as its TC President, which automatically made her SJ President at the RGEC. The Panel does not hesitate to find that this means that EG effectively assigned Ms Trikomiti as a judge to the RGEC. This being the case, it follows from the express language of Article 4 of the FIG Code of Discipline that EG is liable for Ms Trikomiti's behaviour as SJ President at the RGEC.

217. Article 4 of the FIG Code of Discipline does not mention any requirement of fault on the part of EG. Indeed, its wording is very similar to provisions in other sporting rules that have been found by CAS to impose strict liability (see, in particular, CAS 2013/A/3139, para. 97; CAS 2014/A/3625, paras. 89).

218. In respect of the Appellants' argument that EG must be able to exculpate itself, the Panel first notes that, according to CAS jurisprudence, strict liability does not violate Swiss law (see, CAS 2002/A/423, para. 17; CAS 2013/A/3139, para. 101). In addition, even if one considered that EG must have the possibility to exculpate itself, the Panel does not find that EG managed to do so. The liability in Article 4 of the FIG Code of Discipline is clearly tied to EG having “assigned” Ms Trikomiti. Consequently, any exculpation would seem to have to relate to that assignment, i.e., require a showing that EG did not bear any fault in its selection of Ms Trikomiti. However, even if one considered that the point of reference for the exculpation

would be Ms Trikomiti's misconduct, such that EG could exculpate itself by establishing that it could not have prevented such misconduct, this would not help EG. This is because EG has sought to exculpate itself exclusively by reference to its investigations conducted after the RGEC. This, however, happened not only after EG's selection of Ms Trikomiti, but also after Ms Trikomiti's misconduct. The Panel fails to see how any actions of EG after the violation had already occurred could show that EG did not bear any fault. Accordingly, even if one assumed that EG had the possibility to exculpate itself, it has failed to do so.

219. As to the specific sanction imposed, i.e., the reimbursement of an amount of CHF 8,000, the Panel notes that Article 25 of the FIG Code of Discipline refers to the types of sanctions foreseen in the FIG Statutes, and that Article 34 of the FIG Statutes provides as follows:

“Disciplinary measures which can be imposed amongst others on a Member Federation, on a legal entity or on an individual are the following:

[...]

9. the financial fine

[...]

17. or any other sanction which could be proposed by the [DC]”.

220. The Panel considers that, if one does not qualify the amount of CHF 8,000 as a fine (that will then be used to reimburse the GEF for its investigative costs), it is at least a sanction proposed by the DC within the meaning of Article 34(17) of the FIG Statutes. Given the rather moderate amount, the Panel also does not consider the sanction to be evidently and grossly disproportionate.

221. In addition, the Panel does not accept EG's argument that upholding the Decision in this regard would open the door to arbitrary cross-financing of the GEF by third parties. Firstly, there was no showing of arbitrariness in respect of the sanction in the present case, and any argument of arbitrariness in future cases could be advanced to the competent judicial body in those cases. Secondly, EG is not a random third party, but rather the entity that assigned Ms Trikomiti to the role in which she committed a serious violation of the FIG Rules.

222. Consequently, the Panel confirms the sanction imposed by the DC on EG.

X. COSTS

(...)

ON THESE GROUNDS

The Court of Arbitration for Sport rules that:

1. The appeal filed by Ms Evangelia Trikomiti and European Gymnastics on 17 February 2025 against the Decision rendered by the Disciplinary Commission of the Gymnastics Ethics Foundation on 6 February 2025 is dismissed.
2. The Decision rendered by the Disciplinary Commission of the Gymnastics Ethics Foundation on 6 February 2025 in the matter is confirmed.
3. (...).
4. (...).
5. All other motions or prayers for relief are dismissed.

Seat of arbitration: Lausanne, Switzerland

Date: 13 January 2026

THE COURT OF ARBITRATION FOR SPORT

Dr Heiner Kahlert
President of the Panel

Dr Despina Mavromati
Arbitrator

Romano F. Subiotto KC
Arbitrator

Stéphanie De Dycker
Clerk with the CAS