



WORLD ASSOCIATION OF KICKBOXING ORGANIZATIONS

DISCIPLINARY & ETHICAL COMMITTEE

Proceedings against Mr. Marek Melko

Mr. Marek Melko

By email: skpbbystrica@gmail.com

DC00062024

SUBJECT: Decission

Dear Mr. Marek Melko

DECISION:

The Disciplinary and Ethical Committee of WAKO decides that:

1. Mr. Marek Melko is warned to strictly adhere to the WAKO Safeguarding Policy in the future.

REASON:

(1) On 20th of June 2024 the WAKO Safeguarding officer Mrs. Marijana Pelevic send an report and complaint to the WAKO DEC as follows:

REPORT OF THE SAFEGUARDING INCIDENT

Date: Sunday 16th June 2024

Venue: BOK Sporthall, Budapest, Hungary

Event: WAKO World Cup, Budapest, Hungary 2024

Approx time of incident: 18:30

Injured party/claimant: Older cadet kickboxer **GAJEK WOJCIECH (Poland - Fighter Juraska Akademia)**

Assailant: Hungarian coach **IMRE KOVACS (Hungary - Coach Kovacs Team)**

Description of incident:

- On Tatami 10, during the **KL OC M -52kg** bout between **Gyevi-Toth Benedek (HUN-Kovacs Team) V GAJEK WOKCIECH (POL - Juraska Akademia)**, the centre referee called "STOP" as the fight time had ended.
- Both fighters continued to fight after STOP. Hungarian Coach stood up aggressively and gave an open hand slap on the Polish fighter's back.
- Polish fighter went to the ground in pain
- Centre referee immediately DQ Hungarian coach
- No medical attention was required for Polish fighter and no further action was taken by centre referee

Aftermath of incident:

- Polish coach along with the mother of the Polish fighter approached **Eleftheria Panagopoulou**, chief tatami referee for the WAKO World Cup with the complaint.



- Eleftheria then approached **Ilija Salerno** (WAKO Safeguarding Officer) about the incident.
- Ilija Salerno then took charge of the complaint
- Request by the Polish coach and mother of the injured Polish fighter was made for immediate apology and sanction for Hungarian coach
- Ilija Salerno requested the presence of Team Poland Safeguarding Officer.
- Ilija Salerno requested written statement from Team Juraska Akademia coach and from the centre referee signed by all judges along with chief referee of tatami area 10
- Safety check was made on injured party and assistance was immediately offered but not required
- Mr **Istvan Kiraly** was informed of the incident as host/organiser of event
- Coach of Kovacs Team gave an official apology to the injured Polish fighter in front of the Polish coach, mother of the Polish fighter, Team Poland Safeguarding Officer, Mr Istvan Kiraly and Ilija Salerno. Hungarian coach was very remorseful and wished the very best of success for the future of Polish fighter.
- Apology was accepted by the injured party.

Official request

- Coach of Jurajska Akademia requests for disciplinary action to begin for Hungarian coach
- Coach of Jurajska Akademia requests for referees/judges to be made aware of correct safeguarding procedures when assault, even if minor should ever take place
- Hungarian Federation formally requests for WAKO Safeguarding Officers to proceed with investigation in to incident**

The correspondence that followed:

- On Tuesday, 18th June, Ilija Salerno addressed directly to the mother of the assaulted party/claimant by email informing her of the further undertaken actions of informing Marijana Pelevic as the Minors protection officer in WAKO of the incident that happened, sharing contact details in the case of additional communication is needed.
- Marijana Pelevic sent email to the mother of assaulted boy/claimant expressing her sorrow for what has happened and explaining her which steps will be undertaken in this case.

CONCLUSION OF THE WAKO SAFEGUARDING COMMITTEE:

1.

1.1. Behaviour of the Hungarian coach IMRE KOVACS who entered the fighting field and did open hand slap on the Polish fighter's back during the fight **CAN BE TREATED AS A SAFEGUARDING INCIDENT.**

According to the WAKO Safeguarding policy, it can be treated as FORBIDDEN CONDUCT (Art.3. of the WAKO Safeguarding Policy), explained in chapter 6:

“Physical Abuse

*It refers to **any deliberate, non-accidental and unwelcome act, including but not limited to, punching, beating, kicking, biting and burning – that causes physical trauma or injury.** Such acts can also consist of forced or inappropriate physical activity (e.g., inappropriate age or physical training loads; when injured or in pain), forced alcohol consumption, or forced doping practices.”*

Also, this act of the coach (senior) towards kickboxer (older cadet) can also apply to the FORBIDDEN CONDUCT, Art.3. WAKO Safeguarding Policy, chapter 5:

“Psychological Abuse

*It refers to **any deliberate, prolonged, repeated non-contact behaviors, with or without following a pattern, within or without a power differentiated relationship. It can include***



any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilization, or any other treatment which may diminish the sense of identity, dignity, and self-worth.”

1.2. WAKO Safeguarding committee is obliged by the Safeguarding policy that will act quickly on any complaint of harassment with the goal of resolving the situation fairly and of preventing future occurrences, including determining and enforcing appropriate discipline, if required, so WAKO Safeguarding Committee report this to the WAKO Disciplinary and Ethical Committee for further investigation and decisions.

1.3. WAKO Safeguarding Committee members Ilija Salerno and Marijana Pelevic propose passing a harsh sanction towards Hungarian coach, which can serve as an example of our unwavering struggle for safe competition, especially since we are going to have the World Championships for children, cadets and juniors this summer.

2.

2.1. In the moment of the incident, central referee of the tatami 10, even he did disqualified the Hungarian coach for his improper behaviour, **didn't act under the prescribed Safeguarding protocols** and after the fight was finished, **he didn't report the incident to the chief referee of the event**, Elefteria Panagoulou.

This leads us to believe that central referee:

1. did not recognize the behaviour of the Hungarian coach as the Harrasment/Forbidden Conduct so didn't followed the procedures,
2. is underestimating the importance of Safeguarding protection of the participants at the sport event.

Both can be subsumed under **the lack of knowledge and lack of education in the Safeguarding.**

2.2. Safeguarding committee members propose to declare a warning for the central referee to get educated and to revise WAKO Safeguarding policy and Procedures before next engagement at the WAKO events.

2.3. General proposal: during referees and coach's seminars at all WAKO events it must be mandatory to have a dedicated time for a short Safeguarding presentation to remind participants for the Safeguarding policy content which applies to all participants of the event.

2.4. General proposal: to put more attention on the system of issuing accreditations for WAKO events, where on the several events the member of the Safeguarding committee and Safeguarding officer Marijana Pelevic noticed that unauthorised persons come into possession of accreditations for coaches and VIP persons, **without a name and a photo on it**, with allowed access to the closest area with the athletes, which puts WAKO in a huge risk of possible adverse incidents which cannot be resolved in the prescribed manner. **We suggest to the WAKO new established Event and Membership Committee to recognize this problem and forse its solution for the Safeguarding benefits.**

Completed and submitted on 20th June 2024.

Marijana Pelević, WAKO Safeguarding Officer/Minors protection officer
Ilija Salerno, WAKO general Safety officer

A video showing the incident was attached to the report.

(2) On 23th of June 2024 Mr. Nikolaus Gstättner informed the members of the WAKO DEC about the opening of disciplinary proceedings against Mr. Marek Melko (chief referee on area 10). With the consent of the members of the WAKO DEC he declared to conduct the proceedings by himself. No procedural fee will be charged, as the complaint was made by a WAKO official in the exercise of her duties.



(3) On 24th of June 2024 Mr. Marek Melko was informed of the initiation of disciplinary proceedings and given the opportunity to comment by 9th of July 2024.

(4) On 2nd of July 2024 Mr. Marek Melko forwarded his statement as follows:

Dear Mag. Nikolaus Gstättner,
Chairman WAKO Disciplinary and Ethical Committee

I am sending my statement on the incident in question.

Yes, I was a Tatami inspector 10. Oleg from Ukraine was nominated for the match as the center of the KL OC M -52kg fight between Gyevi-Toth Benedek (HUN-Kovacs Team) vs GAJEK WOKCIECH (POL - Jura Academy). At the moment of the incident, I called a meeting on my initiative as circle inspector of tatami 10 and they disqualified the Hungarian coach for his inappropriate behavior. All the judges on this tatami have expressed themselves unequivocally and also confirmed with the DISQ verdict. That's how it was recorded on the Sportdata video.

We worked on the tatami at the World Championships in Budapest for 3 days and there were 5 judges (June 14, 15, 16, 2024). There were more than 80 matches every day, and each referee had to give a superhuman performance. After 3 days, fatigue, less concentration and many other factors will definitely show. Despite the heavy workload, we managed this tournament with honor and excellence. During the tournament, no one complained about us or filed a complaint. We worked for 3 whole days and by the end we were quite tired.

I certainly did not forget about this incident that happened and I wanted to solve it and report it to Elefteria. I also had to continue to finish the matches in this tournament. Elefteria came to me sooner than I wanted to report it. I explained it to her verbally and told her in detail what happened. After the explanation, I considered this matter finished and closed and did not know that it should be solved in another way, as no one informed me about this issue. I certainly had no intention of neglecting or trivializing such a thing. I know that something like this will not happen again in the future.

I think I do my job 100%, but I'm also just a person who makes a mistake. Therefore, at the end, please accept my apology.

With respect and regards

In B Bystrica, on June 29, 2024 Mgr. Marek Melko, Slovakia

APPLICABLE RULES :

WAKO Statutes, Article 39. Disciplinary Committee

6. The Disciplinary and Ethical Committee is competent to deal with any disciplinary and ethical matters.

7. Further and more detailed provisions regarding the Disciplinary and Ethical Committee and the disciplinary and ethical proceedings under its competence are set forth in regulations issued by the Board.

Article 13. Members' Obligations

1. The Members of WAKO shall have the following obligations:



a. to comply with these Statutes as well as ANY and all regulations, directives and DECISIONS enacted or issued by WAKO BODIES at any time and to comply with the decisions of the Court of Arbitration for Sport (CAS);

4. WAKO Individual Affiliates, when participating to WAKO activities and competitions shall be subject to the provisions of these Statutes and of other WAKO regulations. In case of breach, they shall be subject to disciplinary actions as well as consequences and sanctions resulting therefrom, as provided by these Statutes and other WAKO regulations.

WAKO By-Laws, 1.6.13 Disciplinary and Ethical Committee

the Disciplinary and Ethical Committee is in charge of the conduct of the disciplinary proceedings and investigations conducted as a consequence of any possible violations of the WAKO Statutes and further WAKO rules and regulations and codes by WAKO Members, officials, officers and/or WAKO Individual Affiliates National Federations or Continental Federations (as indicated in WAKO Disciplinary Code); - Moreover, the Disciplinary and Ethical Committee is responsible to take actions and apply sanctions on the basis of the WAKO Disciplinary Code and the suggestions of the President and/or the Board of Directors.

WAKO Code of Ethics, Art. 1 Scope of application

The Code of Ethics shall apply to all WAKO members (the affiliated National Federations or Associations and their members), any persons elected or appointed to any position within the organization of WAKO and its Continental Divisions, WAKO staff, officials, athletes, coaches and referees, and, in general, any individual engaged in WAKO activities and events (collectively, the "Parties"). It shall also apply to consultants and contractually-connected persons/companies, including those representing and/or serving WAKO. The Parties shall observe the Ethical Principles (as hereinafter defined) set forth in this Code of Ethics, including but not limited to fair play and sportsmanship, when participating in any WAKO's championships, events and any other activities.

WAKO Code of Ethics, Art. 2 General conduct regulations

2.1 All Parties shall show commitment to an ethical attitude while fulfilling their task. They shall pledge to behave in accordance with all ethical principles set forth in the present Code of Ethics such as, by way of example but not limited to, the following:

- 1) Human Dignity;
- 2) Non-discrimination, either on the basis of race, gender, nationality, ethnic origin, religion, philosophical or political opinions, nationality, sexual preference or any other grounds;
- 3) Non-violence, including abstaining from any kind of pressure and harassment, whether physical, mental, professional or sexual;
- 4) Friendship, mutual aid and fair play;
- 5) Integrity;
- 6) Priority to the interests of the sport of Kickboxing and of the athletes in relation to financial interests;
- 7) Protection of the environment and health and safety of the athletes and



participants;

8) Political neutrality;

9) Promotion of the Olympic Movement ideals and principles;

10) Non defamatory approach to any party;

11) Respect and adherence to WAKO Statutes, By-laws, policies, meeting conduct and procedures;

12) Collective Agreement, respecting the majority decision on the various Committees.

WAKO Disciplinary Code, Art. 4 General principles

4.1. Violations of the WAKO Statutes, By-Laws, Rules, Regulations and decisions of the Board of Directors or the General Assembly, including the ethical principles outlined in the WAKO Ethical Code, may be sanctioned in accordance with the terms of this Code save as otherwise provided under the respective provisions of the aforementioned legal documents whereby the competence of another Committee (i.e. the Arbitration Committee) may be provided.

4.3. Unless otherwise specified, offenses and infringements are punishable regardless of whether they have been committed intentionally or negligently.

4.7. Any Subjected Parties can request to DEC to initiate an inquiry on any matter which is under the application of this Code.

WAKO Disciplinary Code, Art. 5. Disciplinary Measures

5.1. The following sanctions may be imposed on a natural person:

a) Reprimand and Warning;

b) Ban from participation in events for a defined period of time;

c) Fine;

5.7. The DEC may impose that a fine is to be paid by the Subjected Parties. The fine shall be no more than EUR 2,500 per individual, per infringement, and not be more than EUR 5,000 per sanctioned National Federation or Club.

WAKO Disciplinary Code, Art. 6. Common Rules

6.1. Sanctions provided for above in Article 5 may be combined, where deemed appropriate by the DEC.

WAKO Disciplinary Code, Art.7. Execution of Sanctions

7.1. The DEC that imposes the sanctions under this Code decides the scope and terms of the same and, where applicable, the time limits for the payment of any fine.

7.3. Fines must be paid to the WAKO bank account - as indicated by WAKO Administration - no later than two (2) months after receipt of the notification of the imposed sanction.

7.4. Should the person or entity fined not pay within the time limit set in the preceding paragraph, payment due will incur a twenty per cent (20%) per annum arrear interest each twelve-month delay and cause prohibition from participation in Competitions until the entire fine is paid.

WAKO Disciplinary Code, Art.15. Competence of the WAKO Disciplinary and Ethical Committee (DEC)



The WAKO Disciplinary and Ethical Committee (DEC) is the body responsible for the application and the implementation of the provisions of the Code regarding disciplinary matters and (ii) the Code of Ethics regarding the ethical matters related to the Subjected Parties under Article 2 above as a consequence of an offense or a breach as provided in Article 1 above.

DISCIPLINARY PROCEDURE

17.1. The proceeding under this Code is initiated by written notification (or by e-mail) to the DEC by the petitioner (the “Claimant”). This request has to be filed within 30 days after the day of the knowledge of the infringements sanctioned under this Code but, in any event, no later than 1 year.

WAKO SAFEGUARDING POLICY TO SAFEGUARD ATHLETES AND YOUTH FROM HARASSMENT AND ABUSE IN SPORT

FINDINGS AND DECLARATIVE STATEMENT OF THE WAKO DISCIPLINARY AND ETHICAL COMMITTEE:

- 1) The report of facts by Mrs. Marijana Pelevic is considered to be accurate.
- 2) Mrs. Marijana Pelevic`s complaint is justified.
- 3) A violation of the WAKO regulations, especially the WAKO Safeguarding Policy was committed by Mr. Marek Melko.
- 4) The WAKO DEC appreciates the hard work of Mr. Marek Melko and his faultless behavior in the past.
- 5) In his statement, Mr. Marek Melko shows understanding and it can be assumed that no relevant infringement will take place in the future.

CONCLUSION:

The WAKO Disciplinary and Ethical Committee decides the following:

Mr. Melko Marek has not fulfilled his reporting obligation according to the WAKO Safeguarding Policy to safeguard athletes and youth from harassment and abuse in Sport, but the level of offence is low as there has been no training of the referees. For this reason, Mr Melko Marek is only being warned.

INFORMATION ABOUT APPEALS:

Decisions passed by the DEC may be appealed before the Arbitration Committee within 30 days from the date of issuance of the relevant decision issued and notified by the DEC. The appeal will not suspend the decision of the DEC.



WAKO DISCIPLINARY AND ETHICAL COMMITTEE

Mr. Nikolaus Gstättner (Austria) (Chairman),

Mrs. Özge Kayıcı (Turkey), Mr. Kiandro Lebon (Belgium),

Mrs. Lamija Ogric (Bosnia Herzegovina), Mr. Thomas Steenberg (Norway)

On behalf of WAKO DEC

Mag. Nikolaus Gstättner

Chairman WAKO Disciplinary and Ethical Committee

<https://wako.sport/committees/>

Ludmannsdorf, 24.07.2024