



ELECTORAL COMMISSION

REPORT – 23 JULY 2022

The Electoral Commission (hereafter ELC) held an on-line meeting on the 23rd of July 2022, that was attended by all members of the ELC: Roberto Rivello (chairman), Francois Strydom and Lakhdar Mazouz.

Darcy Lima (Americas) and Marouane Tabti (recently appointed for Africa), observers nominated by the FIDE Continents, participated in the meeting as well.

Erald Dervishi (Europa) and Rashid Alanezi (Asia) could not attend the meeting.

The following points were inserted in the agenda, discussed and decided by the ELC.

I) List of the Member Federations having right to vote (including the names of Presidents and Delegates) and received requests ex art. 3.4 of the Electoral Rules

A first provisional list of the Member federations having right to vote (including the names of Presidents and Delegates) was approved by the ELC on 7 June 2022.

In accordance with art. 3.4 of the Electoral Rules, until thirty (30) days before elections, each Member Federation (hereafter MF) can communicate any election or nomination of a different FIDE Delegate or President (deadline 7 July 2022).

After having examined the data communicated by the FIDE Offices, on occasion of the meeting held on 9 July 2022 the ELC approved a second, updated provisional list, reserving the evaluation, for different reasons, about Presidents and Delegates of some Member Federations.

After having examined the data received by the FIDE Offices, the ELC modifies the above-mentioned list as follows:

- the ELC confirms that Ms Steenkamp, Judy-Marie is the Delegate of the South Africa MF, having been designated by the legitimate President, Mr. Du Toit, Hendrik Petrus;

- the ELC indicates that Mr. Brou, Kouassi N'gurssan Justin is the current President and Delegate for the Ivory Coast MF.

After the deadline of the 7th of July 2022, some MF asked to update the names of their representatives, in the list of the MF having voting powers.

In accordance with art. 3.4 of the Electoral Rules, it has to be reminded that: “until thirty (30) days before elections, each MF can communicate any election or nomination of a different FIDE Delegate or President. Communications received after that date will not be taken into account for the purposes of the legitimacy to exercise the right the vote. Only in case of proven impossibility of the person entitled to exercise the right to vote, communicated no later than fifteen (15) days before the elections, the FIDE Delegate of a Member Federation may be replaced by the President of that Federation, or the President by the FIDE Delegate, and only if their names were already included in the above-mentioned list”.

- The President and Delegate of Nauru MF, Mr. Halstead, Richie, being affected by Covid-19, requested to nominate as new Delegate Mr. Depaune, Ricko. Unfortunately, the name of Mr. Depaune, Ricko was not included in the provisional lists, therefore the request must be rejected.
- The Delegate of Scotland MF, Mr. Howie, Andy, communicated that, for health reasons, he will not be able to travel to India. In the provisional list the name of Mr. Webster, Jim J., was indicated as President, therefore Mr. Webster, Jim J can be indicated as Delegate of Scotland MF as well. Nothing else can be authorised.
- Nepal MF communicated that, following a meeting held on 8 July 2022, Mr. Bidur Prasad Gautam was elected as new President and Delegate. It seems that a complaint was submitted against this election but, in any case, after the deadline of the 7 July 2022, communications of new elections or nominations cannot be taken into account, and the name of Mr. Bidur Prasad Gautam was not included in the provisional lists, therefore the request must be rejected.
- Zimbabwe MF communicated that, following a meeting held on 16 July 2022, Mr Collen Tongowona ceased to be their President and requested to recognise as their delegate Mr. Mucha Mkanganwi, current “acting President” of the Zimbabwe MF. However, after the deadline of the 7 July 2022 communications of new elections or nominations cannot be taken into account, and the name of Mr. Mucha Mkanganwi was not included in the provisional lists, therefore the request must be rejected.

On the basis of these decisions, the list of voters has to be updated, as indicated above, only regarding the MF of Ivory Coast, Scotland and South Africa.

II) Objections and other requests of ELC’s decisions.

After the 7 July 2022, the ELC received some appeals regarding ELC’s decisions concerning the following MF: Afghanistan, Central African Republic, Ecuador.

Afghanistan MF

The case of the Afghanistan MF is particularly complicated.

Mr. Ghulam Ali Malak Zad, President of the Afghanistan National Chess Federation (ANCF), indicated that: “on the arrival of the Emirate Government in August 2021, the situation in the country started deteriorating”, thus, he “and some other ANCF executive board members, including Mr. Abasin Mohibi”, left the country; that he is currently living in Latvia, as asylum seeker, “however, as the president of the ANCF”, he is “closely in touch with the ANCF General Assembly, Executive Board Members and players to manage ANCF matters/affairs”, adding that the communication of the name of Mr Abasim Mohibi, as ANCF Delegate, would have been done without his knowledge and against his will, asking to be recognised as the legitimate Delegate of the ANCF.

Mr. Mohamad Qasim Osyanger, Chairman of the Board of Directors of the ANCF, on the contrary, observed that, from one side, Mr Abasin Mohibi was appointed as ANCF Delegate by the General Assembly and by the Board of Directors, he represented Afghanistan as a Delegate in 2018 Batumi Chess Congress, 2019 (2020) Extraordinary Congress in UAE, and 2021 online Congress and his *status* of Delegate is supported and confirmed by NOC of Afghanistan that is officially recognised by the International Olympic Committee; from another side, Mr. Ghulam Ali Malak Zad, being absent from Afghanistan for a period longer of 6 months, in accordance with art. 16 and 20 of the ANCF Statute, was considered lapsed from the office of ANCF President.

Ms. Leeda Hamrah, Vice President and member of the Executive Board of the ANCF, confirmed the decision made by the Board of Directors to nominate as Delegate Mr. Abasin Mohibi, who already served ANCF “for so many years”. Mr. Abdul Khaliq Wais, other Vice President of the ANCF also confirmed that the Board of Directors nominated Mr Abasin Mohibi as Delegate.

The ELC examined the ANCF Statute. There is no doubt that “the Board of Directors, which is elected by the General Assembly for four years, in the absence of the General Assembly, is the highest authority of the Federation” (art. 15) and that “the positions of the federation are determined based on the proposal of the President of the federation and the approval of the majority of the members of the Board of directors” (art. 16), and it is also true that “if the president of the federation ... is absent for more than six months, he will be dismissed on the proposal of the board of directors and for the purpose of the assembly” and that “if the President of the Federation does not participate in the Asian, World or other related elections, the President is obliged to nominate one of the key

officials of the Federation as a delegate” (art. 20); however, art. 21 rules that “If the President of the Federation participates in the Asian or world elections, there is no need to introduce one of the above key officials as a delegate”.

At the moment being, there is evidence that the Board of Directors, applying ANCF Statute, proposed to dismiss Mr. Ghulam Ali Malak Zad as President and designated Mr. Abasin Mohibi as ANCF Delegate, however -also if likely for the current political situation of the country- there are no evidence of a final decision taken by the General Assembly about the dismissal of the President and, in accordance with art. 21 of ANCF Statute, if the President decides to participate in FIDE/world elections there is no need to designate a Delegate, therefore the decision of the Board of Directors is not applicable.

On these bases, the ELC decides that Mr. Ghulam Ali Malak Zad has currently the right to be recognised as the ANCF Delegate. The list of voters must be modified in accordance with this decision.

Central African Republic MF

The case concerning the Central African Republic MF (Fédération Centrafricaine des Échecs) is also very controversial. As the ELC already noted, FIDE Offices received documents, apparently issued by the same source and person (Direction generale des sports et de l'éducation physique – Ministère chargé de la promotion de la jeunesse, des sports et de l'éducation civique), but contrasting each other: a document, dated 8 June 2022, that approves the minutes of an assembly that would have elected, 4 days before, Miss Poudjouna Gamba Abigaël as new President of that federation; a different document, dated 6 July 2022, that on the contrary certifies the validity of the elections held on 18 May 2019 that elected as President Mr. Atazi Yeke Jean Mexin, for a period of 4 years, until 2023. The Ministry was contacted, to verify which one, of these documents, has to be considered as valid, but FIDE Offices have not yet received an answer. Considering that Mr. Atazi Yeke Jean Mexin was already recognised, in the past years, as the legitimate President, that there were no explanations about the reasons of new elections in 2022, and that the most recent communication, allegedly issued by the competent Ministry, indicated him as the legitimate Presidente, the ELC, after the meeting held on 7 July 2022, recognised Mr. Atazi Yeke Jean Mexin as President and Delegate for the Central African Republic Member Federation.

Miss Poudjouna Gamba Abigaël and other members of the alleged newly elected Board of the Federation, as Mr. Pindy Baros, objected, against this decision, that “the documents sent by Mr Atazie Jean Mexin are tainted with irregularities” and added evidence of the submission of a complaint, to the “Tribunal Administratif de Bangui”, asking for the annulment of the recognition, by the Ministry, of the validity of the elections held on 18 May 2019 that elected as President Mr. Atazi Yeke Jean Mexin.

However, this means that the document signed by the Ministry on 6 July 2022 is not false, is valid, there is a pending case in front of a national judge but it has not yet been decided.

Therefore, the ELC has to confirm its previous decision, recognising Mr. Atazi Yeke Jean Mexin as the current President and Delegate for the Central African Republic Member Federation.

Ecuador MF

Not less controversial is the case concerning Ecuador MF.

Mr Jaime Santiago Bastidas Rodriguez submitted many documents -especially from the competent Ministry- that raise doubts about the legitimacy of the assembly held on 28 June 2022, that elected Mr. Felipe Delgado as President. However, the hearing in front of the national judge (Tribunal de Garantías Penales), that was requested to take urgent measures aimed to revoke the annulment of the elections held on 26 February 2022 -that had the result to elect Mr. Jaime Santiago Bastidas Rodriguez as President of that federation- initially scheduled on 7 July 2022, was postponed on 27 July 2022.

Therefore, pending the case in front of the competent national judge, the ELC has to confirm its previous decision, that has recognised Mr. Felipe Delgado as the current President and Delegate of the Ecuadorian Chess Federation.

Kyrgyzstan MF

In the very last days the ELC received also a complaint regarding the Kyrgyzstan MF, by Mr. Turpanov, Milan Kalybekovich, indicating that the Chess Federation of the Kyrgyz Republic Public Association would be the only recognised national chess federation and FIDE member since 1992, that in 2020 he was elected as President of this Federation, that FIDE Offices, in 2022, would have recognised the Association of Legal Entities Kyrgyz Chess Union, created in March 2022, not member of FIDE, and its President, Mr. Babyrzhan Tolbaev, as legitimate Kyrgyzstan MF, in violation of art. 9 of the FIDE Charter. This case cannot be examined in this meeting, given the necessity of a proper debate between the parties. Therefore, for the moment being, the position of the representative of the Kyrgyzstan MF must be indicated as “under scrutiny”.

Libya MF

Mr. Ibrahim Essa, with a communication sent on 17 July 2022, regarding the Libyan MF, observed that the Libyan Olympic Committee is the only official body in Libya that has the right to monitor and approve the elections, in accordance with Libyan law and the statute of the Libyan Chess Federation. This communication cannot be considered as a formal complaint. In any case, the ELC was already informed about that, and it is exactly for this reason that the CC considered that Mr. Ali Fouzi can be recognised as the representative of the Libyan Chess Federation only provisionally, till September 2022, and the case must be re-examined immediately after.

Pakistan MF

Today, the Chairman of the Ethics and Disciplinary Commission and Member of this Commission, Mr. Strydom, forwarded a complaint he received from Mr. Amin Malik, as “President Chess Federation of Pakistan”, against Mr. Hanif Quresh (already indicated by the ELC as President and Delegate of the Pakistan MF) and against “Mr. Nigel Short, the ex-Vice President, Madam Dana Reiniece Ozola, and Mr. Martynov”, regarding alleged “illegal interference in Chess Federation of Pakistan”. The ELC notes that the complaint was clearly addressed to the Ethics and Disciplinary Commission and to its Members, not to the ELC. Therefore, nothing has to be decided about this case by the ELC.

III) Approval of an updated list of the Member Federations having right to vote (including the names of the Voters)

The ELC approves the final list of Voters annexed to this report, that the FIDE Offices shall publish on the FIDE website, together with this ELC report.

Cagliari, 23 July 2022

Roberto Rivello

