



GENS UNA SUMUS

FÉDÉRATION INTERNATIONALE DES ÉCHECS

Recognized by the International Olympic Committee (1999)

54 Avenue de Rhodanie, 1007 Lausanne, Switzerland

☎ +41) 216010039 ✉ fice@fide.com 🌐 [tp://www.fide.com](http://www.fide.com)

FIDE ETHICS & DISCIPLINARY COMMISSION

REPORT TO FIDE COUNCIL

AUGUST 2022

Dear Mr President and members of the FIDE Council

This report covers the activities of the Ethics & Disciplinary Commission (EDC) for the period January until July 2022.

1. Membership of the EDC

1.1 The EDC currently has 6 members:

- Francois Strydom (RSA), **EDC Chairman**, elected August 2014 (Tromso), re-elected October 2018 (Batumi).
- Yolander Persaud-Sammy (GUY), elected October 2018 (Batumi), **EDC Deputy Chairman** since December 2021.
- Johan Sigeman (SWE), elected February 2020 (Abu Dhabi), **EDC Vice-Chairman** since December 2021.
- Ravindra Dongre (IND), elected October 2018 (Batumi).
- Khaled Arfa (TUN), elected February 2020 (Abu Dhabi).
- David Hater (USA), elected February 2020 (Abu Dhabi).

1.2 The EDC lost one of its members, Mr. Rajesh Joshi (NEP) on 13 June 2021, creating a vacancy on the EDC. Mr. Joshi served as a member of this Commission since August 2014 (nearly 7 years). This vacancy will be filled by election at the General Assembly meeting in Chennai.

1.3 In terms of the FIDE Charter the term of the current EDC members endures until the GA to be held in 2024.

2 Fact-finding Committee

2.1 The EDC FFC has been established to act as an investigatory body in complex cases. In December 2021 it completed its first assignment, an investigation into FIDE management practices during the term of the previous administration over the years 2014 – 2018.

2.2 The FFC currently has two members, Mr Dabilani Buthali (BOT) and Ms. Swee Sie See (MAS). Following the resignation of the previous chairman, Mr. Ralph Alt (GER), a third member needs to be appointed by the FIDE Council, considering the advice of the EDC Chairman.

2.3 It is proposed that a suitable candidate for the FFC be found within the ranks of the unsuccessful candidates in the EDC election in Chennai and that such appointment be made at the 2022/Q4 meeting of the FIDE Council later this year.

3 Meetings

3.1 On 4 August 2022 from 11:00 to 13:00, as part of the Congress, the EDC held an open (public) meeting. Present were EDC members Francois Strydom, Johan Sigeman, David Hater and Ravindra Dongre and 18 other attendees, including FIDE Treasurer Zhu Chen, Deputy Chairman of the Management Board, Igor Kogan and Presidential candidate Andrii Baryshpolets.

3.2 At this meeting, the EDC Chairman gave his annual report regarding the EDC's case load and discussed the contents of the new EDC Procedural Rules, and Congress participants had the chance to make observations and ask questions.

4 Cases decided

4.1 In case **8/2021** the EDC Chamber (K. Arfa as chair; Y. Persaud and J. Sigeman as members) decided a complaint by Mr. Ali Ozen and Ms. Eda Yalcinkaya Ozen (TUR) of alleged unfair disciplinary proceedings conducted by the Turkish Chess Federation concerning them. The case was rejected for want of sufficient evidence after the complainants have failed, despite request, to submit a translation of the

relevant documents from Turkish into English as the EDC Procedural Rules require.

- 4.2 In case **9/2021** the EDC Chamber (D Hater as chair; Y Persaud and R Dongre as members) decided a complaint by the Fair Play Commission of sandbagging by FM Matija Ivic (SRB) during the “Orbis-2 2019” WGM-WIM Round Robin tournament held in Paracin, Serbia in July 2019. It was alleged that FM Ivic offered to lose a game to lower his rating and to receive money from his opponent. FM Ivic admitted his guilt to the FPL Commission and the EDC Chamber. The EDC Chamber found FM Matija Ivic guilty of violating article 2.2.5 of the FIDE Code of Ethics and imposed a sanction of a worldwide ban of 24 months (whereof the last 12 months are suspended on conditions and will serve as a probationary period) from participating as a player in any FIDE rated chess competition.
- 4.3 In case **10/2021** the EDC Chamber (Y. Persaud as chair; D. Hater and R. Dongre as members) decided a complaint by the US Virgin Islands Chess Federation against then FIDE Vice-President, GM Nigel Short for allegedly undermining and discrediting of the national federation and the undue interference in its domestic affairs. Mr Short was found guilty of a breach of art. 2.2.10 of the Code of Ethics (causing the game of chess, FIDE or its federations to appear in an unjustifiable unfavourable light) and sanctioned by a warning.
- 4.4 In case **10/2021(A)** both GM Nigel Short and the US Virgin Islands Chess Federation appealed the decision of the First Instance Chamber. On appeal, Mr Short’s conviction of a breach of art. 2.2.10 of the Code of Ethics was confirmed and maintained by the Appeal Chamber (F. Strydom as chair, K. Arfa and J. Sigeman as members), but the previous sanction was increased to a 3-month ban from acting as a FIDE official, which ban is wholly suspended for a probationary period of 2 years on condition that Mr Short does not commit a breach of Article 11.6(a), (b) or (c) of the FIDE Ethics and Disciplinary Code (2022) within the probationary period.
- 4.5 In case **2/2022** the EDC Chamber (J. Sigeman as chair, Y. Persaud-Sammy and D. Hater as members) considered the complaint of the FIDE Council of a breach of art. 2.2.10 of the Code of Ethics (causing the game of chess, FIDE or its federations to appear in an unjustifiable unfavourable light) against GM Sergey Karjakin and GM Sergei Shipov for making public statements in support of the Russian military aggression against the Ukraine. Mr. Shipov was found not guilty, but Mr. Karjakin was found guilty and a sanction of a 6-months ban was imposed from participating

as a player in any FIDE rated chess tournament, which effectively meant the exclusion of Mr Karjakin from the 2022 Candidates tournament in Madrid.

- 4.6 In case **2/2022(A)** the Appeal Chamber (F. Strydom as chair, K. Arfa and D. Hater as members) dismissed Mr Karjakin's appeal against the decision of the First Instance Chamber and confirmed the guilty verdict and 6-months ban imposed.
- 4.7 All the above decisions are published on the EDC website at <https://ethics.fide.com/decisions/>.

5 Pending cases

- 5.1 In case **3/2020(A)** the Appeal Chamber (F. Strydom as chair; J. Sigeman and K. Arfa as members) must consider the appeal of the President of the Sudan Chess Federation, namely Mr. Omer Deab. The original complaint related to the discriminatory exclusion from the Sudan national team for the 2020 online FIDE Olympiad. Mr. Deab was found guilty of a violation of Art. 2.2.2 and 2.2.3 of the Code of Ethics and sanctioned to a ban of 12 months (half of which was suspended) from participating in any FIDE activities.
- 5.2 In case **3/2021** the EDC Chamber (K. Arfa as chair; Y. Persaud and R. Dongre as members) is considering a complaint by Mr. Bart de Vogelaere (BEL) against Mr. Luc Cornet (BEL) and Mr. Geert Bailleul (BEL) for the alleged false and non-submission of Arbiter performance records to FIDE.
- 5.3 In case **6/2021** the EDC Chamber (D. Hater as chair; Y. Persaud and K. Arfa as members) is considering a complaint of alleged cheating against WFM Patrycja Waszczuk (POL). The matter is awaiting completion of the proceedings in front of the Polish Chess Federation and Olympic Committee and a further report from the Fair-play Commission first.
- 5.4 In case **1/2022** the EDC Chamber (D. Hater as chair; R. Dongre and J. Sigeman as members) is considering a complaint of match-fixing by the FPL against player FM Bojan Jovanovic and organiser Stanko Jovic at the 2018 Narcis tournaments organized in Serbia.

- 5.5 In case **3/2022** the EDC Chamber (R.Dongre as chair; Y.Persaud and K. Arfa as members) is considering the complaint of FM Mieszko Mis (POL) against the Cyprian organizer and tournament director Pambos Zacharoplastis for failing to pay the advertised money prizes to the top 3 finishers in an international open tournament held in Cypress in October 2021.
- 5.6 In case **4/2022** the EDC Chamber (R.Dongre as chair; J Sigeman and D Hater as members) is considering the complaint of the Sharjah Cultural & Chess Club, U.A.E. against GM Parham Maghsoodloo (Iran) for alleged breach of art. 11.9(b) or (d) of the Ethics & Disciplinary Code by withdrawing from a tournament after having signed a contract for his participation.

6 Statistics of distribution of cases

- 6.1 It is the responsibility of the EDC chair to nominate a First Instance Chamber of three members for each case. In the event of an appeal against the decision of the First Instance Chamber, the EDC chair and two other members will sit as the Appeal Chamber.
- 6.2 It is the policy of the EDC chair to rotate the chairmanship of the First Instance Chambers between the EDC members. In terms of the Charter, the EDC chair always act as chair of the Appeal Chamber.
- 6.3 During the period under review (January – July 2022), the EDC registered 3 new first-instance cases, as well as two new internal appeals.
- 6.4 The statistics relating to all first-instance, appeal and review cases received by the EDC since the introduction of the two-chamber regime with the adoption of the new FIDE Charter in 2020, showing the participation of each EDC member, are as follows:
- David Hater - 14 cases (incl. chair in 4 cases)
 - Johan Sigeman - 13 cases (incl. chair in 4 cases)
 - Yolander Persaud-Sammy – 12 cases (incl. chair in 4 cases)
 - Khaled Arfa – 12 cases (incl. chair in 4 cases)
 - Ravindra Dongre – 11 cases (incl. chair in 3 cases)
 - Francois Strydom – 4 appeal cases (in all the chair).

7 Adoption of Internal Rules and Ethics & Disciplinary Code; review of EDC Procedural Rules

- 7.1 At its previous meeting on 7 December 2021, the EDC adopted a set of **Internal Rules** which now governs the internal functioning of the commission, including the respective roles and responsibilities of the members.
- 7.2 The new **Ethics and Disciplinary Code** was adopted by the General Assembly on 28 December 2021 and took effect from 1 April 2022.
- 7.3 Continuing the process of review of major documents, during 2022 the EDC members reviewed and re-wrote new **EDC Procedural Rules** which are tabled for approval by the FIDE Council at its meeting in Chennai. This document (consisting of 83 rules over 37 pages) caters specifically for the functioning of the two-chamber system within the EDC and represents a significant improvement over the current Procedural Rules (9 rules comprising 2 pages).

Chennai, 4 August 2022

The Chairman of the Ethics & Disciplinary Commission
Francois Strydom