

FIDE
Gens una Sumus

Decision on the complaint of the Association of Chess Professionals against Boris Kutin, President of the European Chess Union and the ECU board.

On June 14, 2004, the Association of Chess Professionals (ACP) filed a complaint with the FIDE Ethics Commission regarding what they saw as irregularities in the nomination of players to the 2003-2004 World Championship. Specifically they state that ECU President, Boris Kutin, and the ECU Board violated FIDE World Championship regulations in nominating GM Baadur Jobava of Georgia, and IM Kivanc Haznedaroglu of Turkey to the final two places from the European Continent.

The ACP points to the following Regulation:

3.2.1.2 Participants.

The original list shall consist of 128 players comprising the following specific names for the World Championship (in decreasing priority):

1. The World Champion, runner up and semi-finalists of the 2001-2002 World Championship (4 players).
2. The World Junior Champion of 2002 (1 player).
3. Twenty (20) best rated players from the best average of the most current FIDE Rating lists of July 2002 and January 2003.
4. Ninety (90) qualifiers from Continental and Zonal Championships.
- 5. Nine (9) qualifiers nominated by the FIDE President.**
- 6. Four (4) qualifiers nominated by the Organizers.**

Points 5 and 6 make clear that only the FIDE President and the Organizers have a right to appoint players to the championship. All others, with the exceptions stated in points 1,2, and 3, need to qualify through Continental or Zonal Championships.

It is the opinion of the Ethics Commission that the regulations regarding the nomination of players to the World Championship are quite clear. It is also obvious that the ECU Board and ECU President violated these regulations in nominating players to the World Championship

Mr Kutin responded to the Ethics Commission by stating that, "In that moment I faced a big problem about how to organise the Championship. There was not any guarantee for FIDE money, and not any bids as well. To encourage the potential organiser I decided (supported by the Board) to give one place to the organising federation and one to the Black Sea Federation (in Adjara, Georgia, where ECU organised four very top events."

Also in a letter that was forwarded to the Ethics Commission, FIDE President, Kirsan Ilyumzhinov makes a similar point:

"I am aware that the ECU Board and you (Boris Kutin) personally, have come under some criticism for the decision to give two of the qualifying places from the Continental Championship in Silivri, Turkey

2003, one to the organizer and one to the Black Sea Association. I fully agree with your decision in this case since it was vital in the effort in ensuring the organization of the Continental Championship.”

Both Mr. Kutin and Mr. Ilyumzhinov say essentially the same thing: that the actions taken were only meant to help the organizers, and were in the best interests of chess. The Ethics Commission does not doubt Mr Kutin’s sincere motives in trying to help the organizers, but we feel that he and the ECU board went about this in the wrong manner.

Many players have the impression, rightfully or not, that FIDE officials act in an arbitrary manner and ignore the rules. This has earned FIDE a great deal of mistrust among these players. In order to re-establish trust it is imperative that FIDE obey its own regulations regardless of circumstances. Therefore, the Ethics Commission reprimands the ECU President and the ECU Board for their actions in this affair.

One unfortunate effect of the decision made by the ECU Board and President is that players who had rightfully earned a spot were not allowed to play. GMs A. Fedorov, E. Inarkiev, A. Istratescu, and S. Tiviakov finished in a four-way tie for what they thought were the final two qualifying spots from the European Continental. All four refused to enter a play-off and were disqualified. Eventually, because of withdrawals, Tiviakov, and Inarkiev were allowed to play, but Istratescu and Fedorov did not play even though they would have qualified had not the ECU given two of the spots away. In order to rectify this injustice, the Ethics Commission recommends that the FIDE President use two of his nine nominations to appoint these two players to the next world championship.

Ethics Commission

Chairman
William Kelleher

Members:
Nigel Freeman
Herman Hamers
George Howard

Member Dirk De Ridder recused himself from this case.