

80th FIDE CONGRESS 2009.
Kallithea/Halkidiki, Greece

Ethics Commission

15 October 2009

The Ethics Commission, acting in accord with its internal “Procedural Rules” and with the “Guidelines to the Interpretation of FIDE Code of Ethics”, approved by the Presidential Board and the Executive Board on 2007, discussed during the meeting ten cases, defining four of them and considering the other six as receivable, starting the consequent procedural steps as necessary to guarantee the respect of the defensive rights of the parties, in particular asking the FIDE Secretariat to inform them in writing and giving a term to present memorials and documents.

It was discussed when in general it is possible to make public the names of the parties involved in a case, establishing that it is possible after the decision regarding the receivability of the case (and of course after the final decision if it is taken in the same moment of the decision on the receivability) and that this is not just possible, but even advisable, bearing in mind that the other FIDE organs or some other parties may have a relevant interest to submit a request of intervention in the proceeding. There could be exceptions related to particularly sensible subject matters.

The following cases were decided:

Case n. 2/08: “Georgian Chessplayers against Georgian Federation (ELIA CUP, GM George Kacheishvili and other points)”

The communications submitted by Mikheil Mchedlishvili GM, Rachik Karkashashvili IA, Varlam Vepkhvishvili IA and Murad Izoria, even as “vice president of South Ossetian (Georgia) Chess Federation”, are qualifiable as “complaints” of private persons and not as a “report” by a Federation (the difference between complaint and report regarding the EC competence and its limits is explained in the “Guidelines to the Interpretation of FIDE Code of Ethics”), given that the “South Ossetian Ches Federation” is not an acknowledged member of the FIDE.

The Presidential Board, informed of the plaintiff, did not present a report to the Ethics Commission.

The complaint does not concern a relevant individual interest of the plaintiffs, but general interests of “Georgian chessplayers”.

Therefore, the complaint is not receivable and the Ethics Commission has not competence on the case.

Case n. 3/08: “Krishna Kaliannan against Rui Gao”

The complaint submitted by Krishna Kaliannan regards an assumed question of “cheating” of Rui Gao during a tournament in which this player obtained an IM norm. In this tournament Krishna Kaliannan did not play, nor act as an arbiter or organiser.

The complaint does not concern a relevant individual interest of the plaintiff and no FIDE organ submitted a report. Therefore the complaint is not receivable and the Ethics Commission has not competence on the case.

Case n. 2/09: “Organiser of the Barcza Memorial 2009”

The Ethics Commission was informed of this case just by some informal communications, written by some members of FIDE organs.

There is not a report and there is not an official complaint. In addition, Hungarian chess federation evaluated the case and sanctioned the organiser of the Barcza Memorial 2009, with a ban to organise chess tournaments for three years.

The Ethics Commission has not competence on the case.

Case n. 4/09: “GM Oleg Korneev against WGM Olga Dolzhikova”

Mr. Korneev submitted a complaint concerning “computer cheating”. The complaint is receivable, because there is a relevant individual interest. But after the complaint the case was evaluated and decided by a sportive justice organ of the national chess federation competent in consideration of the place where the alleged violation would be committed - Norway. The decision of this organ, favourable to WGM Olga Dolzhikova, seems well founded and sufficiently motivated. The plaintiff has not added new evidence in front of the Ethics Commission. Therefore the complaint is rejected.

The following cases were considered as receivable, giving the start to the consequent procedural steps. This does not mean that the Ethics Commission has evaluated the merit of the cases, but has just evaluated them as receivable.

Case n. 6/07: “The University of Twente Young Masters tournament”

The complaint presented by the organisers of the tournament against the players Georg Meier (GER), Boris Savchenko (RUS) and Manuel Leon Hoyos (MEX) is receivable, because there is a legitimate relevant interest of the plaintiff and the facts could constitute a violation of par. 2.2.4, 2.2.6 and 2.2.10 of the FIDE Code of Ethics.

Case n. 1/08: "Vandoeuvre Chess Open"

The Hungarian Chess Federation presented a report against the chessplayers Oleg Krivonosov, Vladimir Lazarev and Ilmars Starostits regarding their behaviour during the tournament against the Hungarian chess player Anna Rudolf.

There is a report by a chess Federation, the facts could constitute a violation of par. 2.2.4, 2.2.9 and 2.2.10 of the FIDE Code of Ethics, therefore the Ethics Commission has competence on the case.

Case n. 4/08: "Chess tournament in Ostrava"

Mr. Jelinek, director of the chess-festival in Ostrava, submitted a complaint against GM Manik and IM Talla.

The complaint is receivable, because there is a legitimate relevant interest of the plaintiff and the facts could constitute a violation of par. 2.1, 2.2.5, 2.2.7 and 2.2.11 of the FIDE Code of Ethics.

Case n. 1/09: "Aeroflot Tournament, Moscow"

GM Kurnosov submitted a complaint against GM Mamedyarov regarding assumed false accusations of cheating during the Aeroflot Tournament in Moscow 2009.

The complaint is receivable, because there is a legitimate relevant interest of the plaintiff and the facts could constitute a violation of par. 2.2.4, 2.2.9, 2.2.10 and 2.2.11 of the FIDE Code of Ethics

Case n. 3/09: "GM Neelotpal Das against Mr. Brian Jones"

Mr. Neelotpal Das submitted a complaint against Mr. Brian Jones.

The complaint is receivable, because there is a legitimate relevant interest of the plaintiff and the facts could constitute a violation of par. 2.2.2, 2.2.3 of the FIDE Code of Ethics

Case n. 5/09: "Ekaterina Atalik and Suat Atalik against Turkish Chess Federation"

Ekaterina Atalik and Suat Atalik submitted a complaint against the Turkish Chess Federation.

The complaint is receivable, because there is a legitimate relevant interest of the plaintiff and the facts could constitute a violation of par. 2.2.2 and 2.2.3 of the FIDE Code of Ethics.

On consideration of the fact that only two members of the Commission present in Kallithea for this meeting -the Chairman Roberto Rivello and Ralph Alt-, but no public hearing was scheduled, the above mentioned decisions were assumed after a phone conference, organised with a previous invitation by e-mail, to collect available opinions of other members of the Commission.

Anyway, it was decided that another meeting of the Ethics Commission will

be organised in the next months, in order to celebrate the possible hearings, if requested, and decide on the above mentioned cases.

The Commission has registered a relevant number of cases concerning accuses of “computer cheating”. It could be advisable, in order to limit an unnecessary contentious, the approval by FIDE of some recommendations addressed to organisers and players on this subject matter (what the arbiters can do and how, the possible punishment of accusations without evidence, what the organizers must do at least for the most important tournaments, and so on).

The Chairman of the Ethics Commission

Roberto Rivello