



FIDE ETHICS COMMISSION

The Ethics Commission (hereafter called the ETH), sitting in the following composition -

Chairman: Mr Francois Strydom
Members: Mr Willy Iclicki
Mr Pedro Dominguez Brito
Mr Rajesh Hari Joshi

during the meeting held in Athens on 26th - 28th of May 2016, made the following-

DECISION

Case n. 5/2015: "Alleged interference by ECU officials in the internal affairs of the BCF and/or failure to protect the interests of the BCF"

1. The ETH **notes** the recusal of its member Mr Ion Dobronauteanu from any participation in the discussion or decision of this matter on account of his current position as Deputy President of the European Chess Union ("ECU").
2. The ETH **notes** that the four participating members constitute a quorum for a valid decision.
3. The ETH **notes** that the following documents formed the record of this case:

- 3.1 the complaints of the Bulgarian Chess Federation (“BCF”) dated 8 July 2015 of alleged violations of the FIDE Code of Ethics by Mr Zurab Azmaiparashvili and Mr Theodoros Tsorbatzoglou (“the respondents”), currently the ECU President and Secretary-General respectively;
 - 3.2 the respondents’ answer of 9 March 2016;
 - 3.3 the separate statement received from the ECU, dated 7 March 2016;
 - 3.4 the further information provided by the respondents, dated 8 April 2016, upon request of the ETH;
 - 3.5 the BCF’s reply dated 26 April 2016.
4. Upon due consideration of the arguments advanced by the parties, the ETH **decides** that:
- 4.1 The ETH enjoys jurisdiction over the respondents, in their capacity as ECU officials;
 - 4.2 the complaint is admissible as disclosing a *prima facie* case of the violation of at least articles 2.2.2, 2.2.3 and/or 2.2.11 of the FIDE Code of Ethics;
 - 4.3 the complaint is not admissible to the extent that it relies on alleged violations of the ECU Statutes;
 - 4.4 the statement received from the ECU, as interested party, is admissible and accepted in terms of Rule 5 of the ETH Procedural Rules;
 - 4.5 the respondents are not guilty of any violation of the FIDE Code of Ethics forming the subject-matter of the BCF’s complaint;
 - 4.6 the case against the respondents is accordingly dismissed; and
 - 4.7 the respondents’ counter-request that the BCF be directed to provide certain documents to the respondents or the ECU is

rejected on the basis that the ETH Procedural Rules only permit the ETH to request documents relevant to the complaint before it.

5. The ETH **records** the grounds for the decision as being a finding that the respondents acted with the mandate of the ECU Board and General Assembly and in furtherance of the legitimate interests of the ECU only. There is no evidence, to the comfortable satisfaction of the ETH, of the respondents being part of any conspiracy to discredit the BCF.
6. The ETH **undertakes** to provide the parties with full written reasons for its decision within 15 days from the date hereof.
7. The ETH **requests** the FIDE Secretariat to communicate forthwith the decision to the Bulgarian Chess Federation, European Chess Union, Mr Zurab Azmaiparashvili and Mr Theodoros Tsorbatzoglou and to publish in due course the decision on the FIDE website.

DATED ON THIS THE 15th DAY OF JUNE 2016

F P Strydom

CHAIRMAN
FIDE ETHICS COMMISSION