



GENS UNA SUMUS

FÉDÉRATION INTERNATIONALE DES ÉCHECS

Recognized by the International Olympic Committee (1999)

54 Avenue de Rhodanie, 1007 Lausanne, Switzerland

☎ 1) 216010039

✉ ce@fide.com

🌐 ://www.fide.com

FIDE ETHICS & DISCIPLINARY COMMISSION

The First Instance Chamber of the Ethics & Disciplinary Commission (hereafter called “the EDC Chamber”), sitting in the following composition:

Chairperson: Mr. Khaled Arfa

Members: Mr. David Hater
Mr. Johan Sigeman

Following an exchange of correspondence through the period 25 June 2021 - July 14, 2021, came to the following decision -

DECISION

In **Case n. 04/2018 (R): “Review request by the Mongolian Chess Federation”**.

1. The EDC Chamber notes its establishment by the EDC Chairman on 25 June 2021.
2. On **16 March 2021** the EDC handed down its decision in case no. 4/2018 with the subject title “Complaint of GM Efstratios Grivas against the Mongolian Chess Federation” The complaint related to the non-payment of certain monies due to GM Efstratios Grivas in terms of a written memorandum of agreement (MOA) concluded with the Mongolian Chess Federation (MCF) on 13 October 2017 for the supply of chess training materials and assignment of rights to use the materials translated into the Mongolian language. The decision -
 - 2.1. Found the MCF guilty of a violation of Art. 2.4 and 2.2.10 of the Code of Ethics;
 - 2.2. Imposed a sanction of a temporary exclusion from membership as a FIDE national federation member including any participation in FIDE meetings and events, for a period of 1 Year (12 months) (without affecting the rights of players, arbiters, trainers and clubs belonging to the MCF from participating fully in sport activity).

- 2.3. Clarified that the sanction (12 months) was wholly suspended for a period of three (3) months on the condition that the MCF makes full payment of the outstanding amount to Mr. Grivas, failing to do so the full sanction would take effect after three (3) months from the date of the written decision, commencing on 16 June, 2021.
3. The final EDC decision mentioned above entered in force on **16 June 2021** due to the absence of payment.
 4. On **18 June, 2021** the EDC received a request from the MCF to reopen the case and review the decision on the suspension issued by the EDC in case 4/2018, the application was mainly based on an undertaking to immediately settle the outstanding amount.
 5. On **5 July, 2021**, the EDC received an e-mail from Mr. Grivas confirming the receipt on that day, via FIDE, the total payment from the MCF and specifying that he still haven't received any Author Book Copies.
 6. On **8 July, 2021** the EDC received an e-mail from the MCF mentioning that there was an agreement to deliver 10 copies of the translated book to a friend of Mr. Grivas during the FIDE World Cup 2021 in Sochi. Such agreement was later confirmed by Mr. Grivas.
 7. Accordingly, upon due consideration of the circumstances permitting a reconsideration of the previous decision, as well as the factors relevant to a new sanction including the gravity of the offence and the presence of aggravating and mitigating circumstances in-line with art 3.3 and 3.4 of the Code of Ethics, the EDC review panel unanimously decides as follows:
 - 7.1.1. The request of the MCF to review the sanction in case 04-2018 is declared **admissible and accepted**;
 - 7.1.2. The period of a temporary exclusion of membership of one year (12 months) imposed in case 04-2018 is reduced to 6 months of which one month has been served **finishing on 15 July 2021** and the remaining five months are wholly suspended on the condition that :
 - a) the MCF deliver the 10 copies of the translated book to Mr. Grivas, within two weeks from the date of this written decision, failing to do so the remainder of the sanction (5 months) will take effect, commencing on 29 July, 2021; and
 - b) the MCF does not commit another violation of the Code of Ethics within a period of 12 months from the date of this written decision, failing which the remainder of the sanction (5 months) will take effect.
 8. The EDC Chamber confirms that, subject to the above conditions of suspension, with effect from **16 July 2021** the MCF is fully restored to the status of active national

federation member of FIDE and entitled to exercise all of its membership rights as set out in article 10 of the FIDE Charter.

9. The MCF is advised that this decision is final and binding on the parties. An appeal is consequently not available.
10. The EDC undertakes to furnish its written motivation with full reasons for the above-mentioned decisions within one (1) month hereof.
11. The EDC requests the FIDE Secretariat to communicate forthwith the decision to parties, the Mongolian Chess Federation and Mr. Efstratios Grivas, as well as to the FIDE Management Board and the Asian Chess Federation, and to publish in due course the decision on the FIDE website.

DATED ON THIS 15th DAY OF July, 2021.

Khaled Arfa

First Instance Chamber Chairperson

FIDE ETHICS & DISCIPLINARY COMMISSION