



GENS UNA SUMUS

# FÉDÉRATION INTERNATIONALE DES ÉCHECS

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## FIDE ETHICS & DISCIPLINARY COMMISSION

The Ethics & Disciplinary Commission (hereafter called the EDC), sitting in the following composition -

Chairman: Ms Yolander Persaud

Members: Mr David Hater  
Mr. Johan Sigeman

during an exchange of correspondence and videoconference during the period 6<sup>th</sup> May 2021 through 1<sup>st</sup> August 2021, made the following decision unanimously-

## DECISION

### **Case n. 4/2021: “Alleged intimidation, harassment and misbehaviour of Organizer during the IM Rujna Zora 2021 tournaments held in Serbia”**

1. The EDC Chamber **notes** its establishment by the EDC Chairman on 6<sup>th</sup> May 2021.
2. The EDC Chamber **notes** the untimely death of its esteemed member and colleague Mr. Rajesh Joshi on the 13<sup>th</sup> June 2021. Mr. Joshi was replaced on the Panel by Mr. Johan Sigeman with effect from 14 June 2021.
3. The EDC Chamber **notes** the complaints dated 28<sup>th</sup> April, 1<sup>st</sup> and 3<sup>rd</sup> May 2021 from the three Complainants (Ms. Dharia Parnali, Mr. Charan Hari and Mr. Tickoo Sahil), received by the EDC on the 4<sup>th</sup> May 2021, representing complaints of the alleged violation of the FIDE Code of Ethics (“the Code of Ethics”), more particularly Articles 2.2.3, 2.2.4 and/or 2.2.5 of the Code by the Organizer Mr. Ivan Sredojevik (“the Respondent”).
4. The EDC Chamber **notes** the Respondent was given the opportunity to respond to the complaint and has submitted a defensive statement.
5. The EDC Chamber **notes** that both parties were given the opportunity to respond to the EDC Chamber’s inquires dated 28<sup>th</sup> June 2021, and both parties submitted statements with answers.

6. The EDC Chamber **notes** the contents of the following documents and e-mails received as part of the case file: the complaint mentioned above, a defensive statement by the Respondent dated 24<sup>th</sup> May 2021, an inquiry by the EDC Chamber to the Complainant and Respondent dated 28<sup>th</sup> June 2021, replies by the Complainant dated 29<sup>th</sup> June 2021, reply by the Respondent dated 2<sup>nd</sup> July 2021.
7. The EDC Chamber **notes** the subject-matter of the Complaint, the defence and the replies:
  - 7.1 The Complainants refer to the Round Robin Rujna Zora 4 Tournaments in Arandjelovac, Serbia, which was organized by Ivan Sredojevik, during the 3<sup>rd</sup> to the 30<sup>th</sup> April 2021.
  - 7.2 The Respondent is a Serbian tournament organizer.
  - 7.3 The reported incidents occurred during the Round Robin Rujna Zora 4 Tournaments in Arandjelovac, Serbia.
  - 7.4 According to the Complainants, the Respondent intimidated, harassed, and threatened to report them to the Serbian authorities and the the Indian embassy, and to have them incarcerated when they decided to withdraw prematurely from Tournament 3 and completely from Tournament. 4 One of the Complainants also alleged that the Organizer provided fake PCR test results. The Respondent was also accused of cheating the Complainants of monies he promised to refund from entry fees paid and from the alleged costs incurred by one of the Complainant after having used a fake PCR test provided by the Respondent (hotel and flight change).
  - 7.5 The Complainants claimed that the reason for the withdrawal of the Tournament was due to the dire Covid-19 situation in India at that time, and the cancellation of connecting flights to India which made their immediate return to their homes in India prudent if not imperative
  - 7.6 The Respondent in his defense statement complained about the Complainants disrupting the Tournament schedule by withdrawing prematurely from the Tournament, but did not address the substantive complaints against him regarding his questionable reaction and behaviors.
  - 7.7 The Respondent in his reply to the EDC's inquiries admitted to threatening the Complainants by going to the Police but denied providing the fake PCR test results to one of the Complainants. The Respondent also countered, stating that he was asked to arrange PCR tests and hotel in Belgrade for one of the Complainants, but was in Arandjelovac at the time organizing the tournament.
8. Upon due consideration of the documents submitted, the EDC Chamber, by **unanimity** of its members, **finds** regarding the admissibility of the complaint that:

- 8.1 The alleged breach of the FIDE Code of Ethics involved Complainants who were FIDE-registered players; the incidents occurred at the Round Robin Rujna Zora 4 Tournaments, held as a FIDE-rated norm qualification tournament.
- 8.2 The Respondent is also a FIDE registered and titled player.
- 8.3 The EDC Chamber finds therefore that it has jurisdiction to investigate a violation of the Code of Ethics as alleged in the present case.

9. Upon due consideration, the EDC Chamber, by **unanimity** of its members, **finds** regarding the issue of the Respondent's guilt as follows:

- 9.1 Two of the Complainants are young adults (17 and 23 years old), who were unaccompanied to an international tournament. The EDC Chamber cannot definitively conclude that the premature withdrawal of the Tournament by the Complainants was for reasons considered invalid. The EDC Chamber accepts that the Covid-19 situation in India, and around the world, was a cause for concern. It notes, however, that players withdrawing from a tournament without valid reason make themselves guilty of a violation of article 2.2.6 of the Code of Ethics. However, this case is not about the possible guilt of the Complainants, but about the appropriateness or otherwise of the Respondent's reaction to their threatened withdrawals.
- 9.2 The EDC Chamber notes the very serious allegation by one of the Complainants of the provision of fake PCR test results by the Respondent. However, in the absence of sufficient evidence to support this allegation, the EDC Chamber is unable to make a finding in this regard on the requisite standard of a comfortable satisfaction.
- 9.3 On the other hand, the EDC Chamber is comfortably satisfied of the truth of the Complainants' allegations of intimidation, harassment and threatening behavior, which are either admitted or not seriously denied by the Respondent.
- 9.4 The EDC Chamber wishes to express that the mentioned behaviour referred to above includes intimidating the players, threatening to take them to the authorities, reporting them to the Embassy and FIDE and making them fearful in a foreign country in which they travelled unaccompanied, during a pandemic.
- 9.5 Accordingly, the Respondent is found guilty of a violation of Art 2.2.3 of the Code of Ethics for his failure to perform his functions and act in a responsible manner as a Tournament Organizer; and guilty of Article 2.2.5 of the Code of Ethics for threatening and unseemly behaviour in connection with a chess event.

- 9.6 The EDC Chamber finds, in the circumstances of the present case, that a conviction of Article 2.2.4 of the Code of Ethics (failure to comply with normally standards of courtesy) would result in an unwarranted doubling of convictions for the same conduct which constitutes a violation of Art. 2.2.5 and accordingly the Respondent is acquitted in relation to the alleged violation of Art. 2.2.4.
- 9.7 Taking into consideration that the Respondent is a first-time offender and his admission, as well as the fact that the Respondent was provoked by seemingly unreasonable behavior on the part of the Complainants which put the Respondent, as organizer, in a very difficult situation, the Respondent is sanctioned to a **warning** and to a **6 month ban as an Organizer of any international chess tournament** from the date of this Decision, *suspended in whole* on the condition that he does not make himself guilty of a breach of the Code of Ethics within one year of this Decision, in accordance with Art 3.2 of the Code of Ethics. The Respondent shall be on probation for the mentioned one-year period, meaning that if he commits another breach of the Code of Ethics during the probationary period, the suspension shall automatically be revoked and the original sanction of 6 months completely applied and added to the sanction imposed for the new breach.
- 9.8 For the sake of clarity, the EDC Chamber confirms that the probation period will expire on August 4, 2022.

10. The parties are advised that this decision may be appealed to the Appeal Chamber of the EDC by giving written notice of such appeal to the FIDE Secretariat within 21 days from the date upon which this decision is received. The notice of appeal must clearly state all the grounds for the appeal. Failing the due exercise of this right of appeal, the EDC Chamber's decision will become final.
11. The EDC requests the FIDE Secretariat to communicate forthwith the decision to the Complainants and the Respondent, and to publish in due course the decision on the FIDE website.

DATED ON THIS 5<sup>th</sup> DAY OF AUGUST, 2021.

**Yolander Persaud**

DocuSigned by:

*Yolander Persaud*

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**First Instance Chamber Chairperson**

**FIDE ETHICS & DISCIPLINARY COMMISSION**