



GENS UNA SUMUS

FÉDÉRATION INTERNATIONALE DES ÉCHECS

Recognized by the International Olympic Committee (1999)

54 Avenue de Rhodanie, 1007 Lausanne, Switzerland

☎ (+41) 216010039 ✉ office@fide.com 🌐 <http://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. Ravindra Dongre

Members: Mr. Johan Sigeman
Mr. David Hater

During an exchange of correspondence and online meetings during the period 8th June to 26th October 2022, made the following

DECISION

Case no.4/2022: “Alleged improper withdrawal from participation in the 2022 Sharjah Masters International Chess Tournament.”

1. The EDC Chamber notes its establishment by the EDC Chairman on 8th June 2022.
2. The EDC Chamber notes the complaint from the Complainant the “Sharjah Cultural & Chess Club” dated 4th May 2022, and further additional documents received on 18th June 2022 from the Complainant, and reply from the Respondent Mr. Parham Maghsoodloo dated 13 July 2022. The EDC Chamber notes the letter sent to the Respondent and the subject matter of complaint, and the Respondent dated 22 June 2022.
3. The EDC Chamber notes the alleged violation of Art 11.9. (b) of the Ethics and Disciplinary Code **Withdrawal from tournaments**: “Players withdrawing from a tournament without valid reason or without informing the tournament arbiter”.
4. The Complainant’s complaint is that the Respondent GM Mr. Parham Maghsoodloo signed a contract confirming his participation in the 5th Sharjah Masters International Chess Championship 2022 and withdrew without playing and violating the contract signed. The Respondent stated that since the Complainant had not agreed to his further conditions he withdrew from the tournament.

5. Upon due consideration, the EDC Chamber, by unanimity of its members, **finds** regarding the admissibility of the complaint:-
 - 5.1 The alleged misconduct has been committed in the international sphere – see article 5.1 (d) of the FIDE Ethics & Disciplinary Code-Admissibility of Complaints and Reports.
 - 5.2 The Complainant is Sharjah Cultural & Chess Club, the organizer of the Sharjah Masters a FIDE-rated tournament.
 - 5.3 The Respondent is a prominent Chess Grandmaster who has withdrawn from the 5th Sharjah Masters International Chess Championship 2022. The Respondent is a FIDE title holder and registered player.
 - 5.4 The EDC Chamber accordingly has the jurisdiction to investigate an alleged violation of “Ethics and Disciplinary Code”.
6. Upon due consideration, the EDC Chamber, by unanimity of its members, **finds** regarding the issue of Respondent’s guilt as follows:-
 - 6.1 The EDC Chamber notes the fact that the Respondent has replied in detail to the notice on 17 July 2022.
 - 6.2 It is of great importance in general that contracts are honored. This is especially important in cases such as this, where the organizer has used the participation of the Respondent, who is a well-known Grandmaster, in marketing the upcoming event. The EDC Chambers understand that the Respondent may have been frustrated by the fact that his May-rating was one single point below the level where he would have been entitled to better terms and that he felt that the Complainant should have been more forthcoming. This does not, however, in the opinion of the EDC mean that he was entitled to withdraw from the event in the way he did.
 - 6.3 The EDC notes that Mr. Parham Maghsoodloo was just below 2700 and could have negotiated better conditions with the organizers earlier.
 - 6.4 The EDC Chamber finds Mr. Parham Maghsoodloo guilty of violating Art 11.9 (b) of the Code as he has improperly withdrawn from the tournament thereby breaching the contract he had accepted and signed with the Sharjah Cultural & Chess Club.
- 7 In determining the sanction, the EDC Chamber must take into consideration all relevant aspects of the case.
 - 7.1 The EDC Chamber notes that an admission of guilt is usually a mitigating factor in the determination of an appropriate sanction, but in the present case there seems to be an absence of remorse on the part of the Respondent. The Respondent is taken as a first offender.
 - 7.2 The Respondent is sanctioned by a fine of 500 Euros for the breach of contract which sum must be deposited in FIDE’s account within 30 days from this decision.

7.3 The Complainant has also claimed damages in the amount of USD 5,000 from the Respondent, “as compensation and loss of earnings”. It is not within the powers of the EDC to make a ruling to this effect, see article 13 of the Code, wherein the sanctions available for the EDC Chamber are described. Article 13.2 g) (“Supplementary sanctions”) provides for compensation for FIDE and affected National Member Federation(s), but not for other parties.

8. The Respondent is 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 calendar days from the date upon which this decision is communicated to the Respondent. . The notice of appeal must clearly state all the grounds for the appeal and an appeal lodgment fee of 150 Euros is payable to the FIDE Financial Department. Failing the due exercise of this right of appeal, the EDC Chamber’s decision will become final.

The EDC Chamber requests the FIDE Secretariat to communicate forthwith the decision to the Complainant, the Sharjah Cultural & Chess Club, and the Respondent Mr. Parham Maghsoodloo and to publish in due course the decision on the FIDE website.

DATED ON THIS 12th NOVEMBER 2022



Ravindra Dongre

CHAMBER CHAIRMAN

FIDE ETHICS & DISCIPLINARY COMMISSION