



GENS UNA SUMUS

FÉDÉRATION INTERNATIONALE DES ÉCHECS

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FIDE ETHICS & DISCIPLINARY COMMISSION

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

Chairperson: Mrs Yolander Persaud-Sammy

Members: Mr David Hater
Mr Pedro Dominguez

during an exchange of correspondence and online meetings during the period 17th October 2021– 14th November 2022, made the following -

DECISION

Case no. 6/2022: "Confession of Cheating at the Hogeschool Zeeland tournament, 2019".

1. The EDC Chamber **notes** its establishment by the EDC Chairman on 14th October 2022.
2. The EDC Chamber **notes** that on the 11th October, 2022 the FIDE Ethics and Disciplinary Commission (EDC) received a Report from the Investigatory Panel (“IP”) of the Fair Play Commission (“the Complainant”), concerning a confession of cheating from Mr. Ryan Pang Khai Jie of Singapore (“the Respondent”) in violation of the FIDE Ethics & Disciplinary Code, more particularly *Article 11.7 (e)* of the Code relating to cheating.
3. The EDC Chamber **notes** that the Respondent was given the opportunity to respond to the notice of receipt of complaint to Respondent dated 17th October 2022. The Respondent only acknowledged the case and his correspondence with the FPL. Accordingly, the facts supplied in the FPL report stand uncontroverted.
4. The EDC Chamber **notes** the contents of the following documents received as part of the case file: the Report of the Investigatory Panel of the Fair Play Commission (10th October 2022), the notice of receipt of complaint to Respondent sent by the EDC Chamber (17th October 2022), the Respondent’s e-mail to the FIDE Secretariat dated 20th October 2022.
5. The EDC Chamber **notes** the subject-matter of the Report submitted:

- 5.1 The IP of the Fair Play Commission issued a Report on an investigation after the Respondent Mr. Pang Khai Jie Ryan of Singapore sent an e-mail to FIDE on the 16th October 2021 where he confessed to cheating during the 23rd Hogeschool Zeeland Tournament, Vlissingen, the Netherlands from 3-10 August 2019, on his own volition after feeling guilty of his actions. Mr. Pang's e-mail states that he kept his mobile phone in his pocket and used it several times during the tournament to assist him in finding good moves in his games.
 - 5.2 When contacted by the IP, the Chief Arbiter Mr. Paul Van Rooijen stated that there was no suspicion of the Respondent cheating, however he believed there was always a small chance to cheat in a tournament with 200 players and 3-5 arbiters.
 - 5.3 Mr. Pang once again confessed to an IP member about his cheating and unethical behaviour when contacted via Telegram chat about the cheating confession to FIDE. He further informed the IP Member Mr. Gopakumar that he cheated in 4 matches in the Tournament, in particular rounds 2,3,6 and 9.
6. Upon due consideration, the EDC Chamber, by unanimity of its members, **finds** regarding the admissibility of the complaint that:
 - 6.1 The 23rd Hogeschool Zeeland Tournament, Vlissingen is an international tournament given the participation of foreign players, and the Respondent is a FIDE-rated player.
 - 6.2 The Report was received by the Fair Play Commission, a FIDE organ within the meaning of Art 5.2 (d) of the Ethics & Disciplinary Code.
 - 6.3 In the present case, the Respondent's guilt regarding a violation of Art 11.7 (e)-Cheating, is not disputed or otherwise in contention.
 - 6.4 The matter is therefore admissible, and the EDC has jurisdiction to sanction a violation of the Code of Ethics.
 - 6.5 The sole issue to be addressed is an appropriate sanction for the violation of Art 11.7 (e) of the Code.
 - 6.6 The EDC notes the recommendation by the IP.
 7. Upon due consideration, the EDC Chamber, by unanimity of its members, **observes and finds** regarding the matter of an appropriate sanction that:
 - 7.1 To the knowledge of the members of the EDC Chamber, the Respondent is a first-time offender.
 - 7.2 An admission of guilt is a mitigating factor in the determination of an appropriate sanction. In the present case, the Respondent not only admitted guilt on his own free accord, but without any suspicion of his actions.
 - 7.3 The EDC Chamber accepts that the Respondent acted in good faith.
 - 7.4 The Respondent has not participated in a FIDE-rated tournament since his confession.

8. Accordingly, and considering all of the above, the EDC Chamber **unanimously decides** as follows:
 - 8.1 The Respondent Mr. Pang is found **guilty** of breach of Article 11.7 (e) of the FIDE Code of Ethics.
 - 8.2 Mr. Pang is **sanctioned** to a worldwide ban of 2 years from participating as a player in any FIDE rated chess competition, taking effect retroactively from 16th October 2021-the date of his confession to FIDE (in accordance with Art. 13.1(d) of the Ethics and Disciplinary Code).
 - 8.3 All the results of Mr. Pang during 23rd Hogeschool Zeeland Tournament shall be declared as a loss for the rating purpose (in accordance with Art. 13.2(b) of the Ethics and Disciplinary Code).
9. The Respondent Mr. Pang 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 days from the date this decision is received, and to pay an appeal lodgement fee of €150. 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. Please see the requirements of Rule 43 of the EDC Procedural Rules.
10. The EDC Chamber **requests** the FIDE Secretariat to communicate forthwith the decision to the Respondent, the FIDE Fair Play Commission, the Singapore Chess Federation and the Qualification Commission (to effect the rating nullification), and to publish in due course the decision on the FIDE website.

DATED ON THIS 26th of November 2022

Yolander Persaud-Sammy

CHAMBER CHAIRPERSON
DEPUTY CHAIRPERSON
FIDE ETHICS & DISCIPLINARY COMMISSION