



FIDE ETHICS & DISCIPLINARY COMMISSION

CONFIRMATION OF STATUS AND OUTCOME

Case no. 5/2023: “Alleged lack of due process and natural justice in imposition of a permanent ban by the Fiji Chess Federation”.

1. On August 7, 2023 the EDC First Instance Chamber issued its decision in the above case in which the sanction imposed by the Executive Board of the Fiji Chess Federation (FCF) on Mr Calvin Prasad on 11 February 2021 was declared null and void. The decision was sent to both parties and receipt by the FCF was confirmed on that same day.
2. In paragraph 16 of the decision, the FCF was referred to the relevant provisions of EDC Procedural Rule 77 and informed that a *de novo* complaint against Mr. Prasad may be submitted by the FCF for hearing by the EDC, based on the same grounds and circumstances as in the national case. It was stressed that such a complaint must be submitted in writing to the FIDE Secretariat within 21 days of the date on which the decision was communicated to the FCF.
3. The deadline for submission of a *de novo* complaint expired on August 28, 2023.
4. No complaint has been submitted from the FCF within the prescribed timeframe, or even thereafter until the date of this confirmation.
5. Rule 77.8 of the EDC Procedural Rules reads as follows:

“In case that the EDC Panel has declared the national decision null and void, the National Federation may submit to the EDC a complaint against the original Complainant, based on the same grounds and circumstances as in the national case. Such complaint must be submitted to the FIDE Secretariat within 21 days from the date on which the EDC’s decision is communicated to the national federation, failing to do so, the National Federation is thereafter prevented from raising a new complaint against the original Complainant based on the same facts and circumstances covered in the previous national decision.”
(our underlining)

6. Against this background, the EDC hereby declares that the FCF is prevented from raising a new complaint against Mr. Prasad (in either the FCF or the FIDE sphere) based on the same facts and circumstances covered in the nullified national decision. The FCF is bound to respect all Mr. Prasad’s rights as a member of the FCF. Furthermore, FIDE will now re-enter Mr. Prasad in the FIDE database as a player under the FCF.

Francois Strydom
EDC Chairman
Date: 20 September 2023