



FIDE ETHICS COMMISSION

The Ethics Commission (hereafter called the ETH), sitting in the following composition -

Chairman: Mr. Francois Strydom
Members: Mr. Willy Iclicki
Mr. Ion Serban Dobronauteanu
Mr. Rajesh Hari Joshi
Mr. Pedro Dominguez
Secretary: Dr. Elli Sperdokli (non-voting)

during the meeting held in Zurich, Switzerland on 24 June 2018, made the following -

DECISION

Case no. 6/2017: Complaint of Ms Hilda Vukikomoala against the Fiji Chess Federation

1. The ETH **confirms** that a quorum is established by the presence and participation of all five (5) its voting members.
2. The ETH **notes** the complaint of Ms Hilda Vukikomoala, dated 18 December 2017, concerning the alleged failure by the Fiji Chess Federation to take disciplinary action against Mr Calvin Prasad following an incident during the 2016 Chess Olympiad in Baku, Azerbaijan.
3. The ETH **notes** the subsequent reply statements of the Fiji Chess Federation sent to the ETH on 19 January, 21 February and 24 May

2018, as well as Mr Prasad's statement upon his resignation as President of Fiji Chess on 26 February 2018 and Ms Vukikomoala's further comments of 5 April 2018.

4. The ETH **notes** the letter addressed by the Chairman of the ETH to Ms Vukikomoala on 18 January 2018 advising that the ETH deals principally with misconduct in the international chess sphere and do not ordinarily become involved in the internal affairs of national federations such as the conduct of disciplinary matters against its own officials.
5. The ETH **reiterates** that FIDE member federations have principal authority over chess activities in their own countries. The ETH shall exercise jurisdiction over national cases only in exceptional circumstances, namely in instances where misconduct has international implications and is not judged at national level, or instances where the national federation fails to prosecute disciplinary cases in compliance with fundamental justice (FIDE Statutes, Chapter 8, Ethics Commission - Objectives and Competencies).
6. Upon due consideration of the matter, the ETH **rules** that there does not exist the necessary factual basis for the ETH to assume jurisdiction in the present matter. The ruling is made on the basis of the following:
 - 6.1 The dispute relates to an alleged failure by the Fiji Chess Federation to prosecute the disciplinary case against Mr Prasad at all or at least in compliance with fundamental justice;
 - 6.2 It is apparent from the explanations furnished by the Fiji Chess Federation that disciplinary proceedings were indeed taken against Mr Prasad and that he was sanctioned for his misbehaviour during the incident at the 2016 Chess Olympiad by a 3 month suspension;
 - 6.3 Mr Prasad has further apologized for his conduct and has since resigned as President of the Fiji Chess Federation;
 - 6.4 There are accordingly no factual grounds for the ETH to become involved on the basis that the national federation has failed to prosecute a disciplinary case in compliance with fundamental principles of law;

6.5 In the circumstances, the jurisdictional grounds required by the FIDE Statutes for the ETH's intervention are wholly absent.

7. Consequently, the ETH **unanimously decides** that Ms Vukikomoala's complaint to the ETH is not admissible and the case should therefore be **dismissed**.
8. The ETH **requests** the FIDE Secretariat to communicate this ruling to Ms Hilda Vukikomoala and the Fiji Chess Federation and to publish it on the FIDE website.

DATED ON THIS THE 27th DAY OF JUNE 2018

F P Strydom

CHAIRMAN
FIDE ETHICS COMMISSION