

By-laws

“The words ‘in case of minor violations of the obligations of a Member Federation’ must be interpreted in the sense that they include all cases of violations of art. 11 of the FIDE Charter that could also justify a suspension of a Member Federation under art. 13.1 of the FIDE Charter, but not yet an expulsion of the Member Federation, as well as all cases in which a Member Federation fail to comply its obligations under art. 11 of the FIDE Charter, without any negligence or will to violate these rules.

Deciding to approve measures under art. 13.7 of the FIDE Charter, the Council shall specify what are the obligations under art. 11 that assumed or violated or not fulfilled.

The advisory opinion of the Constitutional Commission is mandatory and shall be requested and received by the Council before the approval of any measure under art. 13.7 of the FIDE Charter.

The “monitoring”, the “nomination of a fact finding commission” and the nomination of a “FIDE special envoy” are not sanctions, but tools, that the Council can decide to use in different situations: the “monitoring” and the “nomination of a fact finding commission” usually before the approval of any other decision; the nomination of a “FIDE special envoy” also in cases not included under art. 13.7, for instance also after the expulsion of a Member Federation.

Recommendations can be a sanction or also a measure to help a Member Federation that requested an intervention of the Council.

The warning and the nomination of a FIDE Reverse delegate are sanctions.

The nomination of a FIDE Reverse delegate shall be reserved to the cases in which there are elements to decide the suspension of a Member Federation but, having elements that suggest reasonable high possibilities that will be not necessary to decide a harsher sanction and especially a future expulsion, it is considered possible to avoid, for the moment, a suspension of the Member Federation. However, if also this measure will not be sufficient to assure the respect or the fulfilment of the obligations under art. 11 by the Member Federation, following the indications of the FIDE Reverse delegate, the Council may decide, in any moment, to suspend the Member Federation and also to propose the expulsion of the Member Federation to the General Assembly.

The FIDE reverse delegate, nominated by the Council for a given Member Federation, is not the representant of that Member Federation and does not have the right to participate nor to vote in the FIDE General Assembly, nor is the representative of the Member Federation before national or international institutions. However, when a Reverse delegate is nominated, the Member Federation cannot exercise its rights to vote in the FIDE General Assembly.

The FIDE Reverse delegate can be charged by the Council to some specific activities, as the following ones:

- to evaluate, authorise and send to FIDE requests about: FIDE titles; FIDE ratings; organisation of FIDE rated tournaments and other FIDE events; participation of national players in FIDE competitions, including team's events, as Chess Olympiads, and youth competitions; participation of arbiters in FIDE events;
- to liaise with national authorities, facilitating the solution of internal conflicts, monitoring the respect of national rules and of the Member Federation Statutes and their accordance with the FIDE Charter, observing and monitoring the activities aimed to the organisation of the elective assembly of the national federation, including: monitoring the number and the effectiveness of the chess clubs and of the other members of the federation (directly contacting them, if useful); monitoring the respect of national rules concerning the organisation and the carrying out of the elective assembly (including the legitimacy to convene the assembly, the rights to participate in the assembly and so on);
- in cases in which the violation or the non-fulfilment of the obligations under art. 11 is related to the existence of unresolved disputes among different associations or persons that claim to be legitimated to represent the Federation or that assume to be discriminated, to the Reverse delegate can perform a particularly active role, for instance to facilitate the correct organisation of democratic elections, with the participation of all legitimated candidates and voters, fully in accordance with national and FIDE rules".