



CONSTITUTIONAL COMMISSION

REPORT – MAY/JUNE 2020

On 20th of May 2020, at the initiative and invitation of the FIDE President, Mr. Arkady Dvorkovich, an informal online meeting of the Constitutional Commission (hereafter CC) was held, hosted on the “Zoom” web-conference platform.

The meeting was attended by members of the CC, the FIDE President and also by Mr. Bachar Kouatly, FIDE Deputy President; Mr. Lukasz Turlej, FIDE Vice-President Mr. Igor Kogan, Deputy Chairman of the Management Board; Mr. Willy Iclicki, FIDE Chief Operating Officer; Mr. Vadim Tsypin, Secretary of the Management Board; Mr. Aleksandr Martynov, FIDE Legal Advisor; Ms. Sava Stoisavljevic, Assistant to Chief Operating Officer; Mr. Konstantin Kiselev, Assistant to the FIDE President.

Many issues were discussed, among them the most relevant ones were:

- The implementation of the new FIDE Charter:
 - the monitoring of Member Federations’ activities and the necessary information about their statutes, composition, applicable national law, official addresses, etc.;
 - the full revision and restructuring of the FIDE Handbook, the reform and updating of all other FIDE rules and regulations;
 - the drafting and approval of FIDE organs’ Internal Rules;
 - the applicability of the Charter to the pending cases concerning membership.
- How to organise the 2020 General Assembly, in this difficult period of pandemic;
- The necessity to coordinate “legislative” activities of FIDE Commissions with a full respect of the FIDE Charter.

After some preliminary remarks by the FIDE President, the CC Chairman delivered a brief introductory presentation about the above mentioned issues and the CC planned activities in 2020/2021, then an interesting debate followed, animated by all participants in the meeting; finally the FIDE President, appreciating the request of a full co-operation among the CC and

all other FIDE organs, invited the Commission to accelerate as much as possible the preliminary work on the necessary reforms of various FIDE rules and regulations.

About next steps, it is already possible to underline the following points:

- for the **implementation of art. 11 of the FIDE Charter**, it is mandatory for all FIDE Members to have the availability of an official **registered email address**: the systems of registered email addresses are not the same in all countries and for some FIDE Members, especially in this period, it could seem just an additional cost to cover with their limited resources; therefore, the CC suggests FIDE to try to make available this service, for free, to all Member Federations who will request it. FIDE Offices already started to assume information about this possibility.
- In accordance with the same **art. 11 of the Charter**, all Member Federations must regularly inform FIDE about both their composition and activities, their statutes and the national rules that regulate their functioning. The CC suggested to prepare **a communication and a questionnaire addressed to all Member Federations**, asking especially about this: to communicate a copy of their current statutes, adding a translation into English; an updating about the following data: addresses and contacts, number and names of their members (clubs, associations, etc.), information about the organisation of their more recent general assemblies, elective and not, information about the organisation of national championships. FIDE Offices already prepared a draft questionnaire that will be sent to Member Federations in the next weeks.
- This necessary monitoring will also be very useful to facilitate decisions about **future cases concerning membership**.
- At the present moment, unfortunately, many **cases about membership** are still pending, in some countries parallel national judiciary cases are pending as well. Former Statutes still has to be applied, at least in part, given that these cases started before February 2020. An active role of mediator exercised by the FIDE President and the FIDE Council could still be advisable.
- The full implementation of the new FIDE Charter implies an updating and redrafting of many other rules and regulations, some of them, as the “FIDE Congress Regulations”, written many decades ago and never applied in the recent years. The most urgent steps involve the drafting of a new **Ethics and Disciplinary Code** and the updating of the “**Procedural Rules** of the Ethics and Disciplinary Commission, of the Fair Play Commission and of the Arbiters’ Disciplinary Committee”. This is not at all an easy task. **A strict co-operation among the different involved Commissions** is mandatory, especially between the CC and the Ethics and Disciplinary Commission and then also with the Fair Play Commission and Arbiters’ Commission.
- In the current period of epidemic, FIDE has been more and more involved in the organisation of **“on line” tournaments and events**: for their well-functioning new rules are necessary as well, some of them have to be included in the **Ethics and Disciplinary Code**;
- The redrafting of **Electoral Rules** is another important task, to be able to approve them in the 2021 FIDE Congress.

- The drafting of **Internal Rules** of some FIDE organs is also requested: the same CC has to prepare its internal rules, especially focused on how to interact with FIDE Offices on the updating of the FIDE Handbook.
- To be able to efficiently work on all these issues, at least an initial meeting “in presence” would be more than useful. Web-conferencing is a great tool, that we all are appreciating more and more, however, it cannot substitute “traditional” meetings, when a real “brain-storming” and a deep discussion among people with different backgrounds are needed. If it will be possible, a meeting could be scheduled in Lausanne around beginning of September 2020, it means before the autumn, when the risk of a second wave of coronavirus in Europe will become higher.
- The organisation of a **2020 FIDE General Assembly** “from distance” is possible and also advisable, given the present circumstances that forbid the organisation of an ordinary FIDE Congress. In principle, there is nothing against this option in the FIDE Charter. Some specific Internal Rules of the General Assembly could be proposed to the Member Federations before the starting of the meeting and, hopefully, approved. For the rollcall a specific, separated “room” of the web-conference platform could be used. The webinar of the meeting in another one. Open votes are not a problem. Secret votes could be necessary only for the vote about Chess Olympiads. It would be more complicated but it can be organised; as we know, in some countries the vote from distance is admitted even for political elections. An important general rule that must be reminded: invitations for the General Assembly shall be notified, in writing, to registered email addresses, at the latest three months prior to the opening date for an ordinary General Assembly (FIDE Charter, 17.10). This means that, first of all, we need to implement the system of registered email addresses, and that, to organise the 2020 GA for instance at the end of November, invitations must be sent at the end of August, not later.
- Many FIDE organs and Commissions are very active, in these months, and have been proposing the introduction of some different new rules. It is a great thing. However, it is necessary to pay attention that they must respect the FIDE Charter and that all FIDE rules have to be well coordinated among them. Some of the proposals concerning the activities of the Trainers’ Commission and of the new Athletes’ Commission seem not fully in accordance with these principles and probably need to be amended, some suggestions about these issues were already be communicated throughout FIDE Offices and FIDE Legal Adviser.

Turin, 11 June 2020

The Chairman of the Constitutional Commission

Roberto Rivello

