



GENS UNA SUMUS

# FÉDÉRATION INTERNATIONALE DES ÉCHECS

Recognized by the International Olympic Committee (1999)

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To: FIDE Council  
 Subject: Data Protection Committee proposals

## Proposal of resolution for Handbook amendments

The Data Protection Committee is here sending the following document proposing new Handbook amendments, already submitted and discussed with the MB.

### **1. PROPOSAL: ADD A NEW CHAPTER 4 TO FIDE HANDBOOK B.03 (TITLE: THE NATIONAL RATING OFFICER)**

*4.1: Any National Chess Federation appoints one or more National Ratings Officers who are the only officials authorised to operate in FRS.*

*FIDE has the right to publish the name and email address of the National Rating Officers in its website (directory).*

*The National Rating Officer is responsible for inputting data correctly in the FIDE Rating System.*

*4.2: Whenever it is found the National Rating Officer input incorrect data in the FRS, the Chess Federation may be charged an amount of CHF 10,00 as administrative cost for data checking for any single wrong data input after January 1<sup>st</sup> 2021, up to a maximum of CHF 1.000,00.*

*The National Chess Federation has the right to re-charge the player whose data were wrong in case he voluntarily gave incorrect data thus causing the Federation's liability.*

*Article 1.14.1, 1.18 and 1.18.1 apply anyway.*

*4.3: In case of any dispute on liability of the Federation, the extra charge shall be suspended till the dispute is settled or finally decided by the Council.*

*4.4: The FIDE Rating Administrator has the right to delist a player if it was found his data are false and/or incorrect and the National Rating Officer fails to correct them in a reasonable time.*

*4.5: In case of an action taken under art. 4.3, the rating of the delisted player would be cancelled.*

*Article 1.14.1, 1.18 and 1.18.1 apply anyway.*

## 2. PROPOSAL: ADD A NEW ART. 1.10.1 TO FIDE HANDBOOK B.03

**B.03 1.10.1:** According to FIDE Data Protection Policy only first name, last name, gender, year of birth, the Federation one represents, FIDE ID and titles are displayed in a player's public web-profile.

**B.03 1.10.2:** At the first registration in FRS, Any player has the right to ask FIDE his year of birth and gender to be hidden, by giving the relevant communication to his National Rating Officer.

**B.03 1.10.3:** Any player has the right to ask FIDE his year of birth and gender to be hidden, according to the procedure established by FIDE Data Protection Policy, Section A, Art. 18, par. 7 and following.

## 3. PROPOSAL: ADD A NEW CHAPTER B.05 TO FIDE HANDBOOK (TITLE: REGULATIONS FOR EXTRAORDINARY REVIEW OF LICENSING FOR ARBITERS, TRAINERS AND ORGANISERS)

**B.05 1:** FIDE launches the extraordinary license review of Arbiters, Organisers and Trainers to be held starting from 2020/11/01 and 2021/10/31.

**B.05 2:** The program consists in a review of the data actually integrated in FIDE databases to be conducted through a webform integrated in the relevant commissions websites.

**B.05 3:** Starting from 2020/11/01 arbiters, organisers and trainers will have to fill and submit the form in order to confirm their license. The correct submission of the form will end in a confirmation email which confirm the correct renewal.

**B.05 4:** Starting from 2020/11/01 only arbiters, organisers and trainers who had confirmed their license in the abovementioned way will be appointed to FIDE events as arbiters, trainers or organisers. New license will not be issued unless the form was completed and submitted in advance to the request.

**B.05 5:** The extraordinary review process will end 2021/10/31.

**B.05 6:** Starting from 2021/11/01 arbiters, organisers and trainers who didn't confirm their license will be considered inactivated and unlicensed.

**B.05 7:** The Commissions will work closely to Data Protection Committee to grant a continuous update of their databases and secure collection of the necessary data.

**B.05 8:** The Commissions will give to the people licensed under their jurisdiction any information and endeavour to make the necessary announcements.

Venice – Lausanne, dated today 3<sup>rd</sup> August, 2020.

**Attachment:** full report to the MB with relevant explanations.

Mr Willy Iclicki (BEL): Data Protection Officer;

Mr Marco Biagioli (ITA): Data Protection Legal Advisor;

Mr Vladimir Kukaev (RUS): Data Protection Technical Advisor.



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To: FIDE President, FIDE Management Board

Subject: Data Protection Committee proposals

## Proposal of actions to be taken – revision after MB exam and new items

The Data Protection Committee is here sending the following document proposing new actions to be taken following the indications given by the MB in its February meeting on the previous proposals.

This document will go deeper on a few of the previous proposals to add to FIDE Handbook B.03 a new chapter 4 and some articles that was previously proposed and readdressed for further implementation.

### **1. PROPOSAL: ADD A NEW CHAPTER 4 TO FIDE HANDBOOK B.03**

Currently neither the FIDE Handbook nor any other regulations exactly specify the role, duties and responsibility of the Rating Officer: what is certainly known is this function is compulsory in every Federation and he is the one authorized to operate in FRS to add, modify or delete players under the flag of the particular Federation.

FIDE Data protection policy already makes some provisions about the Rating Officer and general principles on how he has to handle data on behalf of his Federations (being accurate, fair, ascertain the treatment was agreed...).

Rating Officers have also to think they accept FIDE Data Protection Policy when they log in the FRS as there is a compulsory check to accept terms and conditions.

Still we propose to add a new chapter in order to give exact rules and precise responsibilities to the Rating Officer when acting on behalf of his federation.

The basic goal is to put a clear responsibility on who has to ascertain and be sure data are input correctly given that FIDE cannot obviously check around 1 million records.

Moreover, the principle of the proposed chapter is to discharge FIDE from liability for incorrect data as FIDE puts specific rules on how to handle FRS and provisions of relevant penalties.

Art. 4.1 would be the general disposition on how to handle data, 4.2 gives provision for

penalties, 4.3 and 4.4 would give an extra remedy in case the proposed penalty is found to be ineffective.

On the topic QC and former OLC were consulted. Mr **Alex Holowczak (QC)** and Mr **Ilya Gorodetsky (former OLC)** replied.

**Mr Holowczak** expressed the position that for the QC purposes there is no need to be sure about data as QC works through numbers and FINs as the rating system would work also with incorrect names, or without any email address (unnecessary data for the functionality of the rating calculation or titles assessment).

This also means QC wouldn't be affected in its operations by the new regulations but he stresses that putting new constraints or obligations to National Chess Federations will discourage them to rate tournaments and upset people about new duties, especially Some Ratings Officers who would be unhappy to get new liabilities.

Mr Holowczak remarks are but still clash with the necessity to ensure FIDE is not liable for having incorrect data in the FRS.

**Mr Gorodetsky** suggested rather using a system based on two main principles: education and prevention, instead of penalties where with education he means *"clear instruction of how to operate the system (preferably in video-format) + FAQ. Ideally there should be someone who is ready to provide live support to the users"* and with prevention, some administrative measures that allow FIDE to block a certain RO, if it was found that he was misusing FRS.

The principles expressed by Mr Gorodetsky can be useful in a second moment of the process as the idea to provide a *"manual"* on how to use FRS is reasonable, after this new set of regulations is approved.

Data Protection Committee takes the commitment to write such a manual afterwards.

However, leaving the matter as it is now is not an option as a liability for incorrect data needs to be avoided so a regulation is necessary to discharge FIDE of it.

We also need to point out that blocking a certain RO may cause more detriment than what the advantage is consistent as it might affect the competitions in a particular Federation.

In principle this can be achieved in two ways:

- Put the responsibility on the player himself asking him to confirm his data. This way seems to be poor as communication between 1 million people and FIDE might be problematic or impossible.
- Put the responsibility on single National Federations to push them to appoint accurate and reliable Ratings Officers and thus penalising them in case this criteria weren't enforced.

Following Mr Holowczak remarks on possible discouragement of the Federations, we made a new proposal based on a lower financial penalty, and more remedies.

In conclusion, Data Protection proposes to add Chapter 4 to FIDE Handbook B.03 which would be made up of three articles as following:

*4.1: Any National Chess Federation appoints one or more National Ratings Officers who are the only officials authorised to operate in FRS.*

*FIDE has the right to publish the name and email address of the National Rating Officers in its website (directory).*

*The National Rating Officer is responsible for inputting data correctly in the FIDE Rating System.*

*4.2: Whenever is it found the National Rating Officer input incorrect data in the FRS, the Chess Federation may be charged an amount of CHF 10,00 as administrative cost for data checking for any single wrong data input after July 1<sup>st</sup> 2020, up to a maximum of CHF 1.000,00.*

*The National Chess Federation has the right to re-charge the player whose data were wrong in case he voluntarily gave incorrect data thus causing the Federation's liability.*

*Article 1.14.1, 1.18 and 1.18.1 apply anyway.*

*4.3: The FIDE Rating Administrator has the right to delist a player if it was found his data are false and/or incorrect and the National Rating Officer fails to correct them in a reasonable time.*

*4.4: In case of an action takes under art. 4.3, the rating of the delisted player would be cancelled.*

*Article 1.14.1, 1.18 and 1.18.1 apply anyway.*

## **2. PROPOSAL: ADD A NEW ART. 1.10.1 TO FIDE HANDBOOK B.03**

This proposal focuses on the matter of the birth years publicly displayed on FIDE websites that many people don't want them to be seen.

Currently there's no regulation at all on the topic: B.03 provides some data to be put in FRS and only some of them to be published.

In case of the date of birth, currently FIDE displays only the year.

Still, some members of our population wish it not to be public. It is also important to notice that for FIDE purposes, having birth year is necessary since we have many age categories playing for groups-championship or special prizes, but publishing it is, for the same need, unnecessary.

The reason why we publish birth years is just for advertisement and public information.

In principle, FIDE could also require a player to publish this data as mandatory in order to be listed and give the player the possibility to cancel himself in case he doesn't wish his birth year to be published. This is a poor solution though, as there is the danger to face many cancellations for the specific issue, which is felt as very important for many people.

After a consultation with Mr. **Ozgur Solakoglu (EVE)** we convened that arbiters and organizers shall always have full access to this kind of records, for obvious reasons.

More over, it was also discussed with Mr. **Arkady Dvorkovich** the most logical and safe operation is to give people, in case they wish, the opportunity to cancel the birthday from the public area, which in same case already happens (See: <https://ratings.fide.com/profile/5204100>), upon a specific request.

Given that we already have a procedure for the erasure of the full profile, the most logical thing is to extend the same procedure and to a single data cancellation, and not only to the full profile, which has the advantage to create a single procedure for many tasks.

In order to achieve such a goal, two amendments are necessary. One to the handbook and one to Data Protection policy.

To the Handbook, 2 new articles in B.03 are required, as following:

**B.03 1.10.1:** *According to FIDE Data Protection Policy only first name, last name, gender, year of birth, the Federation one represents, FIDE ID and titles are displayed in a player's public web-profile.*

**B.03 1.10.2:** *At the first registration in FRS, Any player has the right to ask FIDE his year of birth and gender to be hidden, by giving the relevant communication to his National Rating Officer.*

**B.03 1.10.3:** *Any player has the right to ask FIDE his year of birth and gender to be hidden, according to the procedure established by FIDE Data Protection Policy, Section A, Art. 18, par. 7 and following.*

To the Data Protection Policy, a new par. 7 to the art. 18 is required:

**18. DATA CANCELLATION:** *You have anytime the right to ask FIDE to delete your personal data from the database: by taking such an action you are aware that data cancellation from FRS prevents you to take part to any FIDE rated event.*

*This request shall come through a National Federation and it will be confirmed by itself.*

*In case a National Federation will refuse to ask the erasure of your data or will not do it in a deadline of 30 days, you can apply directly by sending a signed letter to FIDE DPO at the abovementioned address enclosing a copy of an official identity document and a valid email address.*

*FIDE Administration will notify the request by email and will proceed upon your confirmation.*

*After the cancellation, your data will be stored in historical reports of any played tournament or championship and title repository.*

*The already made processes based on previous consent shall be legal and lawful also after the withdrawn of the consent and/or the request of data erasure.*

*You have anytime the right to ask FIDE your gender and year of birth to be hidden from your public web-profile following the same procedure as described in the paragraphs above.*

*You are informed that the request to hide gender and year of birth makes them invisible in FIDE webpage and in your public web-profile but such data stay anyway enclosed in FRS unless other actions are taken according to paragraph one.*

*Even when gender and year of birth are hidden in the public web-profile, full access to your data is granted to Arbiters, Organizers and FIDE Officials in order to perform their duties.*

### **3. CONNECTIONS TO CHESS-ID RECENTLY APPROVED BY THE COUNCIL**

The proposals delivered with this paper n. 1 and 2 are the possible solution to an issue, which can be solved in other ways, given that CHESS-ID will soon be started.

On one hand the issue to be solved is, clearly, to have in FRS updated, true and certified data, as well as having, in FIDE web-profiles, data which people want to be there or, at least, that they are not unhappy them to be displayed.

The principle standing behind new chapter 4 (see proposal 1) was to empower National Chess Federations and the ROs and seek for their cooperation to do that.

There is of course the possibility that this way is not working because of possible poor cooperation by National Chess Federations.

So, another possible solution is to **cancel at all the competence of the Chess Federations and National ROs in registering the players in the FRS and create for them FIDE-ID** and pass through only individual registration, thus leaving the Chess Federations only the duty to register and rate tournaments, which can't be done in other ways.

The idea of a single and individual registration (similar to any social network or other website) finds a natural connection to CHESS-ID project (which is already also implemented in FIDE Data Protection Policy, Section III).

In fact, when applying for CHESS-ID any player, before taking part to his first FIDE activity (either it is a seminar, a tournament, or just a visit to an event), would register himself through FIDE.com and gets an ID, based on data he consented and gave, also providing the opportunity to have a regular management of some consents.

Only people already having one ID might be allowed to participate an activity.

Of course, the registration will implement any single privacy issue:

- It will require the relevant data, and only those one;
- It will require the player to give his free consent to publication and disclosure in his web-profile of gender and year of birth;
- It will allow to set up the confirmation email;
- It will not create new constraints for National Chess Federations;
- It will allow FIDE to get a full consent on the privacy policy;
- It will allow an individual to choose if he likes commercials or promotional information

or not;

- If together with the registration, the system creates a sort of private area, it will let the player manage personally his data and consents (best condition for data protection).

On the topic QC was consulted. Mr **Alex Holowczak (QC)** expressed a general favour to the idea of moving also to FIDE the possibility to register directly players but warns on the danger of taking this competence from any National Chess Federation, as it may happen that one unregistered player is unable to take part to a tournament because of lack of an ID, as many federations accept players issuing an ID at the end of the tournament.

This issue is fairly resolvable provided the direct registration works online and automatically with a certain eplapsing time, after that it is straightly approved.

**Normally, this way gives many advantages but also two disadvantages.**

1. There must be found a way to check if the Chess Federation chosen by an individual matches with his real Federation, to avoid people registering for random Federation. This can be solved asking National ROs to “*approve*” the registration, otherwise putting people under FIDE flag and charging them the license.
2. There must be found a way to check the identity of the applicant to avoid fake profiles to be created as they may affect a tournament if someone registers to a tournament just giving an ID and if the organisers or the arbiters don’t check the identity of the entries (which happens in Italy but not everywhere).

There is, in fact, a strong danger of fraud: imagine a strong player creating a new ID just to play weak tournaments but winning the prize money (scenario not applicable to very high level as people are known but in the middle one, extremely predictable).

One possible solution would be to require the player to attach a copy of his ID or passport and check if the names and birthday match (there is really no point to consider the use of false documents), but this way would work only if FIDE would be able to check any single registration before approving it.

**4. GETTING CONSENTS BY SINGLE POPULATIONS BY WEB APPLICATIONS**

Small and single populations (like Arbiters, Trainers, Organisers) gives (or are supposed to give) different consents from the majority of the players.

The particular condition if these people encourages FIDE to get specific consent from them, instead of relying the general permission to use data given by the policy as we perform specific operations with these categories, like assessments, evaluations, profiling...

Thus, in order to get privacy consents easily and without big infrastructure, an easy web application can be set in order to collect privacy consent through internet: in fact arbiters,

trainers and organisers would be required to fill one web-based form in order to let any activity already conducted by the relevant commissions fully compliant.

This application would send one confirmation email and close definitely the question regarding arbiters', organisers' and trainers' data.

Recently, the European Chess Union upon my supervision did exactly this and the result is an easy web form that at one time solves many problems.

Your FIDE ID number

Your Federation:

Please select your answer

Your place of birth (city and country, for example: Paris/France, London/England):

Fill in the unique password, which you received from the ECU Arbiter's Council:

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The form requires the arbiter (trainer/organiser) to identify himself with name, FIDE ID, Federation and place of birth.

After having identified himself, the applicant receives the full policy and he can accept or decline it by pressing the relevant button in the button: in both the cases, the arbiter receives a confirmation email. If he expressed his consent, the email contains a copy of the full policy and the consent, and if declined, he receives an information about the consequences of that. In both the cases, the recipient is able to verify what he consented and immediately inform about possible mistakes (no emails – unexpected emails).

Obviously, the whole process requires a security standard that can be achieved in 2 ways: one is that the form requires double identification, another is to ask the applicant to upload one copy of an ID in order to be sure about the identity of who filled the form.

ECU, given the social and developed scenario in Europe about technology chose the double identification but in case of difficult scenarios like Africa or Asia, uploading an ID seems easier.

Both the systems anyways are satisfactory in order to grant the identities and prevent abuses.

Technically, such a solution doesn't require any extra regulation but just to activate in ARB, EVE and TRG website one extra-page such as:

<https://arbiters.fide.com/privacy>

<https://trainers.fide.com/privacy>

<https://events.fide.com/privacy>

where the form can be created and uploaded. Technical advisor Kukaev is ready to implement the system, which was already discussed by Data Protection Committee.

We also enquired relevant commissions on the matter: lately we were in touch with ARB, EVE and TRG and they stated to prefer to avoid paperwork for consents.

About this proposal **Mr Laurent Freyd (ARB)** gave a couple of suggestions and we were able to set a final shape for this system afterwards, so for arbiters we would be ready to implement it if MB supports this project, and also a way of continuous communication protocol between DPC and ARB has been foreseen in order it to work properly.

Same dialogue led to positive results with **Mr Ozgur Solakoglu (EVE)** who was happy of the idea because it also let his commission to work in cooperation with us in order to make a review about organisers' licenses which could finally be collected in a database.

About TRG, we had a brief discussion with **Mr Jacob Aagaard** and **Mr Peter Long (TRG)**, who declared to be happy to cooperate with such a system upon condition to review technically the system in July, due to the schedule of their commission.

On this topic, the final proposal of DPC is to launch a process to collect consents from these 3 populations (Arbiters, Organisers and Trainers) to be started by August 1<sup>st</sup> 2020 and finish by July 31<sup>st</sup> 2021 divided in two steps:

Step 1: 2020/01/08 – 2021/07/31: only consent givers should be appointed for FIDE official competitions as arbiters, or allowed as official trainers of teams or accredited a bid – being the consents a condition to enter to official FIDE events.

Step 2: after 2021/07/31: who won't have given a consent shall be inactivated and considered unlicensed.

The proposal is to set up a *“Regulations for extraordinary review of licensing for Arbiters, Trainers and Organisers”* made up with the following articles:

1. *FIDE launches the extraordinary license review of Arbiters, Organisers and Trainers to be held starting from 2020/01/08 and 2021/07/31.*
2. *The program consists in a review of the data actually integrated in FIDE databases to be conducted through a webform integrated in the relevant commissions websistes.*
3. *Starting from 2020/01/08 arbiters, organisers and trainers will have to fill and submit the form in order to confirm their license. The correct submission of the form will end in a confirmation email which confirm the correct renewal.*
4. *Starting from 2020/01/08 only arbiters, organisers and trainers who had confirmed their license in the abovementioned way will be appointed to FIDE events as arbiters, trainers or organisers. New license will not be issued unless the form was completed and submitted in advance to the request.*
5. *The extraordinary review process will end 2021/07/31.*

6. *Starting from 2021/07/31 arbiters, organisers and trainers who didn't confirm their license will be considered inactivated and unlicensed.*
7. *The Commissions will work closely to Data Protection Committee to grant a continuous update of their databases and secure collection of the necessary data.*
8. *The Commissions will give to the people licensed under their jurisdiction any information and endeavour to make the necessary announcements.*

Venice – Lausanne, dated today 1<sup>st</sup> June, 2020

Mr Willy Iclicki (BEL): Data Protection Officer;

Mr Marco Biagioli (ITA): Data Protection Legal Advisor;

Mr Vladimir Kukaev (RUS): Data Protection Technical Advisor.



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To: FIDE Council  
 Subject: Data Protection Committee proposals

## Proposal of implementing plan for Extraordinary License Review

The extraordinary license review will serve the double purpose to identify correctly licensed people (and also check whether they paid their license), inactivate unlicensed or improperly licensed people and ensure they correctly gave to FIDE the permission to work on their data.

The process will work through an easy web application, without big infrastructures, and be conducted without any paperwork: in fact arbiters, trainers and organisers would be required to fill one web-based form in order to let any activity already conducted by the relevant commissions fully compliant.

This application would send one confirmation email and close definitely the question regarding arbiters', organisers' and trainers' data.

On the "*office*" side, the Data Protection Committee will receive the confirmation emails and will also be able to download from the application one editable database containing any necessary information about the people who correctly filled the form.

Once per month, the DPC will send the database to the relevant Commissions (ARB, EVE and TRG) so they will be able, via an automatic logic, to put a "*flag*" on the people who correctly renewed their license.

At the end of the renewal year, all the unflagged people will be inactivated as arbiters, trainers or organisers.

In the meantime, Commissions will be responsible not to appoint to any position of any FIDE official event people who didn't renew their license yet.

The renewal form will require the arbiter, trainer or organiser to identify himself with name, FIDE ID, Federation and place of birth.

After having identified himself, the applicant will receive the full policy and he can accept or decline it by pressing the relevant button in the button: in both the cases, the arbiter receives a confirmation email. If he expressed his consent, the email contains a copy of the full policy

and the consent, and if declined, he receives an information about the consequences of that.

In both the cases, the recipient is able to verify what he consented and immediately inform about possible mistakes (no emails – unexpected emails).

Obviously, the whole process requires a security standard that can be achieved in 2 ways: one is that the form requires double identification, another is to ask the applicant to upload one copy of an ID in order to be sure about the identity of who filled the form: uploading an ID seems easier. Both the systems anyways are satisfactory in order to grant the identities and prevent abuses.

Technically, such a solution requires just to activate in ARB, EVE and TRG website one extra-page such as:

<https://arbiters.fide.com/privacy>

<https://trainers.fide.com/privacy>

<https://events.fide.com/privacy>

where the form can be created and uploaded and one extra email address to forward the automatic emails. Technical advisor Kukaev is ready to implement the system, which was already discussed by Data Protection Committee.

**Attachment:** full report to the MB with relevant explanations.

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