



FIDE ETHICS COMMISSION

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

Chairman: Mr Francois Strydom
Members: Mr Ravindra Dongre
Ms Yolander Persaud
Mr Rajesh Hari Joshi

during the meeting held in Lausanne on 23rd - 24th of November 2019, made the following-

DECISION

Case n. 5/2019: “Allegations of the publication of defamatory and harmful statements in the electronic media.”

1. The ETH **confirms** that a quorum is established by the presence and participation of all four (4) of its voting members.
2. The ETH **notes** the complaint received on 8 August 2019 against **Mr. Evgeny Surov** (“the respondent”) by **Mr Kirill Zangalis** and **GM Sergey Karjakin** (“the complainants”), concerning an alleged violation of the FIDE Code of Ethics (“the Code”), and more particularly art. 2.2.4 of the Code (misbehaviour of a personal nature), alternatively art. 2.2.10 or 2.2.11 (injuring the reputation of the game of chess, FIDE, its events or participants).
3. The ETH **notes** that, simultaneous with filing with the ETH, the complainants also lodged a complaint against the respondent with the Russian Chess

Federation (“RCF”). On 19 August 2019 the ETH Chair issued a procedural ruling that the ETH proceedings be stayed pending the completion the disciplinary proceedings before the RCF.

4. The ETH **notes** the decision of the RCF Ethics Commission, dated 26 August 2019, to (i) publicly condemn the offences committed by Evgeny Surov against Kirill Zangalis and Sergey Karjakin; (ii) ban Evgeny Surov from visiting official events and sports competitions held under the auspices of the RCF; and (iii) reject the counter statement filed by Evgeny Surov against Kirill Zangalis. Subsequently, the chairperson of the RCF Ethics Commission clarified to the ETH that the disciplinary measures taken against Mr. Surov shall remain in force indefinitely, but the RCF Ethics Commission is ready to reconsider the imposed sanctions provided Mr. Surov takes reciprocal steps, in particular by making a public apology to Kirill Zangalis and Sergey Karjakin.
5. The ETH **notes** that the present matter before the ETH is not an appeal of the RCF decision, or a request for the ETH’s intervention in the disciplinary measures taken against Mr. Surov by the RCF for want of due process, but constitutes additional complaints by Mr Kirill Zangalis and GM Sergey Karjakin and a request to the ETH to (i) force the respondent to remove the offensive tweet and make a public apology to the complainants in the media; and (ii) ban the respondent from attending any chess events held under the auspices of FIDE.
6. The ETH **notes** the contents of the statements by Kirill Zangalis (7 August 2019) and Sergey Karjakin (12 September 2019) respectively, as well as the contents of the respondent’s defensive statement (18 October 2019).
7. The ETH **notes** that on 22 October 2019 the complainants were given an opportunity to file additional statements in reply to the respondent’s defensive statement, but that they failed to take up the opportunity to do so. As a result, many of the respondent’s factual averments remained not only unanswered, but indeed uncontested.
8. The ETH **notes** subject-matter of the complaints and the defences raised:

- 8.1 The respondent is a chess journalist and editor of the well-known Russian chess news website chess-news.ru.
 - 8.2 The complainant GM Sergey Karjakin is a member of the Russian chess team and a former challenger for the world title. The complainant Mr. Kirill Zangalis is the manager of Mr. Karjakin and also the Public Relations Director at the RCF.
 - 8.3 On 2 August 2019 the respondent posted a tweet on the Twitter social network, and subsequently re-posted the tweet on chess-news.ru, publishing an extract of a Sports Express newspaper article and asking provocative questions in a way that suggested that Mr. Zangalis is the “pimp” of Mr. Karjakin and that he misuses Mr. Karjakin’s good name and image.
 - 8.4 The complainants believe that these actions of the respondent were highly insulting and intentionally disparaged their honour and dignity. They also suggest that the publications caused irreparable harm to the entire chess community. They insist on a public apology by the respondent, but the latter refuses.
 - 8.5 The respondent points out that he is an independent journalist and is neither a member of the RCF nor a journalist licensed by it. He stresses that his tweet had nothing to do with GM Karjakin’s chess career, but rather a commentary about the use of GM Karjakin’s name in what he believes was a fictitious interview published in a Russian newspaper. The respondent is not prepared to tender a public apology to the complainants. He submits that the alleged violations of the FIDE Code of Ethics are unfounded and that the complainants’ recourse lies with the civil courts rather than the sports justice authorities.
9. Against the above background, the ETH **observes** and **finds** that:
- 9.1 The FIDE Code of Ethics seeks to control the behaviour of players and officials in the play and administration of the game of chess.

- 9.2 The complaints relate to a personal conflict between the complainants and the respondent and allege conduct by the respondent in his private capacity outside the official international chess sphere. The complaint do not raise issues connected sufficiently with the administration or practice of chess as a sport.
- 9.3 In addition, this matter is not an international matter in the sense of having international implications (apart from the widespread dissemination of information published on Twitter or the Internet) or affecting various national federations. An adjudication of the case by the RCF at the national level sufficiently served the interests of justice.
- 9.4 For the above reasons, the ETH lacks jurisdiction to adjudicate the complaint.
- 9.5 In any event, even if the matter is considered as a chess-related matter with international implications, given the complainant's failure to reply to the respondent's allegations (*inter alia* about the use of Karjakin's name in a fictitious article), the ETH is not persuaded that a *prima facie* case has been established of the violation of the Code of Ethics.
10. Accordingly, the ETH, by unanimity of the members, **decides** that:
- 10.1. The complaints of Messrs. Kirill Zangalis and Sergey Karjakin are **not admissible**; and
- 10.2. Case no. 5/2019 is **dismissed**.
11. The ETH **requests** the FIDE Secretariat to communicate forthwith the decision to Messrs. Kirill Zangalis, Sergey Karjakin and Evgeny Surov, as well as the Russian Chess Federation, and to publish in due course the decision on the FIDE website.

DATED ON THIS THE 17th DAY OF DECEMBER 2019.

F P Strydom

CHAIRMAN

FIDE ETHICS COMMISSION