



FIDE ARBITERS DISCIPLINARY SUB-COMMITTEE

The Arbiters Disciplinary Sub-Committee (hereafter called "the DSC"), sitting in the following composition: Chairperson: Mrs. Carolina Munoz. Members: Mr. Jaroslav Benak and Mr. Ronald King.

During an exchange of correspondence and online meetings during the period 25 May – 21st July 2025, made the following

DECISION

Case No 1/2025 "Use of forbidden pairings in the __ Chess Festival 2024"

1. The DSC notes its establishment by the DSC Chairman on 30 May 2025.
2. The DSC notes that in May 25th 2025, the Arbiter Commission (ARB) received from the FIDE Management Board a complaint, represented by Legal advisor Mr. Martynov, of a matter concerning alleged violation of the FIDE Regulations by IA __ (FIDE ID __) ("the Respondent"), relating to actions during the "__ Chess Festival 2024" (event ID __) tournament from __, 2024, in __, Hungary.
3. The DSC notes that the Respondent has been allowed to respond to the allegations in the report and has submitted an explanation regarding the case.
4. The DSC notes the contents of the following documents and emails received as part of the case file: Complaint by FIDE Management Board, Emails answer and explanation of the Respondent from 4 June 2025 to and 22 June, 2025; Mr. __ testimony by email dated 17 June 2025; Mr. __ testimony by email dated 16 June 2025; TRF tournament report, Tournament regulations, list of title norms signed by the Respondent related with the tournament, and Qualification Commission report.
5. The DSC notes the subject matter of the complaint and defence:
 - a. The Respondent is an IA and served as the chief arbiter in the "__ Chess Festival 2024" tournament, being responsible for the pairings.
 - b. The allegations against the Respondent in the present case relate to the use of forbidden pairing during the tournament, specifically to prevent FM __ (IRI) from being paired with any Israeli player; a decision made by the Respondent in conjunction with the organizer.
 - c. The Respondent in his reply to the DSC did explain the reason behind the use of forbidden pairings: *"Reasons: a) I was in the belief that the forbidden pairing option was a legal way to avoid unpleasant consequences of acute political standoffs. b) I remembered the 1992 European Team Championship organized by Hungary (Debrecen) when some countries refused to play against Yugoslavia. Chief Arbiter was Mr.Georgios Beskos IA (GRE), __. The Chief Arbiter then considered the forbidden pairing option as a legal solution to resolve the matter. FIDE officials who were present at the event including former FIDE President Florencio Campomanes were not against. Mr.Casto P. Abundo may still remember the case. Finally it was not used because of too many teams' objections and Yugoslavia could not take part in the event. c) I also had in mind that in 2014 when Hungary organized the U16 Chess Olympiad (Gyor) as if we used the Iran-Israel forbidden pairing options as far as I could remember. 2) I was not aware that using the forbidden pairing option would invalidate norms. The organizer also did not think of such serious consequences so we decided to resolve this unpleasant political issue by the forbidden pairing option. I have to mention that the Iranian player indicated in written form to the organizer that by their laws he can not play against any Israeli opponent. 3) Nobody warned me that the norms would be invalid. I was in the belief that it did not hurt the spirit of the rules which is to create*



fair play in any way. 4) I considered the following other options: a) Refuse the participation of the player of Iran. The reason why not: We did not want to commit political discrimination. b) Running the normal pairing all the time The reason why not: There were ___ Israeli players so sooner or later one of them may meet the only one Iranian. We did not want to deprive any Israeli player from the 9 games opportunity. c) Attempt to convince the Iranian player to play against Israelis may have led to a serious punishment for him at home. We saw no other options to resolve the matter. There were altogether 18 norms but by now only 11 of them are actual. The others have received the actual titles since then." (See 10 June, 2025 email).

6. Upon due consideration, the DSC, by unanimity of its members, finds regarding the admissibility of the complaint that:
 - a. The alleged breach of the FIDE Handbook - General Rules and Technical Recommendations for Tournaments, C04, and International Title Regulations B01 is a referral by a FIDE organ regarding a matter concerning FIDE's interests, specifically related to disciplinary issues involving arbiters. See articles 1.1. and 2 in the FIDE Arbiter Disciplinary Regulations (B.06.5);
 - b. The Respondent is registered in the FIDE database as an IA and as such part of the FIDE Family, over which the DSC exercises jurisdiction.
 - c. The statements prima facie have the potential to constitute a violation of the conduct prohibited in Article 3.6(a) and (c) of the Disciplinary Regulations for Arbiters.
 - d. The potential transgression occurred in the international sphere, as the event involved multinational participation. See article 2.7.a of B.06.5;
 - e. The DSC finds, therefore, that it has jurisdiction to investigate a violation of the General Rules and Technical Recommendations for Tournaments and the International Title Regulations.
7. Upon due consideration, the DSC, by the majority of its members, observes and finds regarding the issue of the Respondents' guilt as follows:
 - a. Article C04.2.A.5 in the General handling rules for Swiss Tournaments, effective till 31 January 2026, reads: "It is not allowed to alter the correct pairings in favour of any player. Where it can be shown that modifications of the original pairings were made to help a player achieve a norm or a direct title, a report may be submitted to the QC to initiate disciplinary measures through the Ethics and Disciplinary Commission."
 - b. Article B01-1.1.1 in the FIDE Title Regulations, effective from 1 January 2024, reads: "1.1.1... Tournaments where players have different conditions in terms of rounds and pairing are not valid..."
 - c. Both regulations state that the use of forbidden pairings is not allowed. DSC understands the political and moral reasons that the CA took into account when applying the forbidden pairing; however, neither regulation establishes any exceptions to the rule.
 - d. During the investigation, DSC found that the correct pairings had been altered due to the use of prohibited pairings.
 - e. Mrs Munoz and Mr Benak agreed that the use of prohibited pairings in this case indeed benefited the player from Iran and the group of players from Israel, as avoiding these matches also avoided games with the Iranian player's absence, which affected the number of games necessary for the title norm. Note that the tournament consisted of 9 rounds, which is the minimum number required to obtain a norm title. The Respondent was aware of that, and it was one of the reasons for taking the decision ("We did not want to deprive any Israeli player from the 9 games opportunity."). An example of this is that, according to the information provided by the Respondent, the player from Iran, Mr. ___, obtained an IM norm and an Israeli player, Mr ___, obtained a GM norm in that event. Therefore, they did benefit from the use of prohibited pairings by avoiding games won or lost due to absence.



- f. Mr. King had a dissenting vote. For him, the word "any" in article C04.2.A.5 refers to a specific player, not a group of players. When the CA made the decision, he didn't have the goal of benefiting a person from participating in or avoiding a specific match. At that time, he did not know what matches would take place in the tournament, and therefore the alteration in the pairings was not made "in favour of any player."

Appropriate sanction

8. Upon due consideration, the DSC, by the majority of its members, finds regarding the matter of an appropriate sanction that:
- a. When determining the sanction, the DSC must consider all relevant aspects of the case.
 - b. The Respondent is considered a first offender and has cooperated in the investigation.
 - c. The Respondent has committed the offence in his capacity as an International Arbiter, thus being responsible for the pairing of the players.
 - d. The Respondent, as an International Arbiter Category __, should know the regulations mentioned.
 - e. All DSC members agree that Mr __ did not use the prohibited pairings in bad faith or with fraudulent intention; however, he was negligent in his technical judgment, as he was unaware of the regulations that did not allow the award of title norms in tournaments where prohibited pairings are used. This is consistent with the testimony of the Respondent, the organizer, Mr. __ and the IA __.
 - f. Taking the above into consideration, the DSC finds by majority that a written reprimand is an appropriate sanction in this case. The expected corrective measures to be taken by the arbiter are: update on at least Swiss Systems and title regulations.
 - g. Mrs. Munoz had a dissenting vote. For her, although there was no malicious intent on the part of the Respondent, his negligence in technical judgment could cause serious consequences against players who obtained a title norm in the event, since QC may not validate them. Taking the above into account, Ms. Munoz recommended disqualification for 1-2 months as a sanction.
 - h. The sanction will take effect immediately upon notification.
9. Accordingly, and taking into account all of the above, the DSC by majority decides as follows:
- a. The Respondent is found guilty of breach of Article 3.6.a of the FIDE Arbiter Disciplinary Regulations: "a. Deliberately changing the pairings in a tournament contrary to the applicable pairing provisions." Although he did not do so with malicious intent, the Respondent was aware that using prohibited pairings was against the regulations of the Swiss System.
 - b. The Respondent is not found guilty of breach of Article 3.6.c of the FIDE Arbiter Disciplinary Regulations: "Deliberately signing incorrect certificates of title results for players, organizers and/or arbiters of a tournament." At the time of signing the norms, the Respondent was unaware that using prohibited pairings invalidated the title norms; therefore, this was not deliberate.
 - c. The Respondent is sanctioned with a written reprimand. The expected corrective measures to be taken by the arbiter are: update on at least Swiss Systems and title regulations.
 - d. The Respondent is warned that the sanction was taken considering that it was his first offence. Future transgressions of the regulations, whether due to negligence or fraud, may be viewed as a repeat offence.
10. The Respondent is referred to Article 6 of the B.06.5 FIDE ARBITER DISCIPLINARY REGULATIONS and advised that he has the right to appeal this decision to the FIDE Council by giving written notice of such appeal to the DSC Chairperson (wimcmunoz@gmail.com) within 15 calendar days from the date upon which he receives this decision. The notice of appeal must clearly state all the grounds for the appeal. An appeal lodgement fee of 300 euros must be paid simultaneously to the FIDE Financial Department. Failing the due exercise of this right of



appeal, the DSC's decision will become final.

11. The DSC will communicate the decision to the Respondent, the FIDE Management Board and the FIDE Arbiters Commission.

DATED ON THIS 22 July 2025

IA. Carolina Munoz Solis
CHAIRPERSON DISCIPLINARY ARBITERS SUB-COMMITTEE