

## **APPENDIX I. FIDE Fair Play Rules for Online Competitions with Supervision**

The following rules deal with Online Chess. They shall apply to all official FIDE competitions. For national competitions and private competitions, it is strongly recommended to adopt these rules, amended where appropriate.

### **A. General Provisions**

1. All games of a competition must be supervised by a monitoring software (Fair Play software) during and/or after the games are played.
2. The only Fair Play software authorised by FIDE is the FIDE Game Screening Tool. Other software requires explicit approval by the FIDE Fair Play Commission (FPL).
3. Most platforms will automatically process the games of a competition through their own anti-cheating procedures. These procedures in FIDE competitions are not final, but the Chief Arbiter or the panel of experts may consider them enough to impose a penalty.
4. Players must play with their real names.
5. Players may be required to be visible on camera, using a video conferencing platform (between rounds players may be allowed to turn the camera off). The images of the video conferencing platform may be recorded by the organiser. It must be ensured that only the Chief Arbiter, the panel of experts, if any, and the members of EDC and FPL may access it if necessary and that the recording is deleted one year after the official announcement of the results, unless proceedings against participants of the namely competition have been opened before by FPL or EDC
6. Players may be required to show their surroundings and their computer Task Manager, and this can be requested at any time. Players may be instructed by the arbiter to share their screen and to turn off the chat function during play. In case the regulations of a competition provide so, the organiser should ensure that appropriate legal information about privacy and child safeguarding are written in the invitation or regulations. If needed, the organiser may consult FIDE data protection team.
7. Other competitions must be conducted in accordance with the principles above and/or with the Online Fair Play policies of National Federations. When in such a case a competition is conducted on a platform which applies its own Fair Play policies, players must be made aware that arbiters cannot intervene in decisions made by the platform.
8. Arbiters must be familiar with the platform's procedures:
  - i) For dealing with cheating allegations,
  - ii) For the flagging or closure of accounts,

iii) For handling appeals.

9. In cases where the official results are determined by the Chief Arbiter rather than by the platform, the competition regulations should specify whether or not points won by players subsequently barred or disqualified are awarded to their opponents.

10. Prizes should not be awarded to players until the Fair Play checks undertaken by the platform and with the FIDE Game Screening Tool have been completed.

11. In some competitions, particularly official FIDE competitions, the competition regulations may specify disqualification and other penalties being imposed without any determination that cheating has been proved. In such a case sanctions would not be extended to OTB play in the absence of more evidence.

12. The competition regulations can not provide that the decision of the Chief Arbiter or of a panel of experts, designated for that purpose, on loss of the game or exclusion from the competition on suspicion of cheating is final. The appropriate body to appeal is the Appeal Committee (JdA) of the competition. Therefore, it is strongly recommended to appoint in advance at least one fair play expert in JdA. The Competition Regulations shall provide in advance an appropriate procedure to appeal against Fair Play decisions, and a timing for the decisions, considering the tournament schedule and the final ranking announcement.

13. FPL may create a sub-commission or task force dedicated only to online chess.

14. The competition regulations cannot provide that all fair play matters for the competition are the sole responsibility of the platform.

## **B. Online Cheating Offences**

1. Conceptually, cheating in online chess is defined as any behaviour that a player uses to gain an advantage over his/her peer player or achieve a target in an online game if, according to the game rules, the advantage or the target is one that he/she is not supposed to have achieved.

2. Specifically, 'Cheating' means:

i) the deliberate use of electronic devices or other sources of information or advice during a game;  
or

ii) the manipulation of chess competitions which means an intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a chess competition in order to remove all or part of the unpredictable nature of the aforementioned chess competition with a view to obtaining an undue advantage for oneself or for others.

The manipulation of chess competitions includes but is not limited to result manipulation, sandbagging, match fixing, rating fraud, and deliberate participation in fictitious competitions or games.

3. The cheating-related offences specific to online chess are hacking and identity theft – i.e. when somebody else is playing for the player. The ways in which offences of this type are dealt with are analogous to the treatment of cheating offences, including application of FIDE's internal disciplinary measures.

4. Statistical evidence may lead to the assumption that a cheating offence has been committed. The player has always the right to appeal and present his point/arguments to JdA.

5. Technical violations connected with the video conference system used to supervise the competition, for example disconnections, playing without camera on, playing without shared screen with a task bar, playing without a microphone on (if it is required by regulation of competition) and so on, *per se* does not lead to the assumption that a cheating offence has been committed, but the player can still be penalised accordingly.

### **C. Burdens and Standards of Proof**

1. FPL shall have the burden of establishing that an online cheating offence has occurred. The standard of proof shall be whether FPL has established an online cheating offence to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Article B.4 remains unaffected.

2. Where these Fair Play Rules place the burden of proof upon the Player or other Person alleged to have committed an assumed online cheating offence to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

### **D. False Accusation**

1. False accusation is an abuse of freedom of expression. False accusation in chess as in any other area might damage reputation. The right to protection of reputation is protected as a part of the right to respect for private life. While deciding whether accusation is manifestly unfounded and thus it can be considered as the abuse of the freedom of expression, the following criteria are taken into account:

- a) the sufficiency of the factual basis of the accusation;
  - b) the level of the competition;
  - c) the title and rating of the player who is alleged of online cheating;
  - d) the final result of the player in the competition in question;
  - e) the way and the scale of spreading the accusation (social media, public interview, blogpost, etc.)
- The list of the criteria is not exhaustive.

2. False accusation in online chess is dealt *mutatis mutandis* as in over the board chess.

### **E. Sanctions**

1. Sanctions imposed for an online cheating offence may be extended to OTB chess. A sanction specified in the FIDE Code of Ethics as a one year-ban may be reduced to 6 months for OTB chess.

2. Other aspects of sanctioning are *mutatis mutandis* applied to online chess as they are applied in over the board chess: the age of the player, the frequency and nature of the offence, the nature of the competition and other circumstances are comprehensively taken into account.

### **F. Jurisdiction**

The Fair Play Commission (FPL) has jurisdiction in all cheating-related matters, including false accusations in all FIDE official events. People subject to FPL jurisdiction include players, supporting persons and team captains. Supporting persons include, but are not limited to, heads of

delegations, seconds, trainers, managers, psychologists, organisers, spectators, relatives, journalists, chess officials, arbiters when involved in cheating incidents.

## **G. Complaints and Investigations**

### **1. TRIGGERING AN INVESTIGATION**

1.1 Investigations can be initiated based on a Post-Competition complaint.

1.2. Investigations can also be triggered by:

- i) a report of the chief arbiter of a competition;
- ii) FPL initiative;
- iii) a request by the Ethics and Disciplinary Commission (EDC) or any other body of Fide authorised by the FIDE Charter.

### **2. COMPLAINTS**

2.1. The right to complain belongs to the participants (players, captains and officials) with FIDE ID Number of the competition concerned. Protest deadline is 24 hours after the end of the last round.

2.2. All Complaints must be submitted in writing and addressed to the FPL through Fide Office. The complainant shall provide all the information required in the Complaint Form and must detail the reasons why the Complaint is being made, listing all basis available at the time of filing.

2.3. Oral or informal Complaints are not accepted.

2.4. All Complaints based solely on the assumption that a person is playing stronger than expected due to his/her rating will be not be considered.

2.5. FPL may initiate an investigation based on any piece of information that may come into its knowledge regarding a possible cheating incident, including false accusation.

2.6. All information about complaints and investigations shall remain confidential until an investigation is completed by the FPL. In case of breach of confidentiality requirements by complainants or the Chief Arbiter or any other person with knowledge of the complaint or the investigation before the investigation is completed, the FPL can refer all offenders to the EDC.

## **H. Investigation Procedure**

1. FPL has the right to perform preliminary investigations with respect to an alleged or possible case of online cheating-related violation.

2. If a complaint is inadmissible or manifestly unfounded, the FPL may reject it by a majority vote.

3. One member of the FPL (Investigating Person – IP), nominated by the FPL Chairperson, based on rotation system will be appointed to investigate the complaint. He/she is an independent body and is not subject to directions from any other party.

4. The IP shall consider the presented statistical evidence. It will also consider physical and observational gathered as part of the investigation, if there are any. It can also gather additional evidence in the course of its investigation.

5. Players, organisers, arbiters, national federations, host of the online platform where the games are played, and other parties are all required to cooperate with the IP. Failure to do so may result in referral to EDC.

6. The IP will investigate each case within a reasonable time, usually not longer than two weeks.

7. At the end of the investigation the IP shall prepare a report to FPL for consideration indicating: the action that triggered the investigation, the factual circumstances of the incident, the findings of the investigation and a proposed sanction. The report may cover any other breach of FIDE regulations found by the IP. FPL may ask the IP to consider additional facts and/or carry out further investigations.

8. Once a report is deemed final by the IP, FPL decides by a majority vote if the case is to be forwarded to EDC for judgement. If the case is not forwarded to EDC, it is considered to be dismissed. The FPL shall forward its findings to the complainant and the accused person. If the National Federation of the accused person was involved, it will be informed as well.

## **I. Procedural Rules**

1. The statute of limitation is one year after the last round of the online competition in question.

2. The working language of the IP is English. The IP may, at the request of any party, authorise a language other than English to be used by the parties involved. In that occurrence, the IP may order any or all of the parties to bear all or part of the translation and interpreting costs. The IP may order that all documents submitted in languages other than English shall be filed together with a certified translation in the language of the procedure.

3. When the IP does not dismiss a case, the accused person must have been informed in writing (whether by letter, e-mail or otherwise) of the pending case and given the right to present to the IP any statements and documents in support of his/her position.

4. The complainant and the accused person have the right to be represented or assisted by persons of their choice.

5. Documents pertaining to the proceedings must be submitted in writing, preferably by e-mail.

6. Each party involved in an investigation is responsible for its own costs directly or indirectly associated with the case.

7. When a person subject to the disciplinary jurisdiction of another FIDE Commission is a party to an investigation, FPL may provide the relevant information to that FIDE Commission.

## **J. Condition of Entry in an Online Sports Event**

By entering the competition each player accepts the above-mentioned measures as a condition of entry and agrees that his/her participation is subject to these measures. Specifically, a player agrees to be screened by an online screening tool and agrees that he/she might face disciplinary sanctions.