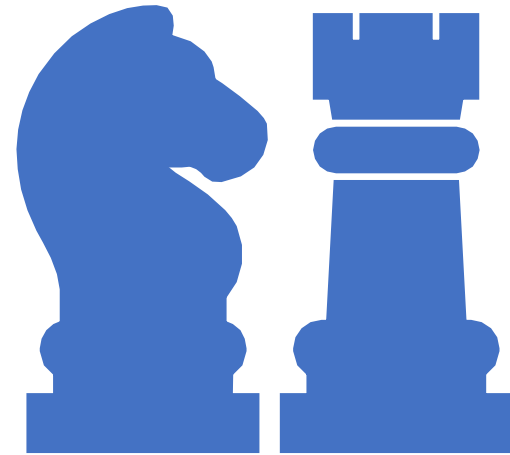


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for Social Sciences/FIDE's Fair Play
Commission

Match-fixing investigation in chess



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Judicial body

Prosecutorial
body

Ethics &
Disciplinary
Commission

Fair Play
Commission

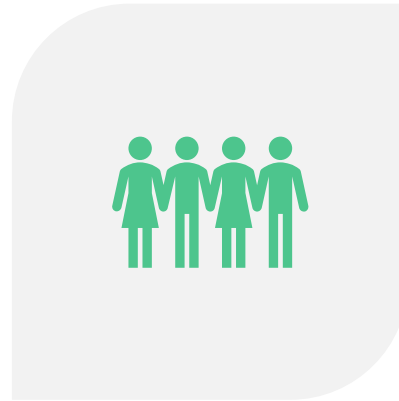
History

- For now – just one finished case when the players confessed; in another pending case a player was forced to confess while showing his FB messages. FB messages were received from the whistleblower who wanted to remain anonymous.

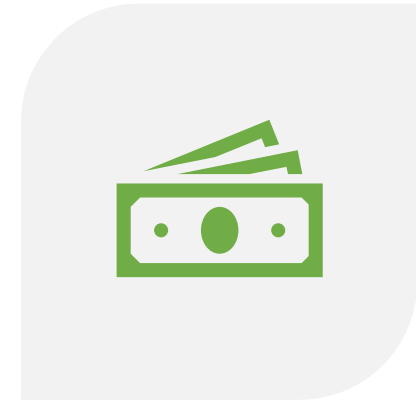
The reasons behind such a scarce practice



FIDE'S FAIR PLAY COMMISSION DOES NOT HAVE RELEVANT POWERS SUCH AS TO REQUEST FOR THE PHONES, LAPTOPS, ETC.



FAIR PLAY COMMISSION IS NOT EQUIPPED WITH SKILLED PEOPLE WHO COULD WORK 8 HOURS PER DAY.



FAIR PLAY COMMISSION IS FUNDED RELATIVELY LITTLE.

FPL does not
have such a
right

The obligation for the defendants and other related people to furnish (accordingly – the power of the integrity unit to ask for) any object or information regarding the alleged Corruption Offense, including, without limitation, (i) personal devices (including mobile telephone(s), tablets and / or laptop computers), (ii) access to any social media accounts and cloud storage held by the Covered Person (including provision of user names and passwords), (iii) hard copy or electronic records relating to the alleged Corruption Offense

How is it done
in ideal
circumstances?

- For instance, USADA checked the communications via emails by Armstrong and the son of Dr. Ferrari. Emails were obtained from the Italian Carabinieri.

Affidavits

- 26 witnesses testified against Armstrong

Obligatory testifying – no right to remain silent

- “Armstrong’s refusal to testify and his **refusal to confront the evidence against him leads to a strong inference that Armstrong doped exactly as charged by USADA.**”

Borrowed evidence from the police

- Emails obtained from the Italian Carabinieri
- Bank and accounting records of Health & Performance, SA obtained from the Italian Carabinieri

Some
suggestions

Reverse the burden of proof

Try to investigate for the
abuse of the game, i.e. not
necessarily for match-fixing.

Change the burden of proof

Solution would be to state that FIDE has the right to reject norms or not to rate certain tournaments unless the organisers can prove on the balance of probabilities that the tournament was not fixed.



Incriminate abuse of the game. A case in which evidence has been gathered from:

- The article of investigative journalism
- Suspicious statistical trends – i.e. the defendant scored very well against titled players, but rather poorly against other norm seekers.
- Independent expertise – it is very strange that some opponents of the defendant resigned in winning or equal position.

Although such evidence is unlikely to be sufficient to convict for match-fixing, it should be sufficient to incriminate the abuse of the game.

Possible juridical techniques

- ‘links in a chain’ v ‘strands in a cable’ 2005/A/4059.
- [https://www.doping.nl/media/kb/3600/CAS%202015_A_4059%20WADA%20vs%20Thomas%20Bellchambers%20...%20et%20al.,%20AFL,%20ASADA%20\(S\).pdf](https://www.doping.nl/media/kb/3600/CAS%202015_A_4059%20WADA%20vs%20Thomas%20Bellchambers%20...%20et%20al.,%20AFL,%20ASADA%20(S).pdf)



3 scenarios

- 1st scenario – match-fixing;
 - 2nd scenario – abuse of the game;
 - 3rd scenario – just the lack of motivation from the opponents (the typical defendant's version).
-
- In order to punish, the 3rd scenario shall be eliminated.

Leonardo da Vinci's "Emergency Bridge"



This bridge requires no nails or ropes to hold it together – the bridge is self-supporting and would be capable of holding a substantial amount of weight.

The situation in chess can be literally compared to a bridge, which has no nails and ropes, but is still held together by gravity. Surprisingly, this illustration can be instructive: despite the lack of criminal justice powers, the chess community is on the right track, seeking to resist sports manipulation in creative ways.

Further reading:

- Cheating in chess: a call for integrated disciplinary regulation.

<https://www.journals.vu.lt/kriminologijos-studijos/article/view/24883/24142>

- The Dark Side of Chess: Payoffs, Points and 12-Year-Old Grandmasters, When is a grandmaster's title less than grand?

<https://www.nytimes.com/2021/07/13/sports/chess-karjakin-mishra-grandmasters.html>



Thank you for your
attention.

