

ANTI-CHEATING REGULATIONS

I. PURPOSE, GUIDING PRINCIPLES, DEFINITIONS

1. These regulations deal with the investigation of suspected cheating incidents and other fair play violations. It supplements and clarifies the provisions of the FIDE Charter, the FIDE Ethics and Disciplinary Code, and the Procedural Rules of the Fair Play Commission.

2. "Cheating" in these regulations means:

- a) the deliberate use of electronic devices (Art. 11.3.2 FIDE Laws of Chess) or other sources of information or advice (Art. 11.3.1 FIDE Laws of Chess) during a game; or
- b) the manipulation of chess competitions such as, including but not limited to, result manipulation, sandbagging, match-fixing, rating fraud, false identity, and deliberate participation in fictitious tournaments or games.

3. Online cheating may also be deemed to have occurred when statistical evidence is insufficient to substantiate assumed cheating, but there is additional evidence that the individual may have cheated e.g. video evidence, GM opinion, and other situational factors (Suspected fair play violation).

4. Other fair play violations are:

a) Over the board rule violation:

OTB rule violations include a variety of infractions that occur over the course of the tournament. This includes bringing a phone into the playing hall, bringing other forbidden gadgets into the playing hall (e.g., wallets, smart glasses, pens, watches), being uncooperative with the Arbiter, refusing to be searched or scanned. The list of OTB rule violations is not exhaustive.

b) Online technical rule violation:

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

5. Assumed cheating:

There shall be a presumption of cheating if statistical analysis by a FIDE validated and approved algorithm and/or other methodology applied to a player's performance in a single game, or a series of games or tournaments in competitive play shows a Z-score (reflective of the deviation between the player's actual performance and the

projected fair play for a player having comparable Elo rating) above the official Z-score threshold. In such a case, if FIDE institutes disciplinary proceedings against the player in question, the burden to rebut the presumption of cheating and show his or her innocence shall be on the player.

6. Thresholds

The Z-score measure of unlikelihood is commonly used in science and can be a composite of several results.

Currently, only Dr. Kenneth W. Regan methodology is approved. In order to provide a statistical judgment, Dr. Regan's model uses three separate statistical tests, each producing a z-score to indicate deviation from the projected performance: Move-Matching (MM), Equal-top value moves (EV) and Average Scaled Difference (ASD). The outcomes of the MM, EV, and ASD tests are further combined into a single overall Z-score. The notion of Z-score is not limited to the methodology of Dr. Kenneth W. Regan. Results from other approved methodologies can be cast as Z-scores, and then fall equally under the following proposed thresholds:

- a) For online chess, a threshold of 4.25. This represents a natural frequency of 0.000011, one-in-almost 100,000. Considering the observed rate of cheating in online chess, this yields appraised odds about 1,000-to-1 against the null hypothesis of fair play, toward the high end of the 99% to 99.9% confidence range regarded as meeting the CAS criterion of "comfortable satisfaction" in the context of chess.
- b) For over-the-board chess, a threshold of 5.00. This represents a natural frequency of one-in-almost 3.5 million, and is similarly placed with regard to an in-person observed cheating rate.

These provisions apply if there is no other evidence. If such evidence is available, a Z-score of 2.50 or higher may be used in support.

7. False accusation:

Reckless or manifestly unfounded accusation of chess cheating is a serious violation of the requirement of fair play. False accusation in chess is an abuse of freedom of expression that is prohibited by the FIDE Ethics and Disciplinary Code.

8. For the purposes of this regulation, attempts at cheating will be considered cheating.

II. JURISDICTION

1. The Fair Play Commission (FPL) has jurisdiction in all cheating-related matters, including false accusations. 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,

organizers, spectators, relatives, journalists, chess officials, arbiters when involved in cheating incidents.

2. All FIDE-rated over the board games are subject to FPL jurisdiction.

3. Online chess falls under FPL jurisdiction for official FIDE competitions. For such tournaments, the provisions of Appendix 1 of the FIDE Online Chess Regulations shall apply in addition.

4. All cheating incidents occurring in tournaments that require maximum and increased levels of protection (as defined in the Anti-Cheating Protection Measures) must be reported to FPL. However, FPL may decide to refer a cheating incident that occurred in such tournaments to a National Federation (NF).

5. Cheating incidents occurring in tournaments that require standard levels of protection (as defined in the Anti-Cheating Protection Measures) are to be referred to NFs, except when the cheating incident affects the awarding of a WFM/FM title, and/or involves a person, either as claimant or respondent, holding the WFM/FM, WIM/IM or WGM/GM title. Such cases must be reported to FPL as well.

6. When an investigation is referred to a NF, the NF will investigate the case and apply those sanctions they deem proper. NFs are required to notify FPL of their decisions together with the evidence considered during the proceedings. The FPL may adopt this NF decision and/or refer the case to EDC. If the FPL does not adopt the NF decision, then the sanction will only apply at the national level.

7. While FPL has jurisdiction as detailed under Section II, National Federations are expected to create their own Anti-Cheating regulations and systems.

III. COMPLAINTS AND INVESTIGATIONS

A. TRIGGERING AN INVESTIGATION

1. Investigations can be initiated based on a complaint:

- a) an In-Tournament Complaint (“ITC”);
- b) a Post-Tournament Complaint (“PTC”).

2. Investigations can also be triggered by:

- a) a report of the chief arbiter of a tournament;
- b) FPL initiative;
- c) a request by the Ethics and Disciplinary Commission (EDC) or any other body of FIDE authorized by the FIDE Charter.

B. COMPLAINTS

1. Any person having a FIDE Identity Number can file a complaint.

2. All Complaints must be submitted in writing and addressed to the FPL through FIDE Office.

3. In- and Post-Tournament-Complaints must be filed via the relevant Complaint form (Annexes A-B). If a complaint does not meet this requirement, the complainant will be asked to submit the form within a specified period of time. If this does not happen, the chairperson of the FPL shall reject the complaint as inadmissible.

4. 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.

5. Oral or informal Complaints are not accepted.

6. In-Tournament Complaints must be delivered to the chief arbiter. Upon receipt of an ITC, the chief arbiter shall

a) inform the complainant about the penalty for filing a manifestly unfounded ITC;

b) take steps to investigate the case in the usual manner, with reference to Article 12.9 for possible penalties;

c) forward the complaint and his report including all findings to the FPL through FIDE Office.

If the chief arbiter comes to the conclusion that the ITC is unfounded he may dismiss the complaint during the tournament, subject to his duties under III.B.6.c above. The player retains the right to file a Post-Tournament Complaint on the same incident.

7. When a Post-Tournament Complaint is filed, the complaint must contain explanation of why an ITC was not filed earlier.

8. All Complaints shall list all basis available at the time of filing.

9. All Complaints based solely on the assumption that a person is playing stronger than expected due to his/her rating will be considered manifestly unfounded.

10. 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.

11. When an investigation is triggered by a request by EDC or any other body of FIDE authorized by the FIDE Charter, FPL shall act as a Fact-Finding Committee of the triggering body.

12. 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 Arbitrator 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.

IV. INVESTIGATION PROCEDURE

1. When a cheating incident is brought to the attention of the FPL, an Investigatory Panel (IP) or an Investigator can be nominated to investigate it.

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

3. If a complaint is inadmissible or manifestly unfounded on its face, the FPL may reject it by a majority vote. III.B.3 remains unaffected.

4. The IP will consist of up to three FPL members. The nominated IP members then select an IP Chairman.

5. The IP shall consider the presented physical and observational evidence. It will also consider the statistical evidence gathered as part of the investigation. It can also gather additional evidence in the course of its investigation.

6. Players, organizers, arbiters, national federations, and other parties are all required to cooperate with the IP. Failure to do so may result in a referral to EDC.

7. The IP should investigate each case within a reasonable time.

8. The burden and standard of proof are governed by Art. 16.13 - 16.16 of the Ethics and Disciplinary Code.

9. If the IP comes to the unanimous conclusion that no cheating occurred or there is not enough evidence to meet the standard of proof, it shall dismiss the complaint and inform the Chairman and the Secretary of FPL, the complainant, and the accused person with a brief note. If the National Federation of the accused person was involved, it will be informed as well. If an investigator is appointed, IV.10 applies instead.

10. When a conclusion other than unanimous dismissal is reached, at the end of the investigation the IP shall:

- a) prepare a report 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 and

b) present the decision and report to FPL for consideration.

FPL may ask the IP to consider additional facts and/or carry out further investigations.

11. 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.

12. When the IP is acting on behalf of EDC, it shall present a preliminary report to FPL

for consideration. FPL may ask the IP to consider additional facts and/or carry out further investigations. Once the report is deemed final by the IP, FPL shall transmit it to EDC.

13. In case of a violation of the fair play rules other than cheating and in case of assumed cheating, the regulations for the "Fast Track Procedure" applies (see Art. 9.3, 9.4, 9.5, and 9.7 of the Ethics and Disciplinary Code and Art. 32 – 36 of the Procedural Rules for the Fair Play Commission).

V. MANIFESTLY UNFOUNDED ACCUSATIONS

1. An accusation of cheating that is manifestly unfounded, i.e. based only on emotion and/or insufficient data, is a false accusation. An accusation of cheating that is based on factual circumstances that would lead a reasonable person to believe that there is a reasonable chance of cheating is not considered a manifestly unfounded accusation.

2. When the FPL determines that an ITC or a PTC is manifestly unfounded, the complainant can receive a warning by the FPL.

3. In particularly severe cases of unfounded accusations, the FPL will forward the case to EDC.

VI. PROVISIONS ABOUT THE PROCEDURE

1. The statute of limitation is five years, in online events one year after the last round of the tournament in question.

2. The working language of the IP is English. The IP may, at the request of any party,

authorize 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 unanimously 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 should 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.

ANNEX TO THE ANTI-CHEATING REGULATIONS

Explanatory comment on Art. I. 2. a.

The words **other sources of information** refer to data gathered from sources other than the player himself/herself during the game. The information may come from chess books, notes, coaches, or parents, among other sources.

Explanatory comment on Art. I. 2. b.

Manipulation of chess competitions 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 term “**competition**” covers each event, i.e. game and match, but should not necessarily be interpreted as covering either the whole tournament or all of the competitions taking place within the framework of an event involving several competitions or tournaments (for example the World Championship). Since processes such as the draw of the opponents or the designation of the arbiter matter to the competition, it should be considered as part of the competition.

The words “**aimed at**” indicate that the definition includes not only arrangements, acts or omissions which improperly alter the result or course of a chess competition, but also the acts committed with the intention of improperly altering the result or course of a competition, even if the arrangement, act or omission is unsuccessful.

The term “**in order to**” indicates an intention to obtain an undue advantage for oneself or others, even if this intentional arrangement, act or omission, aiming at

improperly modifying the results or course of a chess competition, fails to obtain the advantage sought.

Sandbagging refers to deliberately playing below one's actual ability in order to lower one's rating to play in a future event with a higher handicap and consequently with a better chance of winning.

Explanatory comment on Art. I. 7.

False accusations in chess, as in any other field, can have a detrimental effect on reputation. Article 8 of the European Convention on Human Rights protects the right to reputation as part of the right to respect for private life. Thus, when a chess player is suspected of cheating, two rights intersect: 1) the right to a level playing field free of cheating; 2) the right to privacy and, more specifically in the chess realm, the right to play without undue psychological distress. Naturally, when there is a suspicion of cheating, the latter right may be limited in the interest of the former. When an allegation is unfounded, however, the right to privacy prevails. When determining whether an accusation is false and so constitutes an infringement on the right to a level playing field, the following criteria should be considered:

- 1) The sufficiency of the accusation's factual basis.
- 2) The tournament's difficulty level.
- 3) The name and rating of the alleged cheater.
- 4) The alleged cheater's future potential, i.e. his/her rating, shall be examined in the long run.

The above list is not exhaustive.