

5 June 2012

Dear fellow FIDE member-federations:

Like you, we received FIDE's draft "Amended Statutes and Electoral Regulations" dated 7 April 2012. We were initially encouraged, as our governing rules have long been in need of revision, and we have actively been pushing for reform. But we quickly realized that, while FIDE offered a few good ideas, many of the changes do little to improve what we have, some are quite bad, and others are clearly intended to keep the ruling group in power for the foreseeable future. FIDE's proposals are also, embarrassingly, drafted in poor, imprecise and sometimes unintelligible English.

We also found it troubling that FIDE tried to make it seem like these amendments are no big deal and do not require a thoughtful explanation to the FIDE membership. FIDE provided only superficial comments on what its changes would mean in practice. (FIDE's "explanations" can be found in the documents entitled "Statement on REVIEW OF STATUTES for federations," signed by the FIDE Secretariat, and Annexes 5 and 6, signed by David Jarrett, which were distributed to the FIDE membership on 20 April 2012.)

Because we know that FIDE can do – and deserves – better, we asked White & Case LLP, a leading international law firm that has in-depth knowledge of the FIDE rules and regulations, to examine FIDE's proposals. The firm produced a memorandum, which is attached. The memorandum explains in more depth the FIDE proposals that are most problematic, offers counter-proposals in good English, and explains the rationale for the proposed changes.

As you will see, the memorandum is very detailed. We highlight here the main issues and the principles by which we have asked White & Case to be guided:

- Our goal is to see FIDE well-managed, transparent, fair and democratic.
- We also believe in the sovereignty of the national federations and the Continental Associations. And we believe that, in line with democratic principles, the power given to these bodies within FIDE should reside in the body itself rather than in its highest executive, an individual (as FIDE has proposed in several cases).
- As a result, the memorandum puts forward the following key counter-proposals to FIDE's proposals:

Statutes:

- The General Assembly – as the highest body of FIDE composed of all its members – should continue to decide whether a new federation should be admitted as a member of FIDE, not the Executive Board as FIDE proposes.
- Regulate more clearly the official positions in FIDE: Only the General Assembly can create additional offices. A FIDE official may not hold another remunerated position within FIDE (except temporary positions on the

Appeals Committee and as arbiter). And specify how an office that becomes vacant during a term can be filled until the next elections.

- At the General Assembly, voting frequently is done by proxy. We propose to keep the provisions on proxies within the Statutes and to make them more clear and in accordance with actual practice. For instance, we specify that, in the absence of a federation's Delegate, the federation may be represented by its President without the need for a written proxy statement. We also believe that, to avoid the long debates and disputes over proxies that have taken place in the past and in accordance with international best practice, the proxies and related information should be verified in advance of the General Assembly by one of the "Big Four" accounting firms.
- Retain the Court of Arbitration for Sport, the world's premier sports court where disputes can be handled in English, as the place where we resolve our disputes.
- Insert a provision preventing conflicts of interest. FIDE is completely silent about this important issue of governance that is currently at the forefront of international debate as a result of the recent scandals in FIFA and other international sports organizations.

#### Elections:

- Abandon the ticket system and return to direct elections of FIDE's leaders.
- Sovereignty of national and regional chess federations: Nominations of candidates for FIDE office must be made by the national federations, not an individual such as their President. Maintain the power of a federation to veto a candidate from that federation. Also, we oppose FIDE's proposal to abandon the requirement that candidates belong to a national chess federation for one year prior to the elections – it is important that candidates have some proven previous connection to chess at the national level. We also propose to abandon the rule that the General Assembly may reject the Continental Presidents chosen by the Continental Associations.
- Define the number of Vice Presidents, rather than allowing the President to appoint an unlimited number of Vice Presidents (or none at all) as FIDE proposes.
- Ensure that changes to the Electoral Regulations are carefully considered and fully supported by the vast majority of FIDE's members by requiring a 2/3 majority vote of the General Assembly.
- Clarify the provisions on the conduct of elections, for example the process for appointing scrutineers, handling tie-break voting, and the workings of the Electoral Committee that FIDE proposes to create.

- Limit the number of office-holders from a federation to two (rather than one, as FIDE proposes) and limit the President to two terms in total.
- We have also asked White & Case to propose coherent rules in good English that are clear and not subject to misinterpretation or misuse.

We have submitted this letter and the attached memorandum for inclusion on the agenda for the 2012 General Assembly because we hope that our contribution will spur discussion and debate, and that the outcome will be better rules and, as a result, a more transparent, well-governed and successful FIDE.

Very truly yours,



Bulgarian Chess Federation



English Chess Federation



United States Chess Federation