

**FIDE Arbiters' Commission
Disciplinary Subcommittee
Warsaw, January 15, 2015**

The final decision regarding “the Mongolian case”

The Disciplinary Subcommittee composed of IA Carol Jarecki (IVB), IA Ivan Syrový (SVK) and IA Klaus Deventer (GER) has discussed the case of IA Genden Altan-Och (MGL) and FA Batsaikhan Tserendorj (USA) sent to us by IA Takis Nikolopoulos, Chairman of FIDE Arbiters' Commission.

The accusation and proofs:

1. Two mentioned persons were accused of mishandling two IA norms for FA Tserendorj Batsaikhan USA (MGL) submitted in Tromsø FIDE Congress (2014).
2. We have already checked the norms submitted by the Mongolian Chess Federation for the International Arbiter title of FA Batsaikhan Tserendorj, as well as the submitted complaints of case (a) and (b), and found out the following situation:
(a) Tournament: 53rd Mongolian Men Championship 2013 (norm No.3 in the title application). The tournament was registered in FIDE on 4 March 2013, it was played from 6 to 14 April 2013 and the results were submitted to FIDE on 20 April 2013. In the FIDE Tournament Report
File: http://ratings.fide.com/tournament_details.phtml?event=79355 and in the **IT3 form FA Batsaikhan, Tserendorj (MGL) was mentioned as the Chief Arbiter** and FA Nyamdavaa, Bathold (MGL) was mentioned as an Arbiter.

However

for conducting the tournament the Swiss-manager program was used and the server of the Chess-results.com site was used for publishing the pairings, results and standings of the tournament.

In the Tournament details that were published in the chess-results server (<http://chessresults.com/tnr97315.aspx?lan=1&wi=821&turdet=YES>), **IA Altan-Och, Genden was mentioned as the Chief Arbiter** and FA Nyamdavaa, Bathold (MGL) was mentioned as an Arbiter.

(b) Tournament: Mongolian Men National CC 2014 (norm No.4 in the title application). The tournament was registered in FIDE on 20 March 2014, it was played from 5 to 14 April 2014 and the results were submitted to FIDE on 22 April 2014. In the Tournament Report File:
http://ratings.fide.com/tournament_details.phtml?event=94948 and in the **IT3 form FA Batsaikhan, Tserendorj (MGL) was mentioned as the Chief Arbiter** and FA Oyunchimeg, Genden (MGL) was mentioned as an Arbiter. IA Altan-Och (MGL) was mentioned as the Organizer of the event.

However

For conducting the tournament the Swiss-manager program was used and the server of the Chess-results.com site was used for publishing the pairings, results and standings of the tournament.

In the Tournament Report that was published in the chess-results server (<http://chessresults.com/tnr129769.aspx?lan=1&wi=821&turdet=YES>), **IA Altan-Och, Genden was mentioned as the Chief Arbiter** and FA Oyunchimeg, Genden and FA Nyamdavaa, Bathold (MGL) were mentioned as Arbiters.

3. FIDE and the FIDE Arbiters' Commission have received the attached letter of complaints, signed by Mr. Baatar, G., former elected General Secretary of the Mongolian Chess Federation, Mr. Sumya, T., former General Secretary of the Mongolian Chess Federation and Mr. Tuvsanaa, N. FIDE Master of the Mongolian Chess federation. They informed the FIDE, that the mentioned arbiter **FA Tserendorj Batsaikhan was not present during the two tournaments**. That was confirmed also by signatures of many players who had participated in these two tournaments.
4. The Mongolian Chess Federation (MCF) officially confirmed that after their investigation **two IA certificates** signed by Dr Genden Altan-Och, IA (ID:4900278) **for IA title norms for Tserendorj Batsaikhan**, FA (ID:2023334) **were false**. IA Batsaikhan Tserendorj was not present for those events. The Mongolian Chess Federation said, that Dr Genden Altan-Och mishandled this case and it was a very serious infringement of the Arbiters ethics of FIDE.

The Mongolian Chess Federation added: *"Please accept our apology on behalf above named members of MCF as they breached the rules and ethics of FIDE Arbiters Commission and ignored request from FIDE to give explanation and cooperate. The MCF is fully aware of the seriousness of this matter and will not tolerate with such unlawful actions in the future"*.

5. Additional remark.

The mentioned persons IA Genden Altan-Och (MGL) and FA Batsaikhan Tserendorj (USA) never answered letters that were sent to them by the FIDE Arbiters' Commission and Mongolian Chess Federation.

The opinion of the Disciplinary Subcommittee

1. We have no doubt that two IA certificates signed by Dr Genden Altan-Och, IA (ID:4900278) for IA title norms for Tserendorj Batsaikhan, FA (ID:2023334) were false and there are no doubts that IA Genden Altan-Och (MGL) on behalf of Mongolian Chess Federation sent the application to the FIDE.
2. We have no proof that FA Tserendorj Batsaikhan took part in this procedure, however we think this is very probable. The problem is that no candidate for any FIDE title is obliged to sign his application. From the theoretical point of view any representative of any national federation may apply for any FIDE title without sending any information to the applicant. We think it should be changed. Perhaps it is also possible to check who paid the application fee Euro 100 for the IA title, but very probably the Mongolian Chess Federation paid it.
3. We cannot even suppose, that FA Tserendorj Batsaikhan gave the false information to IA Genden Altan-Och regarding his tournaments because there is no doubt that IA Genden Altan-Och was present during the both events.

Punishment according to the Disciplinary Regulations

"As the questionable incidents occurred before the Disciplinary Regulations for Arbiters came into force it was not possible to apply these regulations directly. For that reason the subcommittee does not propose an imposition of a disqualification for a specific duration."

We discussed the kind of punishment for both persons IA Genden Altan-Och and

FA Tserendorj Batsaikhan.

IA Genden Altan-Och

There is no doubt that IA Genden Altan-Och, in exercising his duties, did not comply with the Regulations of the Arbiter's Commission regarding the application of IA title as well as the principles of ethics and morality - see art. 1.1 Disciplinary Regulations (DR).

There is no doubt that he deliberately signed incorrect certificates of title results for arbiter - see art. 1.3g DR

We recommend that IA Alton-Och be denied any position in a FIDE event (IA, IO or any others) from the present until 01 July 2016. This case should be also discussed by the FIDE Ethic Commission. We think, that as FIDE Delegate Dr. Alton-Och will no longer be accepted by FIDE.

FA Tserendorj Batsaikhan

The Commission is convinced that FA Tserendorj Batsaikhan took serious part in this procedure regarding his IA title and agree that his false application reached the FIDE Arbiter's Commission.

All his possible IA norms should be deleted, because he certainly was not the chief arbiter of mentioned events. **We recommend** that FA Tserendorj Batsaikhan also be denied any position in a FIDE event (FA or any other) from the present time until 01 July 2016.

We think the both names should be published on the website of the FIDE Arbiter's Commission as a warning for the possible followers.

IA Andrzej Filipowicz
Chairman
The Disciplinary Subcommittee
FIDE Arbiter's Commission