

NETHERLANDS ANTILLES

Summary

The list of Delegates that the FIDE Secretariat published on the FIDE website on 16 June 2014 pursuant to Article 5.A(1) of the Electoral Regulations (“16 June FIDE Delegate List”) includes the “Netherlands Antilles” and its Delegate “Michel Fayad.”¹ This is incorrect because the Netherlands Antilles ceased to exist in 2010 and there is thus no valid member federation for the Netherlands Antilles associated with FIDE. The Netherlands Antilles and its Delegate must be removed from the 16 June Delegate List and the final list of delegates to be published on 14 July 2014 (“14 July FIDE Delegate List”) must not include a Delegate for the Netherlands Antilles.

Background²

The Netherlands Antilles cease to exist in 2010 and the International Olympic Committee withdraws recognition from the National Olympic Committee of the Netherlands Antilles in 2011

The Netherlands Antilles was an autonomous country within the Kingdom of the Netherlands, comprising Curaçao, St. Maarten, Bonaire, St. Eustatius, and Saba. On October 10, 2010, the Netherlands Antilles was dissolved. Curaçao and St. Maarten became independent countries within the Kingdom of the Netherlands, while Bonaire, St. Eustatius, and Saba all became municipalities of the Kingdom of the Netherlands.³

As a consequence, on 7 September 2011 the International Olympic Committee (“IOC”) withdrew recognition from the National Olympic Committee (“NOC”) of the Netherlands Antilles (“NANOC”).⁴ The IOC allowed the NANOC to continue as a “temporary administrative structure” to facilitate the participation of athletes who had competed for the Netherlands Antilles in the 2012 Olympic Games (as independent athletes under the Olympic flag), but after those Games that temporary structure would cease to exist and the athletes would “naturally come under the jurisdiction of the NOC of their choice currently recognized by the

¹ “See the 16 June FIDE Delegate List: http://www.fide.com/images/stories/NEWS_2014/FIDE_news/Congress/List_of_delegates_for_85th_Congress.pdf (last visited, 27 June 2014) (attached to the 30 June 2014 letter to which this complaint is attached at Appendix 1).”

² A Chronology of Key Events is attached at **Appendix N-1**.

³ See, e.g., “Netherlands Antilles to Cease to Exist As a Country,” Radio Netherlands Worldwide, available at http://vorige.nrc.nl/international/article2375096.ece/Netherlands_Antilles_to_cease_to_exist_as_a_country (last visited, 26 June 2014) (attached at **Appendix N-3**).

⁴ Letter from J. Rogge, President of IOC, to W. Millerson, President of NANOC, 8 July 2011 (attached at **Appendix N-4**) (“As a consequence of the formal dissolution of the Netherlands Antilles on 10 October 2010 and the new institutional and constitutional structure within the Kingdom of the Netherlands, and in view of the Olympic Charter, I must inform you that the IOC Session ratified today the following decision proposed by the IOC Executive Board earlier this year: “Withdraw IOC recognition from the Netherlands Antilles NOC ...”).

IOC within the Kingdom of the Netherlands: the NOC of the Netherlands or the NOC of Aruba.”⁵

FIDE’s longstanding tradition to follow the IOC’s decisions, including as regards questions of membership

Article 2.1 of the FIDE Statutes provides that “[m]embers of FIDE are national chess federations which have principal authority over chess activities in their own countries and which have been admitted to FIDE as member-federations. ... For new members, the country of the federation (with the same boundaries) must be a country or territory that is a member of the International Olympic Committee.”

When a country of which an existing FIDE member is the national chess federation is dissolved, and parts of it become new countries, the member federation must cease to exist as a member of FIDE because the basis upon which it was admitted (having “principal authority over chess activities” in a particular country – *in casu* the Netherlands Antilles) is no longer present. Any federation that considers that it has “principal authority over chess activities” in any of the newly created countries within the meaning of Article 2.1 of the FIDE Statutes must apply for FIDE membership on that basis. The rule in Article 2.1 of the FIDE Statutes that “[f]or new members, the country of the federation (with the same boundaries) must be a country or territory that is a member of the International Olympic Committee” clearly applies to such new members.

FIDE General Assembly Decision of 7-9 September 2012

By the time the Netherlands Antilles ceased to exist in 2010, the chess federation of the Netherlands Antilles, called the Nederlands-Antilliaanse Schaakbond (NASB), had existed and been recognized by FIDE as a member federation for many years. In view of the dissolution of the Netherlands Antilles, the question was raised what the future within FIDE of the NASB would be.

During the FIDE General Assembly meeting held on 7-9 September 2012 in Istanbul, Turkey (“2012 GA”), on the question of the status of the Netherlands Antilles as a member federation of FIDE, the General Assembly “approved the recommendation of the Executive Board to follow the IOC decisions.”⁶ Indeed, FIDE Deputy President Georgios Makropoulos stated that “for several years now we are following the decisions of the IOC. All the effort should be made in this direction.”⁷

⁵ Letter from J. Rogge, President of IOC, to W. Millerson, President of NANOC, 8 July 2011 (attached at **Appendix N-4**).

⁶ 7-9 Sept. 2012 FIDE Congress Minutes, Item 35.1 (“**35.1 Netherlands Antilles Chess Federation situation. General Assembly approved the recommendation of the Executive Board to follow the IOC decisions.**”) (attached at **Appendix N-6**).

⁷ 7-9 Sept 2012 FIDE Congress Minutes, Item 35.1 (attached at **Appendix N-6**).

Given the IOC decision on 7 September 2011 to withdraw IOC recognition from the NANOC, the General Assembly in effect decided at that time to withdraw FIDE recognition of the NASB.

Although it was acknowledged at the 2012 GA that the NASB had existed for over forty years,⁸ Vice President Boris Kutin (a member of the Executive Board who had recommended that FIDE follow the IOC's decisions on the issue) expressly drew a distinction between membership and the ability to participate in FIDE organized chess events, and stated that "full membership and taking part in our events are two different things."⁹

18-21 January 2013 FIDE Presidential Board Meeting

On 4 October 2012, the NASB wrote to FIDE requesting that "in the list of members of ... FIDE, the name '*Nederlands-Antilliaanse Schaakbond* (NASB)' be changed into 'Curaçao Chess Federation'."¹⁰ While this was presented as a simple change of name,¹¹ the Curaçao Chess Federation appears to have been a new chess federation for Curaçao with a new address, new telephone number, new mobile number and new email address.¹²

By email dated 19 December 2012, the IOC wrote to Mr. Nigel Freeman of the FIDE Secretariat (apparently in response to an email from Mr. Freeman to the IOC requesting how FIDE should handle the NASB) and informed him that "the 'NOC of the Netherlands Antilles' is no longer recognized by the IOC since 8 July 2011."¹³ The IOC further advised Mr. Freeman:

In addition, the IOC was not in a position to recognize any of the five islands (which constituted the former Netherlands Antilles until the Union of the Netherlands Antilles was dissolved on 10 October 2010), including Curacao (which is the main island as it concentrates around 90% of the population of the former "Netherlands Antilles"), since none of them meets the condition of a "country" as defined in Rule 30.1 of the Olympic Charter (http://www.olympic.org/documents/olympic_charter_en.pdf): *In the Olympic*

⁸ 7-9 Sept 2012 FIDE Congress Minutes, Item 35.1 ("Mr. Fayad said we are members for 40 years as Netherlands Antilles.") (attached at **Appendix N-6**).

⁹ 7-9 Sept 2012 FIDE Congress Minutes, Item 35.1 (attached at **Appendix N-6**).

¹⁰ Letter from L. Abad, President of NASB, to K. Ilyumzhinov, President of FIDE, 4 October 2012 (attached at **Appendix N-7**).

¹¹ Letter from L. Abad, President of NASB, to K. Ilyumzhinov, President of FIDE, 4 October 2012 (attached at **Appendix N-7**) ("In the General Membership meeting of our federation, held on September 29, 2010, a unanimous decision was taken to change the name of our federation from Netherlands Antilles Chess Federation (*Nederlands-Antilliaanse Schaakbond*) to Curaçao Chess Federation (CCF), translated in our local language Papiamentu as '*Federashon di Agedres di Kòrsou*' (FEDAKO).").

¹² Compare Letter from L. Abad, President of NASB, to K. Ilyumzhinov, President of FIDE, October. 2012, p. 2 (attached at **Appendix N-7**) with Screenshot of FIDE online directory for Netherlands Antilles as at 13 June 2010 (attached at **Appendix N-2**).

¹³ E-mail from J. Poivey, IOC, to N. Freeman, FIDE, dated 19 Dec. 2012 (attached at **Appendix N-8**).

*Charter, the expression “country” means an independent State recognised by the international community.*¹⁴

Thus, the IOC advised FIDE that it could not recognize Curacao (whether as a successor country to the Netherlands Antilles or as a new country) because it does not meet the condition of a country under the Olympic Charter.

The IOC further advised that “[a]s far as the IFs [international sport federations like FIDE] are concerned, they have analysed (or will analyse) the situation of their respective national federations corresponding with the former “Netherlands Antilles” on a case by case basis and in the light of their respective statutes / constitutions.”¹⁵ As regards FIDE, as outlined above, Article 2.1 of the FIDE Statutes clearly provides that “[f]or new members, the country of the federation (with the same boundaries) must be a country or territory that is a member of the International Olympic Committee.”

The Presidential Board decided at its 18-21 January 2013 meeting that it could not accept the NASB’s application to change its name.¹⁶ Mr. Vega noted that although the NASB wished to use the “Curaçao name,” the Presidential Board “[could not] accept [the application] as there [was] no decision of the IOC” as to Curacao’s status.¹⁷ Moreover, Special Projects advisor David Jarrett noted that “Curaçao [was] not independent and they [could not] be a member of FIDE, according to the FIDE statutes.”¹⁸

We note that as of at least 3 September 2013, the FIDE website has been listing the member federation for “Netherlands Antilles” as “Curaçao Chess Federation (FEDAKO).”¹⁹ Given the above history, it is unclear on what basis that change was made. In any event, from the above history and the FIDE Statutes, it is clear that the Curaçao Chess Federation is not a member with a right to vote. Indeed, the note “Member, National Olympic Committee” on the FIDE website²⁰

¹⁴ E-mail from J. Poivey, IOC, to N. Freeman, FIDE, dated 19 Dec. 2012 (attached at **Appendix N-8**).

¹⁵ E-mail from J. Poivey, IOC, to N. Freeman, FIDE, dated 19 Dec. 2012 (attached at **Appendix N-8**).

¹⁶ See Item 3.4 of 18-21 January 2013 Presidential Board Minutes (“The Board decided to keep the old name and revise the matter upon new information.”) (attached at **Appendix N-9**).

¹⁷ See Item 3.4 of 18-21 January 2013 Presidential Board Minutes (attached at **Appendix N-9**).

¹⁸ See Item 3.4 of 18-21 January 2013 Presidential Board Minutes (attached at **Appendix N-9**); FIDE Statutes, Article 2.1 (“For new members, the country of the federation (with the same boundaries) must be a country or territory that is a member of the International Olympic Committee.”). Olympic Charter Provision 30.1 states that “In the Olympic Charter, the expression “country” means an independent State recognized by the international community.” (attached at **Appendix N-5** (excerpt)).

¹⁹ As of 8 March 2013, the FIDE website still listed the member federation as the NASB but this was changed as of 3 September 2013 (the first subsequent record to which we have access). Compare Screenshot of FIDE online directory for Netherlands Antilles as at 3 September 2013 (attached at **Appendix N-11**) with Screenshot of FIDE online directory for Netherlands Antilles as at 8 March 2013 (attached at **Appendix N-10**). Today, the federation remains listed as “Curaçao Chess Federation (FEDAKO).” See Screenshot of FIDE online directory for Netherlands Antilles as at 28 June 2014 (attached at **Appendix N-13**).

²⁰ See Screenshot of FIDE online directory for Netherlands Antilles as at 28 June 2014 (attached at **Appendix N-13**).

is clearly wrong, as there is no Curaçao NOC of which the “Curaçao Chess Federation (FEDAKO)” could be a member.²¹ The name “Netherlands Antilles” on the FIDE website²² also makes no sense as such country no longer exists.

The General Assembly decision to revoke the Netherlands Antilles membership meant that the Presidential Board could at best admit the Curaçao Chess Federation as a provisional member.²³ For this to happen, however, the Curaçao Chess Federation would have needed to file an application,²⁴ showing among other things that it is a “national chess federation[] which ha[s] principal authority over chess activities in [its] own country [*in casu* Curaçao].”²⁵ The Curaçao Chess Federation (FEDAKO) has never applied for provisional membership, however, and in any event, provisional members have no right to vote in FIDE elections.²⁶ Moreover, under the FIDE Statutes, decisions on final admission of new federations (such as the Curaçao Chess Federation (FEDAKO)) do not take place before elections, and a new member federation can only vote in elections after it has been accepted for membership.²⁷ Finally, and most importantly, given the rule in Article 2.1 of the FIDE Statutes that “[f]or new members, the country of the federation (with the same boundaries) must be a country or territory that is a

²¹ See list of NOCs on the IOC’s website (http://www.olympic.org/Documents/NOC/NOC_IOC_Protocol_order_ENG.pdf) (last visited, 28 June 2014)) (attached at **Appendix N-12**). This list does not include Curaçao. It only includes the Netherlands and Aruba, consistent with the statement in the IOC’s 7 September 2011 letter to NANOC withdrawing IOC recognition that athletes who had competed for the Netherlands Antilles would “naturally come under the jurisdiction of the NOC of their choice currently recognized by the IOC within the Kingdom of the Netherlands: the NOC of the Netherlands or the NOC of Aruba.” Letter from J. Rogge, President of IOC, to W. Millerson, President of NANOC, 8 July 2011 (attached at **Appendix N-4**).

²² See Screenshot of FIDE online directory for Netherlands Antilles as at 28 June 2014 (attached at **Appendix N-13**).

²³ FIDE Statutes, Article 2.2 (“The provisional admittance is decided upon by the Executive Board/Presidential Board. Final admittance as a member is pronounced by the General Assembly after examination of the preconditions for admittance by the Executive Board/Presidential Board.”).

²⁴ FIDE Statutes, Article 2.2 (“The admission of a national chess federation as a member is effected through an application (Download Questionnaire). This application is to be submitted to the Secretariat. The provisional admittance is decided upon by the Executive Board/Presidential Board. Final admittance as a member is pronounced by the General Assembly after examination of the preconditions for admittance by the Executive Board/Presidential Board. The application for admission must include all data, which will make evident that the statutory purpose and the previous activities of the applicant are in conformity with the FIDE Statutes. The application for admission shall be accompanied by the official questionnaire of FIDE approved by the General Assembly, completely filled out, together with a copy of the statutes of the federation, approved or recognised by the authorities of the country, if the country’s law so requires.”).

²⁵ FIDE Statutes, Article 2.1.

²⁶ FIDE Statutes, Article 2.7 (“A provisional member has all the rights and obligations of a full member except that a provisional member does not have the right to vote in the General Assembly nor are its representatives eligible to stand for FIDE offices.”).

²⁷ FIDE Statutes, Article 2.2. (“Decisions on the final admission of new federations shall be made before any other order of business, except elections.” Thus, a “new member can fully participate in all meetings of FIDE, including the right to vote, from the moment it is accepted for membership by the General Assembly.”) (emphasis added).

member of the International Olympic Committee,” the Curaçao Chess Federation (FEDAKO) cannot be recognized as a member of FIDE, as Curacao is not a member of the IOC. For all these reasons, it is clear that the “Netherlands Antilles” cannot vote in the 2014 FIDE elections.²⁸

Request for Relief

For all the reasons set forth in this complaint, we request that the ELE:

1. Declare that the Netherlands Antilles / Curaçao Chess Federation (FEDAKO) is not entitled to vote at the 2014 FIDE elections.
2. Order the FIDE Secretariat to amend the 16 June FIDE Delegate List accordingly;
3. Exclude the Netherlands Antilles / Curaçao Chess Federation (FEDAKO) from the 14 July FIDE Delegate List; and
4. Provide any other relief the ELE deems appropriate.

²⁸ When the IOC informed the NANOC in July 2011 that its IOC recognition was withdrawn, it also informed the NANOC that the following temporary measures were put in place to allow the athletes who competed for the Netherlands Antilles to compete in the upcoming Olympic Games: (i) for the 2012 Olympic Games, the athletes would have the possibility to participate as independent athletes under the Olympic flag; and (ii) thereafter, the athletes would “naturally come under the jurisdiction of the NOC of their choice currently recognized by the IOC within the Kingdom of the Netherlands: the NOC of the Netherlands or the NOC of Aruba.” See Letter from J. Rogge, President of IOC, to W. Millerson, President of NANOC, 8 July 2011, p. 1 (attached at **Appendix N-4**). Both Aruba and the Netherlands have member federations affiliated with FIDE. See FIDE’s Delegate List: http://www.fide.com/images/stories/NEWS_2014/FIDE_news/Congress/List_of_delegates_for_85th_Congress.pdf (last visited, 27 June 2014) (attached at **Appendix 1**). Similar measures could be put in place for the 2014 Olympiad to allow chess players that belonged to the NASB to participate in the 2014 Olympiad as independent athletes or through the member federations of Aruba and the Netherlands.

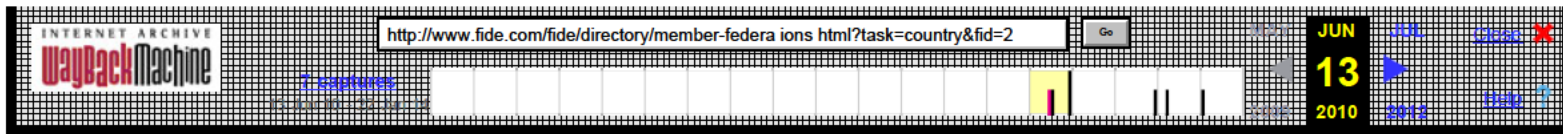
APPENDIX N-1

CHRONOLOGY OF KEY EVENTS

NETHERLANDS ANTILLES

| Date | Event | Supporting document |
|-----------|--|--|
| 1972 | | |
| | The Netherlands Antilles Chess Federation or Nederlands-Antilliaanse Schaakbond (NASB) joins FIDE. | 7-9 Sept. 2012 FIDE Congress Minutes, Item 35.1: Appendix N-6 Letter from L. Abad, President of NASB, to K. Ilyumzhinov, President of FIDE, 4 Oct. 2012: Appendix N-7 |
| 2010 | | |
| 13 June | FIDE Directory for Netherlands Antilles lists “Nederlands-Antilliaanse Schaakbond” as the member federation. | Screenshot of FIDE Directory for Netherlands Antilles, 13 June 2010: Appendix N-2 |
| 10 Oct. | The Netherlands Antilles is formally dissolved. The islands of St. Eustatius, Bonaire and Saba become municipalities of the Kingdom of the Netherlands. The islands of St. Maarten and Curacao become independent countries within the Kingdom of the Netherlands. | “Netherlands Antilles to Cease to Exist As a Country,” Radio Netherlands Worldwide, available at http://vorige.nrc.nl/international/article2375096.ece/Netherlands_Antilles_to_cease_to_exist_as_a_country (last visited, 26 June 2014): Appendix N-3 |
| 2011 | | |
| 8 July | The International Olympic Commission (“IOC”) withdraws IOC recognition of the National Olympic Committee (“NOC”) of the Netherlands Antilles (“NANOC”), while simultaneously attempting to preserve the ability of the athletes to participate in the Olympic Games. | Letter from J. Rogge, President of IOC, to W. Millerson, President of NANOC, 8 July 2011: Appendix N-4 Olympic Charter: Appendix N-5 |
| 2012 | | |
| 7-9 Sept. | The FIDE General Assembly agrees to follow the IOC’s decisions regarding the membership of the NASB. | 7-9 Sept 2012 FIDE Congress Minutes, Item 35.1: Appendix N-6 |
| 4 Oct. | NASB President Ludwig Abad writes to FIDE President Kirsan Ilyumzhinov. Mr. Abad claims that the NASB has changed its name to Curaçao Chess Federation (CCF) (Federashon di | Letter from L. Abad, President of NADSB, to K. Ilyumzhinov, President of FIDE, 4 Oct. 2012: Appendix N-7 |

| | | |
|------------|--|---|
| | Agedres Kòrsou (FEDAKO)) and requests that FIDE's list of member federations be updated accordingly. Mr. Abad also informs FIDE of the Curaçao Chess Federation's new address, telephone number, mobile telephone number, and email address. | |
| 19 Dec. | Jérôme Poivey, Head of Institutional Relations and Governance of the IOC, responds to an email from Nigel Freeman of FIDE. Mr. Poivey affirms that the IOC withdrew its recognition of the NANOC on 8 July 2011 and informs further that the IOC has not recognized any of the five islands that formerly constituted the Netherlands Antilles because none of them meets the condition of a "country" as defined in Rule 30.1 of the Olympic Charter. "As far as the IFs are concerned, they have analysed (or will analyse) the situation of their respective national federations corresponding with the former "Netherlands Antilles" on a case by case basis in <u>in the light of their respective statutes / constitutions.</u> " | E-mail from J. Poivey, IOC, to N. Freeman, FIDE, 19 Dec. 2012: Appendix N-8 |
| 2013 | | |
| 18-21 Jan. | In view of Mr. Poivey's 19 December 2012 letter, the FIDE Presidential Board decides that it cannot accept NASB's application to change its name in the FIDE list of member federations. "The Board decided to keep the old name and revise the matter upon new information." | 18-21 Jan. 2013 FIDE Presidential Board Minutes, Item 3.4: Appendix N-9 |
| 8 Mar. | FIDE Directory for Netherlands Antilles still lists "Nederlands-Antilliaanse Schaakbond" as the member federation. | Screenshot of FIDE Directory for Netherlands Antilles, 8 Mar. 2013: Appendix N-10 |
| 3 Sept. | FIDE Directory for Netherlands Antilles lists "Curaçao Chess Federation 'FEDAKO'" as the member federation. | Screenshot of FIDE Directory for Netherlands Antilles, 3 Sept. 2013: Appendix N-11 |
| 2014 | | |
| 28 June | The IOC website does not list Curacao as a member country. | List of NOCs from IOC website, accessed on 28 June 28 2014: Appendix N-12 |
| 28 June | FIDE Directory for Netherlands Antilles continues to list the "Curaçao Chess Federation 'FEDAKO'" as the member federation. | Screenshot of FIDE Directory for Netherlands Antilles, 28 June 2014: Appendix N-13 |



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Netherlands Antilles

| | |
|---|---|
| Federation Name | Nederlands-Antilliaanse Schaakbond (1972) Zone 2.3b |
| Address | Kent U Zelf 45, Curacao, Netherlands Antilles |
| Phone | (599)9-767 32 48/737 50 00 |
| Fax | (599)9-736 51 02 |
| Email | muchabonita@interneeds.net |
| Web | |
| Member, National Olympic Committee | |

President & Delegate , Mr. Ludwig A. ABAD
Mobile (599)9-666 68 00

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01-10-2009

Netherlands Antilles to cease to exist as a country

By Radio Netherlands Worldwide

The Netherlands Antilles will cease to exist as a country within the Kingdom of the Netherlands on October 10, 2010.

In a meeting on Curaçao on Wednesday, the Dutch-Caribbean islands of Bonaire, St Eustatius and Saba agreed to become Dutch municipalities.

On the same date, 10-10-10, Curaçao and the Dutch half of St Maarten will become independent countries within the Kingdom, on an equal footing with the Netherlands proper and with Aruba, which gained its "status aparte" in 1986.

The previous semi-independence arrangement between the Dutch central government and its former Caribbean colonies dated from 1954 and was due for renewal.

Dutch deputy home affairs minister Ank Bijleveld warned that a lot of work remains to be done following Wednesday's Curaçao agreement. The parliaments in The Hague and Willemstad (Curaçao) need to pass a number of laws, and administrative bodies for Curaçao and St Maarten need to be set up.



The Dutch government also wants assurances that rampant crime on Curaçao and St Maarten will be fought harder. Dutch police detectives will continue to be active in the kingdom's new countries.



Mr. William MILLERSON
President
Nederlands Antilliaans Olympisch Comité

The President

Durban, 8 July 2011
Ref. No. 2011/PMS/jpy

Decision of the IOC Session

Dear Mr. Millerson,

As a consequence of the formal dissolution of the Netherlands Antilles on 10 October 2010 and the new institutional and constitutional structure within the Kingdom of the Netherlands, and in view of the Olympic Charter, I must inform you that the IOC Session ratified today the following decision proposed by the IOC Executive Board earlier this year:

"Withdraw IOC recognition from the Netherlands Antilles NOC, with the following accompanying measures:

1. *Allow the qualification for and participation by athletes from the five islands which made up the "Netherlands Antilles" who would be eligible for the 2012 Olympic Games in London.*
2. *These athletes would have the possibility to qualify for and take part in the 2012 Olympic Games as independent athletes under the Olympic flag.*
3. *To do this, a temporary administrative structure (put in place by the former Netherlands Antilles NOC) would be responsible merely for identifying, preparing and sending the athletes who could qualify for the Olympic Games in London, under the supervision of the IOC, and with its technical and financial support.*
4. *After the 2012 Olympic Games in London, the athletes who have competed for these islands would naturally come under the jurisdiction of the NOC of their choice currently recognised by the IOC within the Kingdom of the Netherlands: the NOC of the Netherlands or the NOC of Aruba. This choice could only be exercised once and for the 2016 Olympic Games."*

Consequently, as from today the IOC will no longer refer to your entity as a National Olympic Committee (NOC) but as a temporary administrative structure which shall operate until the end of the London 2012 Olympic Games under the IOC's supervision.

Such entity shall constitute the technical and operative cell to implement the accompanying measures mentioned above, in particular to allow the qualification for and participation in the London 2012 Olympic Games of any potential eligible athletes from the former Netherlands Antilles as independent athletes under the Olympic flag.



I wish to thank you for your understanding of this very difficult decision which the IOC had to make in the scope of the Olympic Charter, as a consequence of this new reality and as a result of an in-depth analysis and regular consultations with all parties concerned.

Meanwhile, I wish to assure you of the IOC's full support to the temporary administrative structure that shall exercise a transition as smooth as possible until the end of the London 2012 Olympic Games and protect wherever possible the interests of the athletes.

Finally, the IOC wishes to thank you and your current and previous colleagues for your committee's dedication and contribution to the Olympic Movement throughout the years.

Yours sincerely,

A handwritten signature in black ink that reads "Jacques Rogge". The signature is fluid and cursive, with the first letter 'J' being particularly large and stylized.

Jacques ROGGE

Cc:

- Association of National Olympic Committees (ANOC)
- Pan-American Sports Organisation (PASO)
- The London Organising Committee of the Olympic and Paralympic Games (LOCOG)
- Association of Summer Olympic International Federations (ASOIF)
- All International Olympic Summer Sports Federations concerned
- NOC of Netherlands
- NOC of Aruba
- HRH the Prince of ORANGE, IOC member
- Ms Nicole HOEVERTSZ, IOC member



INTERNATIONAL
OLYMPIC
COMMITTEE

OLYMPIC CHARTER

IN FORCE AS FROM 9 SEPTEMBER 2013





The National Olympic Committees (NOCs)

30 Country and Name of an NOC

- 1.** In the Olympic Charter, the expression “country” means an independent State recognised by the international community.
- 2.** The name of an NOC must reflect the territorial extent and tradition of its country and shall be subject to the approval of the IOC Executive Board.

31 Flag, Emblem and Anthem of an NOC

The flag, the emblem and the anthem adopted by an NOC for use in relation to its activities, including the Olympic Games, shall be subject to the approval of the IOC Executive Board.

**FIDE Congress
Istanbul, Turkey
General Assembly
7-9 September 2012**

MINUTES

0.1. Obituaries.

We mourn the passing in the preceding year of friends of FIDE among whom we remember:

IA Mikko Markkula (FIN) –QC Chairman
Dr. Nathan Divinsky (CAN) – Zone President
IM, IA Boris De Greiff (COL) – Zone President
GM Vitaly Tseshkovsky (RUS)
GM Andrei Kharitonov (RUS)
GM Yuri Razuvaev (RUS)
IA Igor Botvinnik (RUS)
IA Yakov Zinder (RUS)
IM Vladimir Baikov (RUS)
IM Orest Averkin (RUS)
Mr. Carlos Ustariz (HON) – former delegate
IM Haukur Angantýsson (ISL)
IM Carlos Cuartas (COL)
IM Ahmed Hamed (EGY)
WIM Elaine Prichard (ENG)
WIM Edith Soppe (ARG)
IM Emil Ungureanu (ROM)
IM Arne Vinje (NOR)
FM Ali Apek (TUR)
GM Yuri Vasilchuk (RUS)
IO Olivier Breisacher (SUI)
IM Dick van Geet (NED)
GM Svetozar Gligoric (SRB)
Mr. Johar Ulpiner (ISR)

Roll Call

136 Federations

3 more new proxies were received.

Mr. G. Makropoulos announced special guests. Minister of Sports of Serbia A. Maric and World Champion G. Kasparov.

FIDE Vice President Ali Nihat Yazici welcomed the FIDE General Assembly delegates.

SportAccord President H. Verbruggen addressed the delegates. He said that the name has been changed from GAISF to SportAccord. He said SportAccord is an umbrella organization of 91 international sporting federations, and they also have 16 associate members and these are organizers like Para Olympic committee, FISU, Military Games,

Annex 76.

An agreement has been reached to rate the IberoAmerican Championship.

34. Proposals regarding the official FIDE languages.

Annex 63 is a proposal of the Iranian Chess Federation to add Farsi language to the list of the official FIDE languages.

Annex 64 is a proposal of the Turkish Chess Federation to add Turkish language to the list of the official FIDE languages.

Annex 10E is a proposal regarding official languages.

General Assembly approved the recommendation of the Executive Board to ratify new languages and to ask Mr. Freeman to investigate the whole matter.

35. Any other business.

35.1. Netherlands Antilles Chess Federation situation.

General Assembly approved the recommendation of the Executive Board to follow the IOC decisions.

Mr. Freeman said whatever IOC does, FIDE will follow.

Mr. M. Fayad, the Netherlands Antilles delegate said what FIDE should do with our Federation membership.

Mr. Makropoulos said we only keep very old Federations like Scotland, according to our Statutes. But for several years now we are following the decisions of the IOC. All the effort should be made in this direction.

Mr. Fayad said we are members for 40 years as Netherlands Antilles, of which Curacao was a part. All delegations were only and mainly from Curacao. No other island has sent a delegation to any FIDE event. In our opinion Curacao has been member of FIDE for 40 years.

Mr. Makropoulos said we will discuss but first let's wait and see what we can do. We cannot change the situation. All our hearts are with you and said that the Assembly will do its best, in the IOC they understand the problem and try to help.

Mr. Kutin said full membership and taking part in our events are two different things. He said that we can do something in our capacity, even this year in London.

Mr. Vega said there is a practical problem. Curacao or Netherlands Antilles plays in zone 2.3, and what will happen in this zone, regarding their participation. I am in favour of their participation.

Mr. Freeman said they can participate pending the final decision. There is no decision

that they are out of our family.

35.2. Commonwealth Chess Association.

Annex 92.

General Assembly approved the report.

Mr. Yazici said next year we have another General Assembly in Turkey, and wished everyone to have a safe trip. He apologised for any mistakes if there were any. He thanked FIDE President and delegates for the trust for the grant of this event to Istanbul.

Mr. Lputian said this is his first time and he spent three days here and he is disappointed a little bit, he is a chess player, and he likes strategy, he did not hear main directions which we have to follow. He invites FIDE people to Armenia to see Chess in Schools programme. He gave his opinions on how this programme has to progress forward.

Mr. Makropoulos said he thought Mr. Lputian you wanted to thank the Turkish Chess Federations. He said next time when you come to the Assembly, next time visit the meetings of Chess in Schools, then read the Minutes and before speaking, speak with Mr. Zakarian.

FIDE President said last month when he met with the President of Armenia S. Sargsian, he invited FIDE to organise the Presidential Board meeting in Armenia and an international conference Chess in Schools. He thanked President of Turkish Chess Federation Mr. Yazici and his staff for his hospitality. He thanked everybody for their joint work.

List of Annexes



To the President of the FIDE
His Excellency Mr. Kirsan Ilyumzhinov,
FIDE Secretariat
9 Siggrou Avenue,
Athens. Greece 11743

Willemstad. Curaçao 4 October 2012.

Subject: Change of name of the *Nederlands- Antilliaanse Schaakbond* (NASB)

Dear Mr. Ilyumzhinov.

The Netherlands Antilles Chess Federation, in Dutch: *Nederlands-Antilliaanse Schaakbond* (NASB) is an affiliated member of the FIDE since 1972. Our federation was founded on December 17, 1949 in Curaçao and has its seat in Willemstad, Curaçao ever since.

The history of the NASB with the FIDE began prior to its affiliation in 1972. In 1962 the Candidate Tournament was held in Curaçao and organized by the NASB (under the auspices of the Netherlands Chess Federation). It was the first time that this tournament was held outside of Europe. The controversies that occurred between Robert Fischer and the Russian team during the tournament made this event even more historic.

As you are aware, the negotiations within the Kingdom of the Netherlands produced an agreement that on the 10th of October 2010 Curaçao and St. Maarten received an autonomous status similar to the status of the Netherlands Antilles, thus each became an equal partner within the Kingdom of the Netherlands. The islands of Bonaire, Saba and Saint Eustatius became municipalities within the Netherlands.

During the aforementioned process that resulted in an autonomous status for Curaçao similar to the status of the Netherlands Antilles it became clear for us that the NASB would have to change its name. While our name was changed the focus remained the same. In the General Membership meeting of our federation, held on September 29, 2010, a unanimous decision was taken to change the name of our federation from Netherlands Antilles Chess Federation (*Nederlands-Antilliaanse Schaakbond*) to Curaçao Chess Federation (CCF), translated in our local language Papiamentu as "*Federashon di Agedres Kòrsou*" (FEDAKO).

The Netherlands Antilles Chess Federation, known as NASB from its Dutch acronym, hereby declares that it has no objections that in the list of names of members of the *Federation Internationale des Echecs* (FIDE), the name "*Nederlands-Antilliaanse Schaakbond* (NASB)" be changed into "Curaçao Chess Federation". Although this procedure may be considered a formality, we are confident that the FIDE shall give its full cooperation to this request.

Furthermore we would like to inform you that the following logistic information of our federation has also changed.

New address: Kaya Handel 4, Curacao

New telephone number: (599)9-767 5885

New mobile: (599)9-512 0007

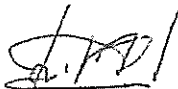
New e-mail address: curacaochessfederation@gmail.com

Please have the FIDE administration updated accordingly.

The *Nederlands- Antilliaanse Schaakbond* (NASB) avails itself of this opportunity to renew to the FIDE the assurances of its highest consideration.

Gens una sumus

Sincerely Yours,



President
Ludwig Abad



Secretary
Jimmy Izijk

NIGEL FREEMAN

From: Jérôme Poivey [jerome.poivey@olympic.org]
Sent: 19 December 2012 10:22
To: 'nigelfreeman@fide.com'
Cc: Christian Wassmer; Coralie McConnell; Damien Mollard
Subject: RE: Netherlands Antilles
Attachments: AHO - Decision of the IOC Session - 8 July 2011.pdf; AHO - background informationx.pdf;
 AHO - IOC President letter to IFs - 20 June 2011.pdf

Dear Nigel,

Thank you very much for your email below to Christian regarding the "Netherlands Antilles" and, first of all, I sincerely apologise for the delay in replying to you.

As you may know, the IOC recognition of the NOC of the Netherlands Antilles was withdrawn by decision of the IOC Session on 8 July 2011 and this was accompanied by a number of measures to preserve – as much as possible – the participation of the athletes (in particular for the London 2012 Olympic Games). As a result, 3 athletes of the former "Netherlands Antilles" were allowed to take part in the London Games as "Independent Olympic Athletes" (IOA) under the Olympic flag.

Please find enclosed for your information and reference (i) the self-explanatory IOC letter by which the IOC Session decision was officially communicated to the NOC on 8 July 2011 and (ii) a brief summary and some background information which led the IOC to take such decisions. Please see also attached for your information a copy of the circular letter which was sent out to all Olympic IFs concerned on 20 June 2011.

As a consequence, the "NOC of the Netherlands Antilles" is no longer recognized by the IOC since 8 July 2011. In addition, the IOC was not in a position to recognize any of the five islands (which constituted the former Netherlands Antilles until the Union of the Netherlands Antilles was dissolved on 10 October 2010), including Curacao (which is the main island as it concentrates around 90% of the population of the former "Netherlands Antilles"), since none of them meets the condition of a "country" as defined in Rule 30.1 of the Olympic Charter (http://www.olympic.org/Documents/olympic_charter_en.pdf): *In the Olympic Charter, the expression "country" means an independent State recognised by the international community.*

As far as the IFs are concerned, they have analysed (or will analyse) the situation of their respective national federations corresponding with the former "Netherlands Antilles" on a case by case basis and in the light of their respective statutes / constitutions. Based on that, the IFs have taken (or will take) the necessary decisions.

The IOC encourages the IFs to make their respective decisions on the basis of their respective statutes / constitutions, of course, but also to pay special attention to the future of the athletes of those 5 islands and – where possible – to look at (creative) ways to enable the athletes to continue participating at regional and/or continental level (which is the most significant and important for them).

For your information, kindly find below a brief summary of the types of decisions taken by most of the IFs so far (greatly depending on what they could do according to their respective statutes / constitutions):

- A number of IFs have decided to withdraw the affiliation of their respective federations corresponding with the former "Netherlands Antilles" and to allow the athletes from the former "Netherlands Antilles" to participate at international level through the remaining federation(s) within the Kingdom of the Netherlands which are still affiliated to those IFs. (Similar decision as the one taken by the IOC vis-à-vis the NOC and the athletes).
- A number of IFs have decided to withdraw the affiliation of their respective federations corresponding with the former "Netherlands Antilles" but to affiliate as new member(s) (as full-fledged or associate members and at both international & continental level or at continental level only) one or several new federation(s) corresponding with one or several of the 5 islands (in particular Curacao and/or St Maarten).
- A number of IFs have decided to maintain a status quo and continue (for the time being) to affiliate a federation corresponding with the former "Netherlands Antilles" (5 islands all together).

As you can see from the above, the situation is quite complicated and should be approached carefully by

19/12/2012

each IF, on a case by case basis and in close consultation with their existing federations in the Kingdom of the Netherlands (in particular Netherlands and Aruba, if any), in order to try to find the best possible solutions (i) in the framework of the statutes / constitution of each IF and (ii) for the best interest of the athletes of these 5 islands.

I hope this can be of any help at this stage and I remain of course at your entire disposal should you need any further clarification and/or assistance.

I once again apologise for this very late answer.

With kind regards,

Jérôme

Jérôme POIVEY
Head of Institutional Relations and Governance
NOC Relations Department

International Olympic Committee (IOC)
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1007 Lausanne, Switzerland

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Before you print please think about the ENVIRONMENT

From: Christian Wassmer
Sent: mardi, 20. novembre 2012 09:34
To: Jérôme Poivey
Cc: Coralie McConnell; Damien Mollard
Subject: FW: Netherlands Antilles

Dear Jérôme

Would you be able to help us with the below question from the International Chess Federation regarding the Netherlands Antilles, your help would be much appreciated.

Kindest regards

Christian WASSMER
Winter Games and IF Relations Manager
Sports Department

INTERNATIONAL OLYMPIC COMMITTEE
Château de Vidy
1007 Lausanne, Switzerland

Tel +41 (0)21 621 6284
Fax +41 (0)21 621 6376
Email christian.wassmer@olympic.org

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**2013 1st quarter
Presidential Board
Tsakhkadzor, Armenia
18-21 January 2013**

MINUTES

Present:

Ilyumzhinov, Kirsan
Makropoulos, Georgios
Leong, Ignatius
Freeman, Nigel

Marinello, Beatriz
Kambuzia, Mohammed
Sundar, D.V.
Chu, Bo
Kutin, Boris
Yazici, Ali-Nihat
Zakarian, Vanik
Danailov, Silvio
Vega, Jorge
Mazouz, Lakhdar
Borg, Geoffrey
Jarrett, David

President
Deputy President
General Secretary
Treasurer, Executive
Director
Vice President
Vice President
Vice President
Vice President
Vice President
Vice President
Hon. Vice President
President of Europe
President of Americas
President of Africa
CEO
Special Projects

Absent with apologies:

Ncube, Lewis
Gelfer, Israel
Elhaj, Nizar
Levitov, Ilya
Al-Hitmi, Mohammed
Jungwirth, Kurt
Buthali, Dabilani
Al Nehyan, Sultan bin Khalifa
Boxall, Graham
Anand, Viswanathan
Ushenina, Anna

Vice President
Vice President
Vice President
Vice President
Hon. Vice President
Hon. Vice President
Hon. Vice President
President of Asia
Internal Auditor
World Champion
Women's World
Champion

President K. Ilyumzhinov congratulated the Board members and attendees with the New Year and extended cordial gratitude to H.E. Serzh Sargsian, President of Armenia and President of the Armenian Chess Federation and his colleagues in the Armenian Chess Federation, the staff of the Golden Palace Hotel for their warm hospitality and

prize fund also. Mr. Makropoulos said that as for him, we should help Agon and we should get this amount but this is not because we do not trust them, but because it is good to have this amount in our accounts. He said we found a partner and someone in the Board is proposing to boycott them. He agreed with Mrs. Marinello. We are not waiving this payment. He said he was not of those who will say let's kill the contract if they organise the events.

We were looking for years for somebody who will come and propose to organise the events.

Mr. Makropoulos proposed to postpone the payment of Agon of 500, 000 USD till the next meeting.

Mr. Sundar agreed with Mr. Makropoulos and we have no alternative. We should not kill the goose which gives us golden eggs. He requested Mr. Danailov, who is dedicated and committed to chess, you are free to express your views, but you should go along with general opinion. We should accept the majority view. Everyone has different views. As long as the decision is taken, even if it does not suit you, and also kindly do not go to court.

Mr. Danailov said everyone can go to court, because this is a right of everyone. Mr. Yazici who is not in the room, sued ECU three times and nobody said anything. He did not try to kill FIDE, Agon or anyone. The tournament in March is paid by Azerbaijan and Agon has nothing to do with this. Agon is one of the worst organisers of Grand Prix events. He is asking to respect the contract. He said there were promises very clear. He do not understand why you attack him. If you decide to postpone and the contract does not matter to you and you give them more rights, it is your decision, not mine, it is my opinion and you have to respect your opinion.

Mr. Makropoulos said we have to respect the truth and Mr. Danailov is not good with the truth. He said Azerbaijan only provides prize money and all the expenses are covered by Agon. Second, Mr. Danailov does not explain what will happen to all events which Agon has to organise. In this situation we would not find the organisers, and we will face difficulties. He does not give us any explanation on this. He does not care about this. This is the point. We respect your opinion, but this opinion is helping only Mr. Danailov's political agenda and nothing else.

The Board unanimously accepted the proposal of Mr. Makropoulos.

3.4. Netherlands Antilles Chess Federation.

Annex 3 is a letter from the NASB Federation to FIDE.

Annex 4 is an email from the IOC to FIDE in this respect.

Mr. Freeman said in 2011 five islands split two ways.

It seems that IOC does not have any unanimous conclusions. They do three different things depending on which international event or federation it is.

Mr. Freeman said he personally believed this is the same Federation and he spoke to Mr. Vega who agreed, but Mr. Makropoulos argued that maybe St. Maarten will wish to join FIDE as Curacao did as well, he prefers to stick to the old name of the Federation.

Mr. Jarrett asked, from the documents one of two of the islands have different status, will all the players from the islands be members of Curacao federation. Will they be able to play?

Mr. Freeman said three of them are part of the Netherlands now. Two islands are self-governing Dutch territories.

Mr. Makropoulos said the situation is complicated. IOC proposal is complicated. He said we should speak to them to accept St. Maarten until the situation is clarified.

Mr. Jarrett said Curacao is not independent and they cannot be a member of FIDE, according to the FIDE Statutes.

Mr. Vega said the problem is complicated. They want to use Curacao name. They insist on this. He did not know exact reasons. In the past Netherlands Antilles had their own NOC and was a old member in FIDE. At this moment we cannot accept as there is no decision of the IOC.

We accepted Aruba which was in the same situation with Curacao.

We have to keep them as Netherlands Antilles and to give them no other alternative, for the moment.

Mr. Leong said what if Netherlands Antilles put a team for the Olympiad. Players outside of Curacao cannot play as a team.

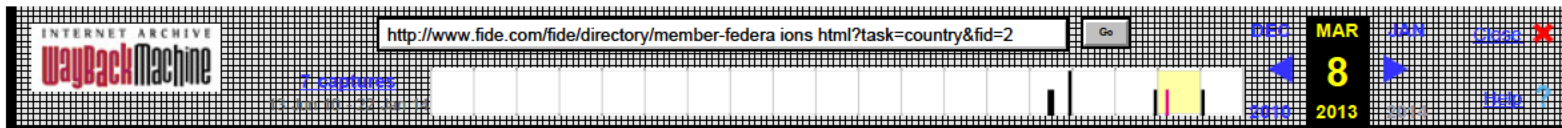
Mr. Freeman said they do not exist as a Federation. St. Maarten players could play as Netherlands Antilles.

The Board decided to keep the old name and revise the matter upon new information.

3.5 Saudi Arabia Chess Federation Application for membership.

Annex 5 is a membership application from Saudi Arabia Chess Federation.

President of the Saudi Arabia Chess Federation made a presentation of their



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Netherlands Antilles

| | |
|---|--|
| Federation Name | Nederlands-Antilliaanse Schaakbond (1972) Zone 2.3.5 |
| Address | Kent U Zelf 45, Curacao, Netherlands Antilles |
| Phone | (599)9-767 32 48/737 50 00 |
| Fax | (599)9-736 51 02 |
| Email | kidabad1@hotmail.com |
| Web | |
| Member, National Olympic Committee | |

President & Delegate , Mr. Ludwig A. ABAD

Address Kent U Zelf # 45

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Mobile
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(599)9-666 68 00
kidabad1@hotmail.com

Weather

No weather information
available..

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Netherlands Antilles



Federation Name Curacao Chess Federation "FEDAKO" Zone 2.3.5
Address Kaya Handel # 4, Curacao
Phone
Fax
Email curacaochessfederation@gmail.com
Web
Member, National Olympic Committee

President , Mr. Ludwig A. ABAD
Address Kent U Zelf # 45
Mobile (599)9-666 68 00
Email curacaochessfederation@gmail.com
Delegate , Mr. Michel FAYAD
Email michel_fayad@hotmail.com
Secretary , Mr. Jimmy IZIK
Email curacaochessfederation@gmail.com

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| Somalia | SOM |
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| Vietnam | VIE |
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| Zimbabwe | ZIM |



FIDE Directory

Netherlands Antilles



| | |
|------------------------------------|--|
| Federation Name | Curacao Chess Federation "FEDAKO" Zone 2.3.5 |
| Address | Kaya Handel # 4, Curacao |
| Phone | |
| Fax | |
| Email | curacaochessfederation@gmail.com |
| Web | |
| Member, National Olympic Committee | |

President & Delegate , Mr. Michel FAYAD

Email michel_fayad@hotmail.com

Secretary , Mr. Jimmy IZIKJ

Email curacaochessfederation@gmail.com

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