



AFRICAN CHESS CONFEDERATION
CONFÉDÉRATION AFRICAINE DES ÉCHÉCS



PRESIDENT

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May 26, 2016

Mr. Githinji Hinga
C/o Chess Kenya
Nairobi
KENYA

Dear Mr. Hinga,

Re: REQUEST FOR CHANGE OF CHESS KENYA OFFICIALS

We refer to your e-mail to the FIDE Secretariat requesting a change in the FIDE Directory to reflect the previous officials as contained in the attached copy of an Interim Order from the Sports Disputes Tribunal.

Please note that the African Chess Confederation and FIDE have received a copy of the submission made by the Interim Executive Committee of Chess Kenya to the Sports Disputes Tribunal sitting of May 24, 2016.

In the indicated submission we note that the Interim Executive Committee refers to the issue of the jurisdiction of the Sports Disputes Tribunal in line with the provisions of Article 59 of the Sports Act No. 25 of 2013 as assented on January 14, 2013.

We have noted the referred provisions and find that this dispute cannot be resolved without addressing this aspect of the sports administration procedure.

In response to the issues you have raised regarding the action taken by the FIDE Secretariat in changing the previous details of Chess Kenya officials, please be advised that on March 21, 2016 the FIDE Secretariat received notification of the change of officials as sent by the Interim General Secretary of Chess Kenya with accompanying Minutes of the Special General Assembly of March 20, 2016.

Upon verification of the authenticity of the correspondence and attached documentation, the FIDE Secretariat proceeded to change the relevant details upon clearing with the Continental President in line with existing procedures.

Please note that the membership of FIDE and that of the African Chess Confederation is the membership of Chess Kenya.

In this regard the resolutions and decisions of the meetings of Chess Kenya are paramount over and above any third parties.

Whilst we acknowledge receipt of the Interim Order of the Sports Disputes Tribunal which you have attached, the validity of this order has to be determined in line with the jurisdiction of the tribunal as provided in the Kenyan Constitution and in this respect the Sports Act No. 25 of the Republic of Kenya.

We have perused the relevant documents relating to the current dispute, as brought to the attention of the African Chess Confederation and the World Chess Federation (FIDE).

Our findings are that there are outstanding issues that need to be addressed with regard to the jurisdiction of the Sports Disputes Tribunal as submitted by the members of the Interim Executive Committee of Chess Kenya.

In light of the foregoing and in accordance with Article 3.2 of the Statutes of the African Chess Confederation, the African Chess Confederation and the World Chess Federation (FIDE) continue to recognise the Interim Executive Committee of Chess Kenya as the official representatives of the Kenyan chess community until this mandate is withdrawn through another meeting as provided in the Constitution of Chess Kenya.

We wish to reiterate that any resolution to this dispute must be in the interest of the Kenyan chess community who are the ultimate members of both African Chess Confederation and the World Chess Federation (FIDE).

We remain at your disposal for any clarification or assistance with a view to the final resolution of the matter at hand.

Yours Sincerely
AFRICAN CHESS CONFEDERATION



Lewis Ncube
PRESIDENT

Cc: President, World Chess Federation (FIDE)
General Secretary, World Chess Federation (FIDE)
Executive Director, World Chess Federation (FIDE)
General Secretary, African Chess Confederation (ACC)