



**MINUTES OF THE 1<sup>st</sup> MEETING  
OF THE EXECUTIVE COUNCIL**  
**Zoom**  
**Wednesday, 25<sup>th</sup> November at 1:30**

**In Attendance**

Mr Gianarrigo Rona, President in the Chair  
Mr José Damiani, President Emeritus  
Mr Al Levy, 1<sup>st</sup> Vice President  
Mr Patrick Choy, 2<sup>nd</sup> Vice President  
Mr Marc De Pauw, Treasurer  
Mr Jan Kamras, Hon. Secretary  
Mr Ben Thompson, Member  
Mr Marcelo Caracci, Member  
Mr Giorgio Duboin, Member  
Mr Nader Hanna, Member  
Mr Eric Laurant, Member  
Mr Gilad Ofir, Member  
Mr Kirubakara Moorthy, Member  
Mrs Kari-Anne Opsal, Member  
Mr Bernard Pascal, Member  
Mr Douglas (Kip) Rotchell, Member  
Mrs Suzi Subeck, Member  
Mr Adam Wildavsky, Member  
Ms Wang Yannan, Member  
Mrs Helen Kruger, Member  
Mr Fernando Lema, Member  
Ms Lilian Sun, Interpreter

**Also, in Attendance**

Mr David Harris, General Counsel  
Ms Arianna Testa, Secretary to the Executive Council

**By invitation of the President**

Mr Philippe Cronier, Chairman of the HLPC  
Maître Ross Wenzel, attorney  
Mr Panos Gerontopoulos, Honor Committee Member  
Mrs Georgia Heth, Honor Committee Member  
Mr George Retek, Honor Committee Member  
Mr Mazhar Jafri, Honor Committee Member

**Excused**

Mrs Esther Sophonpanich, Member  
Mrs Janice Seamon-Molson, Member  
Mr John Wignall, Honor Committee Member  
Mr Bobby Wolff, Honor Committee Member

The President called the meeting to order at 13:30. He declared that there was a quorum, and the meeting proceeded as follows.

**1. Agenda item 1 – Opening & greetings**

The President welcomed the Council to the Meeting, held for the first time on Zoom. The President congratulated the new elected members Ms Wang Yannan, Mrs Helen Kruger and Mr Fernando Lema.

Greetings also to Mr Gonzalo Herrera from Mexico who recently replaced Mr Beto Cohen and Mr Gilad Ofir from Israel who recently replaced Mr Eitan Levy. The President expressed his gratitude to Mr Eitan Levy for his great contribution to the Bridge Community.

The President took the chance of this plenary Executive Council Meeting to remember the Friends that passed away, honouring them with a minute of silence.

**2. Agenda item 2 – Approval of the minutes of the Wuhan Executive Council meeting**

The Executive Council unanimously approved the minutes of the previous Executive Council meeting held in Wuhan, in September 2019 after the request of Mr Bernard Pascal, who asked to add the apologies of the President in the Minutes of the 5<sup>th</sup> Meeting, page 17, in the Zone 8 paragraph.

**3. Agenda item 4 – President's Report**

The President informed the members that the Report that he submitted for the Congress already contained all the activities carried out from the last Meeting and therefore, for this Meeting he synthesized the following report:

Dear Friends,

We have to be proud of the result of the Congress held on 3<sup>rd</sup> November.

The Congress, composed by the affiliated NBOs, is the supreme authority of the WBF. The Executive Council and the Management Committee are the executive and administrative organs. The NBOs are the WBF Bridge Community, to whom, solely

and exclusively, the Executive Council and the Management Committee have to respond with their activities and actions.

These are the institutional principles on which we based our work, which we must believe, being firmly convinced, without fail.

We have to be proud that the Congress "in toto" approved our political, administrative and financial activity. And allow me to say that also in the expression of the electoral vote the Congress has clearly shown its solidarity with us.

This is an important message in this delicate moment in which we have to discuss, evaluate and take important decisions for our organisation, its present and its future, without indulging in misleading emotions and suggestions.

We need to safeguard our freedom and integrity in full compliance with our laws, rules and principle.

I am confident that you all agree.

Thank you for the attention and good work.

#### **4. Agenda item 5 – Treasurer's report**

The Treasurer, as the President already did with his report, reiterated that the full report is the one sent and approved by the Congress on the 3<sup>rd</sup> of November. The Treasurer added a few comments about the loss for the year 2020 that will be between 120k and 125k Euros due to the reduction of the membership dues and the absence of any physical event. The budget for the year 2021, for the moment takes into account a "normal year" but it will be revised and updated once the activities will be confirmed (or not).

The Executive Council thanked the Treasurer and unanimously approved.

#### **5. Agenda item 6 – Membership Dues**

The President asked Mr De Pauw to inform the Council about the Luxembourg situation.

Mr De Pauw remembered that the Luxembourg Federation was suspended in the Wuhan meeting, but they recently asked to be readmitted in the EBL. Consequently, it will be readmitted as a WBF member after paying off the debt accrued in the last two years.

The Executive Council thanked the Treasurer and unanimously approved.

#### **6. Agenda item 10 – Election of the 13<sup>th</sup> Member of the Honour Committee/Advisory Committee**

The President asked Mr Damiani to introduce the item. Mr Damiani was pleased to inform the Members that  $\frac{3}{4}$  of the votes were needed to be in favor to ratify the election of the 13<sup>th</sup> Member, and out of 31 Members entitled to vote, 30 votes

returned, being 29 in favor and 1 against the election of Mr Zia Mamhood in the Honour Committee/Advisory Committee.

Mr Mamhood will be invited to join the meeting tomorrow at 3 pm.

Maître Ross Wenzel joined the Meeting at 14:00.

Mr David Harris asked Maître Wenzel to officially confirm the result of the election of Mr Zia Mamhood.

Maître Wenzel confirmed that Mr Mamhood was elected with 29 votes in favor (out of 31), so the requisite of the majority has been largely met.

## **7. Agenda item 13 – Disciplinary Code**

The President asked the General Counsel to introduce the matter followed by the comments of Maître Wenzel.

The General Counsel illustrated the frame of this item, being the pandemic and the impossibility to play in person bridge. For this reason, most people opted for the online competitions, being the only available option, and together with the online bridge, emerged several unfair players.

The platforms enable the players to sign in anonymously as well as with their own names, leading to several issues.

The first player to confess his unethical behavior was the Polish World Champion players Michal Nowozadsky.

Following his admission of wrongdoing, we spoke with the Polish Bridge Union to see if they were able to take any action but unfortunately their Statutes do not permit them to take action against one of their members, plying elsewhere.

There are numbers of NBOs that do have those provisions. The PBU removed that player from what is called the "national list" and they will not submit his name to participate in the next Championships. The President decided that we must take some action and that we need to see what can do to try to improve the position and the situation because people cheating at bridge is bad for the game and is bad for the bridge players. The President discussed this matter in front of the Management Committee and the Management Committee endorsed his view and decided that was necessary a change to our Disciplinary Code to extend our jurisdiction to try to find some way in dealing with these issues and to set up an Investigation Committee to try to stop the cheating. We need also to get in touch with the providers of the online events, to encourage them to put in place provisions to minimize the opportunity to be able to cheat. It is a priority that NBOs include in their Statutes and in their Disciplinary procedures, provisions that enable them to take action.

Maître Wenzel will present the proposed changes of the Disciplinary Code.

Maître Wenzel started by saying that the WBF Disciplinary Code, as it was, did not clearly cover the cheating in third party events. The relevant provision referred clearly to WBF events. It is clear that WBF cannot and it is not in the position to investigate and prosecute every case of cheating that arises anywhere in the World regardless of the level and regardless the nature of the event not having the resources to do that. So, the willingness is to open up the possibility for the WBF to

have a residual jurisdiction and competence to investigate and prosecute cheating in third parties' event when others (NBOs) did not.

The first main change that Maître Wenzel discussed is in the article 2.1, the scope of the application. Now it is clear that this Disciplinary Code can apply to conduct that occurs outside WBF events.

Another key change is in the definition of the cheating reprehensible conduct (4.1 §a) that now refers to WBF events and in third parties' events and makes explicitly clear whether the events are in person or online.

4.1. Reprehensible Conduct includes, but is not limited to, the following:

a) illicit or unethical behavior on the part of an individual which is aimed at improperly affecting, or otherwise likely to improperly affect, the outcome of any match at a WBF Event, Affiliate Event or third party event (whether in-person or online), including, but not limited to, cheating, corruption, match-fixing and bribery;

Another change is in the comment of article 4.1:

[Comment to article 4.1:

*Where the Reprehensible Conduct occurs solely within the context of an Affiliate Event, it shall in principle be investigated and prosecuted by the relevant Zone or NBO (i.e. the organiser of the event) under its own rules. However, in the event that the relevant NBO or Zone confirms that it is unable or unwilling to prosecute the conduct under its own rules, the WBF shall be entitled to do so under this Code.*

*Where Reprehensible Conduct occurs solely within the context of third party events, it shall in principle be investigated and prosecuted by the NBO to which the relevant player is affiliated. However, in the event that the relevant NBO confirms that it is unable or unwilling to prosecute the conduct under its own rules, the WBF shall be entitled to do so under this Code provided that the relevant individual has a WBF code and has played in a WBF or Zonal Championship in the [5] years immediately preceding the (commencement of the) alleged conduct.*

*Where a pattern of Reprehensible Conduct occurs both within WBF Events and other events (including Affiliate Events), the WBF shall in principle investigate and prosecute the same and shall be entitled, for the avoidance of doubt, to rely within that context on the conduct occurring both within WBF Events and other events].*

where it is made clear that if the cheating occurs in the WBF events it is to the WBF to investigate it and prosecute it in the first instance and when the cheating occurs in an NBO or Zonal event it is to the NBO or to the Zone to investigate it and prosecute it. When the cheating occurs in a third-party event, which could also be online, then in principle it would be for the NBO to investigate it and prosecute it. But if, for whatever reason, the NBO is not able to investigate it and prosecute it, then the WBF would be able to step in to investigate and prosecute the case. WBF will be able to do that when the player has a WBF code and has played in at least one WBF event in the preceding 5 years. In essence, the WBF will be only exercising his residual jurisdiction to prosecute cheating in third party events when the player has a "certain" level.

The next provision is the one in the article 6.3 and 6.4 §g, that now reports as follows:

6.3. The Prosecutor and/or his Substitutes may decide to investigate a case of possible Reprehensible Conduct either on his own initiative or following a complaint or referral by a

body of the WBF, a Zone, an NBO or other party with a legitimate interest (including, without limitation, players). The Prosecutor shall not be obliged to consider anonymous complaints or complaints that are manifestly unfounded and/or unsubstantiated. Where the possible Reprehensible Conduct occurs within the context of an Affiliate Event or third party event, the Prosecutor shall refer the matter to the relevant Zone or NBO (see comment to art. 4.1 above) and liaise with such body with respect to the investigation and prosecution of such conduct by that body.

g) where necessary, to appeal the decisions of the Disciplinary Tribunal to the Court of Arbitration for Sport pursuant to article 8 below.6.5 Without limitation to article 6.2, the WBF President shall appoint a standing Investigation Committee of not less than 7 persons (including a Chairperson) to act as the Substitute for the Prosecutor for the purposes of investigating potential Reprehensible Conduct falling under article 4.1(a) ("**Cheating Conduct**"). Any allegation of Cheating Conduct shall immediately be referred by the Prosecutor and/or WBF Secretariat to the Investigation Committee, which shall conduct the preliminary investigations unless both the Prosecutor and Chairperson of the Investigation Committee agree that the allegation is manifestly unfounded and/or unsubstantiated. Once the preliminary investigations are concluded, the Investigation Committee shall compile a case report that sets out (i) the evidence of Cheating Conduct, (ii) its recommendation to the Prosecutor as to whether the matter should proceed and (iii) if the recommendation is that the matter should proceed, a further recommendation as to the consequences that should be proposed (both in the event of a prompt admission and otherwise). If the Investigation Committee recommends that the matter should proceed and the Prosecutor agrees, the Investigation Committee shall assist the Prosecutor with the substantive aspects of the Statement of Charges and shall provide assistance to the Prosecutor during any subsequent proceedings.

Maitre Wenzel went through the minor changes to the Disciplinary Code and finally explained the amendment made on article 8.2.4

8.2.4 At the WBF's request, the CAS Panel or Sole Arbitrator (as the case may be) shall appoint an appropriate high-level bridge player, chosen from amongst the World Grand Masters, as an expert to assist the Panel with respect to any bridge-related matters that are relevant to the appeal and subject to that person not being conflicted in respect of the appeal in question. Similarly, at the request of the WBF, the CAS Panel or Sole Arbitrator (as the case may be) shall appoint an appropriately qualified statistical expert to assist the Panel with respect to statistical matters.

In summary the main changes in the Disciplinary Code are:

1. Making clear that cheating in third party events can be investigated and prosecuted by the WBF under this Code;
2. The principle is that it would be NBOs that will investigate and prosecuting cheating in third party events and only if they do not or cannot so the WBF will step in and then there will be an investigation committee that will investigate these cases unless both the prosecutor and the chairman of the investigation committee agree that the case is manifestly unfounded.

At this point, an intense debate started.

Mr Wildavsky expressed his doubtfulness about the requirement that NBOs investigate their own player, because some NBO may not want to investigate the hands that were played in an event under the jurisdiction of a different NBO or under the jurisdiction of no NBO at all, they may not be willing to or they may not be able to.

Mr Wildavsky then asked whether the prosecutor can issue preliminary suspension on his own or whether he needs support from the full investigation committee, putting this power in the hands of one person seems potentially a problem.

Last question is how do we plan to improve our performance to the CAS considering the past outcomes. Mr Wildavsky thanked once again Maître Wenzel for his job.

Maître Wenzel answered that it is a possibility that an NBO may be unwilling or unable to investigate and prosecute cheating when it occurs either in third party events in an event of another NBO but in that case it is up to the NBO organizing the event to investigate and prosecute the cheating. The way the Disciplinary Code is currently drafted, it envisages that some NBO may not be willing or able to do it and as it was discussed with the Management Committee is a subsequent potential step, is introducing changes to the Statutes or to the By-Laws to effectively require NBOs to investigate and prosecute cheating but it is not possible to do it immediately.

For the suspension, at this moment it is envisaged that it is at the discretion of the prosecutor, someone has to make the decision to impose a provisional suspension or not before the Disciplinary Tribunal is set up therefore it has to follow on the administration and Maître Wenzel suggests that the power to impose provisional suspensions should be exercised sparingly and consciously for obvious reasons: liability and also the costs and expenses of the appeal to CAS and the reason that it is important to provide, if we are to give ourselves as we envisage doing, the ability to provisionally suspend a player before the case has been heard by the Disciplinary Tribunal, there has to be the right to appeal to CAS.

Regarding the plan to improve the performances to the CAS, Maître Wenzel reminded the case of Fantoni-Nunes where, in his opinion, a wrong decision was taken.

Mr Eric Laurant asked two questions: it is necessary that the case is brought to us or has the investigation committee the power to investigate a potential case on his own.

Second question: when we are talking about third party event, the concerning NBO of the player we should be aware that some players are affiliated to more than one NBO.

The General Counsel answered that the aim for the investigation committee is to be reactive rather than proactive.

In the case of players affiliated to more than one NBO it is possible to identify their "primarily" NBO who would be in charge of taking care of the matter.

Mr Nader Hanna referred to the letter that circulated earlier in the morning from a group of Nordic NBOs with some valid concerns, as the role of self-appointed



groups, it would be interesting to elaborate that related to the Investigation Committee of the WBF, and the use of statistical tools as a valid basis for the accusations or whether it would be better to have stronger evidence to build a case. The last point is about the possibility to review the suggested penalties.

Maître Wenzel answered that once the WBF has an Investigation Committee that is dedicated to cheating cases, it is not likely that a self-appointed group or an outside group should have any official role. It might be that those groups investigate cases or denounce cases but then it would be for the WBF Investigation Committee to decide whether to move forward with that case.

For the statistical evidence, there is nothing that prevent to use them as long as they are reliable to bring before CAS, especially if there are correlation-based data.

For the last point, Maître Wenzel says that nothing has changed and that it is very open and there is a list of potential reprehensible conduct and a list of potential disciplinary measures that can be imposed, following specific guidelines.

The General Counsel added that the guidelines will certainly be revised.

Mr Bernard Pascal proposed to sign an agreement with the organizers of the events that would have, in that case, a sort of “patronage” of the WBF, so it would be easier for the WBF to investigate and prosecute cheating occurring during those events. Mr Pascal is also concerned by those players who do not belong to any NBO. The General Counsel answered that in the case of a player not belonging to any NBO, it will be out of our jurisdiction and it will be the platform to take action.

Mr Damiani intervened to say that he agrees with Mr Wildavsky that the prosecutor should be assisted by two or three members of the investigation committee to assess provisional suspensions.

Mr Damiani then answered to Mr Pascal question saying that it is duty of the WBF, the NBOs and the Zonal organization to deal with these issues related to cheating or misconduct. It is important for Bridge that only official bodies take care of this matter.

Mr Pascal said that he is tired to see the image of WBF ruined because the people say that WBF is doing nothing.

The President replied making clear that the Management Committee has been working hard in the past four months to arrive at this point and that it has already been posted that WBF will be from now on the only official referee in this matter.

Mrs Georgia Heth underlined the importance of revising the sanction’s policy, specifically referring to self-kibitzing sanctions (in online bridge), that was not taken into account at the time when the sentencing guidelines were created.

The second question is about the hearings that now are supposed to take place in Lausanne, Mrs Heth asked for the possibility for the hearings to take place online if necessary.



Maître Wenzel confirmed that the sentencing guidelines need to be revisited and that it will be included and clarified the possibility for the hearing to be set up in a video conference.

Ms Wang Yannan, through Ms Lilian Sun, reported that CCBA fully supports WBF in the fight against cheating. There are, though, some concerns regarding this new Code. It is mandatory that the revised Code is spread all over the world to give the players the opportunity to become aware of the new rules and to be able, on case of prosecution, to prove their innocence. The CCBA requires the players to have cameras oriented in different angles to cover the room, the screen, the player and the hands. The players also sign a commitment form in which they accept unconditionally the sanction without having the possibility to appeal.

Maître Wenzel replied that it is good practice to inform the players about the changes made to the Disciplinary Code.

Mr Jan Kamras commented on the matter raised by Mr Wildavsky and supported by Mr Damiani about the provisional suspensions. Mr Kamras agrees that it should not be taken by a single person and that the prosecutor should be advised by someone with an expertise on championships calendar in order to be aware of the impact of the sanction on the scheduled events.

Ms Wang Yannan asked a clarification about the procedure and Maître Wenzel explained the practical aspects.

Mr Kirubakara Moorthy asked to take action immediately to improve our reputation and to show that WBF is taking care of this matter in a short time.

Mr Panos Gerontopoulos expressed his concerns about the power that technology has today in the bridge world that will make the more and more difficult for WBF to fight against the cheating. He suggests to diminish the importance of the online events and to organize the finals in person.

The President replied clarifying that the discussion is about the private events and that for the WBF event, whenever there will be one online, all the security measures will be ensured as it has been in the past.

Mr Gerontopoulos raised the issue of the resources involved, human and financial.

The Treasurer confirmed that it is extremely expensive to build a case and it is important to clarify how the costs will be handled.

Mr Kamras comments referring to the statistics, he says that there are also the analysis of the hands, in online bridge as in face-to-face bridge. To eliminate the incentive in the international events, not based on a money prize, we should ban professional players and their sponsors, which is not realistic. Finally, with these changes to the Code, we are not obliged to prosecute every single cheater around

the world, we are only getting the option to do it if we consider that we should. It means that we will more likely build only a strong case that we presumably expect to win.

Mr Ben Thompson leaves the meeting at 15:30.

Mrs Kari-Anne Opsal asks if there is a time frame for the investigation committee and the prosecutor to apply a provisional suspension and if the Investigation Committee is only reactive and not also proactive in chasing cases.

To face the costs is it possible to consider a cooperation with the platform? Is it possible to find a system where the players accept the WBF/Platform jurisdiction and by paying a fee to contribute to and support the fight against the cheating?

Finally, she proposes to organize a Zoom Congress where everybody can participate and Maître Wenzel could go through all the changes as he did today to publicize our activity and to let the people know that we are actually doing what they expect us to do.

Maître Wenzel replied that it is highly unusual, if not unprecedented, that a provisional suspension can be applied before the official charge and it would be too risky to do it.

The rule says that the Investigation Committee can start to investigate under the request of the prosecutor and not deciding to start an investigation on its own.

Wbf will certainly have to focus only on priority cases, for the level of the player and for the strength of the evidence.

The possibility for the WBF to step in should work as a deterrent for the cheaters.

Maitre Wenzel suggests to focus on our own rules rather than look for an external cooperation. That's being said, it would be interesting for WBF to have an agreement with the Platforms to create an anti-cheating fund.

Maitre Wenzel leaves the "Communication" to the members.

Mr Levy reminded the importance of online games which are complementary to the in-person game and therefore they must be taken seriously, and they should be considered equal to the traditional form. We should not be afraid of prosecuting the cheating, whatever it might take.

The General Counsel, in agreement with Mr Levy, added that being the WBF the international Authority, recognized by the IOC, we have a responsibility to ensure fairness of process.

The President asked the Chairman of the High Level Players, Mr Philippe Cronier, to give the point of view of the players.

Mr Cronier expressed the satisfaction of the players, knowing that the WBF is taking care of this delicate matter and that it is fundamental that the prosecution and investigation are done by an official authority rather than private groups.

The Bridge Community is divided, half of the players agree on the confidentiality of the procedure and another half believes that everything must be published, before, during and after the process.

Mr Kamras suggested to involve players from both "sides" in the analysis of the cases and he is confident that once the WBF will take the lead, everybody will be satisfied. The EBL resources can also convey in the WBF system, since there is no need to have separate committees to take care of the same matter. Mr Damiani and Mrs Opsal agreed with Mr Kamras remark.

Mr Patrick Choy reports that Mrs Esther Sophonpanich is recovering from a car accident and therefore she won't be attending these meeting, but they want to bring their full support to the WBF. Mr Choy expressed his concern about the reliability of the statistical analysis that do not ensure to prevail before the CAS.

In Zone 6 the top players are either employees of big companies or they are treated as elite sportsman and the company would be the first interested in fighting the cheating to protect the reputation. The Zonal Conference and the NBOs of Zone 6 don't have the resources to build cases against cheaters. Due to their regulation, the members of the NBOs would be responsible together with the NBO for the expenses to be covered.

Mr Kamras clarified the kind of statistical analysis that will be taken into account. The cases won't be based on a qualitative analysis, based on the performance of the players, but on a correlation-based analysis which is a stronger evidence also in a traditional Court.

Mr Hanna stated that it is unacceptable to accuse people publicly and the Code should include the prohibition to accuse people in public.

Mr Cronier agreed with Mr Hanna and underlined that the players want to be protected from being accused on bridgewinners or on social media.

Mrs Lilian Sun what happens in the following scenario: when somebody reports a cheating case, this will first go to the NBO. After the investigation the NBO believes that the accused is not guilty. Could the person that reported the case to the NBO ask the WBF to investigate? Does WBF have the right to investigate or does it have to follow the decision made by the NBO and close the case?

Maître Wenzel answers that if an NBO investigates and prosecutes and ultimately finds that the person is not guilty of cheating, there is anything that currently gives the WBF the right to appeal against that decision and to initiate its own separate procedure afterwards would likely violate the principles of *res judicata*.

Mr Wildavsky concluded the list of interventions. Although public accusation is not acceptable, it is still very useful to have a lot of people looking at the hands and discussing potential weird results, this should be seen as a resource.

Mr Wildavsky is concerned by the perception among the bridge playing public of the WBF, which has been accused for years of hiding the cheating cases and this perception, real or not, that we are not doing our job, led to these extrajudicial procedures. For this reason he fully support the Investigation Committee.

After the discussion, Maître Wenzel noted the additional changes that he will make to better clarify some point, following the suggestions and the comments of the members.

The Executive Council unanimously approved.

The President thanked Maître Ross Wenzel and all the attendees.

The meeting was adjourned at 18:30 to be reconvened on Thursday, 26<sup>th</sup> November at 13:30.