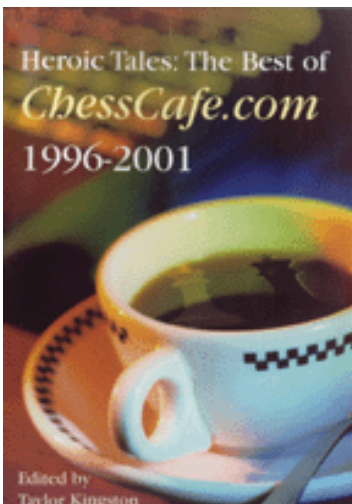




C O L U M N I S T S

An Arbiter's Notebook

Geurt Gijssen



Elista 2006

As of this writing, I am in Elista and the ninth game has just finished. I understand that the readers are not interested in all the details of this game, but are mostly interested in my opinion regarding game five. Well, I made a statement, but it is probably best to publish it here as well.

Introduction

I was appointed as Chief Arbiter of 2006 World Chess Championship Match V. Topalov-V. Kramnik, Elista, 21 September – 13 October 2006 and arrived in Elista on 10 September 2006. I was actively cooperating with the Organizing Committee in regards to the management of this event and Mr. P. Nikolopoulos was appointed as the Deputy Chief Arbiter.

The Facts

On 28 September, Topalov's team submitted an appeal to the Match Appeals Committee, which then made a decision that was delivered to all the parties involved in the match, including the Chief Arbiter.

On 30 September 2006 at about 14:50 hrs – after a normal inspection by a policeman – Mr. Kramnik verbally informed me that he would not play, because he considered the decision of the Appeals Committee as a violation of the contract he had with FIDE. This occurred in his restroom.

I was informed by Mr. Makropoulos, Deputy President of FIDE that the FIDE President, who was in Sochi at that moment, wrote a letter to Mr. Kramnik and the letter was supposed to be delivered to Mr. Kramnik before 15:15 hrs. Therefore, I attempted to postpone the start of the game for about 15 minutes. I went to Mr. Topalov and informed him about this letter and asked his approval to postpone the start of game five. Mr. Topalov agreed, and Mr. Kramnik knew that I went to Mr. Topalov.

The letter duly arrived and Mr. Kramnik and I read it together in his restroom. In the meantime, Mr. Nikolopoulos delivered the letter to Mr. Topalov. After Mr. Kramnik had read this letter, he repeated his decision not to start the game. I told him that I had no other choice than to commence the game and Mr. Kramnik did not protest.

I went to the stage and started Mr. Kramnik's clock at 15:22 hrs. Mr. Topalov was present in the playing hall, ready to play the game. At 16:22 hrs, I stopped the clocks and declared the game lost for Mr. Kramnik based on Article 6.7:

Any player who arrives at the chessboard more than one hour after the scheduled start of the session shall lose the game unless the rules of the competition specify or the arbiter decides otherwise.

Mr. Topalov and I signed the scoresheets, and then I informed the spectators about the forfeit. During this whole period of time, Mr. Kramnik stayed in his restroom and never appeared on the stage.

Additional Remarks

All of my decisions are based on two documents:

- The FIDE Laws of Chess, effective since 1 July 2005.
- The Rules and the Regulations for the 2006 World Chess Championship Match Veselin Topalov (BUL) – Vladimir Kramnik (RUS).

I was notified in writing about the protest of Mr. Topalov's team and the decision of the Appeals Committee. The Appeals Committee had the authority to make a decision regarding this protest based on Article 3.17.1 of the Match Regulations, of which **item f) is crucial**:

The Committee may decide on the following matters:

- a) an appeal against a decision by an arbiter,*
- b) a protest against a player's behavior,*
- c) a complaint alleging false interpretation of the regulations,*
- d) a request for the interpretation of specific regulations,*
- e) a protest or complaint against any participant, or*
- f) all other matters which the Committee considers important.*

Article 3.17 also states (emphasis added):

The written decision of the Appeals Committee arising from any dispute in respect of these regulations shall be final.

It is my personal opinion that it is not up to the Chief Arbiter to judge the decisions of an Appeals Committee, and that is the reason I started the game.

I postponed the start of the game because I was waiting for the letter from the FIDE President. There was a possibility that Mr. Kramnik could change his mind based on the content of the letter. For example, Article 3.23.1 of the Match Regulations gives the President the right to act in special situations:

At any time in the course of the application of these regulations, any grounds that are not covered or any unforeseen event shall be referred to the Presidential Board or the President of FIDE, for final decision.

The crucial paragraph in the letter to Mr. Kramnik was:

I have carefully read your open letter of today addressed to me, and I hereby inform you of my full trust in the members of the Match Appeals Committee and their latest decision taken in respect of the appeal of Topalov's team dated 28 September 2006.

End of Statement

I sincerely hope that this clarifies my decision. As I said before, there were some decisive items:

- According to the accepted regulations, the Appeals Committee had the right to make a decision, and this decision was final. Whether it is wrong or right does not matter.
- The fact that a player refuses to play is not a reason to postpone a game. Of course, I understood his decision, but the decision of the Appeals Committee was final. Therefore all parties had to accept it.
- The Laws of Chess and the Match Regulations are the only documents applicable for the arbiter. The arbiter has nothing to do with the contracts between the players and FIDE.

I tried as much as possible not to read the comments about the match on the Internet. Jan Timman once told me that he did not read the newspaper during a chess event, because it could influence his mind during the tournament, and only now do I fully understand what he meant.

For instance, I received a copy of an [article](#) by GM Yasser Seirawan, called *The Layman's Guide to World Chess Match Officials*, which oversimplified things considerably.

According to Seirawan, *the Appeals Committee is there to consider protests regarding decisions by the Chief Arbiter*, and he gives the following example:

In a time-scramble a player may fail to keep a complete score. When a flag falls the Chief arbiter may rule a forfeit (Mr. Seirawan probably means that the Chief Arbiter can declare the game lost. – G.G.), but in such a case players can file an official protest within two hours of the end of the playing session. (If this is written in the regulations of the event. – G.G.) The Chief Arbiter's decision may be upheld or overruled by the Appeals Committee. Afterwards, any player wishing

to pursue the complaint may do so, as a last resort, to the FIDE President, who has the power to overrule the Appeals Committee. (Dear Mr. Seirawan, can you show me where this is written? By the way, this is not the first time that I noticed you referring to non-existent rules. – G.G.)

Well, let us look at the Match Regulations for the Topalov – Kramnik match. I assume that Mr. Seirawan has read them. Article 3.17 of the Regulations states:

3.17 Appeals Committee.

3. 17. 1 The President or his Deputy shall be Chairman of the Appeals Committee. There shall be two (2) other members all from different Federations. No member of the Appeals Committee can be from the federation of either player.

All protests must be submitted in writing to the Appeals Committee not more than two (2) hours after the relevant playing session, or the particular infringement complained against.

The Committee may decide on the following matters:

- a) an appeal against a decision by an arbiter,*
- b) a protest against a player's behaviour,*
- c) a complaint alleging false interpretation of the regulations,*
- d) a request for the interpretation of specific regulations,*
- e) a protest or complaint against any participant, or*
- f) all other matters which the Committee considers important.*

If possible, the Committee shall reach a decision not more than two (2) hours after the submission of a protest. The appeals process shall include written representations and a written decision. The Committee shall endeavour to find binding solutions that are within the true spirit of the FIDE motto, Gens Una Sumus. Each protest must be accompanied by a deposit fee of USD 5,000 (five thousand US Dollars) or the equivalent in local currency. If the protest is accepted as logical and reasonable, the fee shall be returned even if the protest will be rejected. The fees not to be returned due to unreasonable protests shall be forfeited to FIDE.

The written decision of the Appeals Committee arising from any dispute in respect of these regulations shall be final.

As far as I know, the Match regulations were accepted by both teams. Furthermore, I would like to point out that the decision of the Appeals Committee, whether it is wrong or right, is **final**. No protest against any decision of the Appeals Committee is possible. The notion that the FIDE President can overrule any decision is of course nonsense. First of all, it is not written in the regulations, and secondly, the rules forbid the FIDE President from being Chairman of the Appeals Committee:

No member of the Appeals Committee can be from the federation of

either player.

After I wrote this, I saw an [article](#) written by GM Macieja from Poland, and Mr. Seirawan's reaction was as follows (emphasis added):

*Thank you very much for taking the time to write such an interesting article. **Your correction clearly shows that my Layman's knowledge is outdated.** The powers of the Appeals Committee have been greatly expanded under the current FIDE administration. It would seem that with point f ("all other matters which the Committee considers important") the Committee could become responsible for anything and everything. A remarkable usurpation of powers by FIDE Deputy Makropoulos and his FIDE World Chess Championship Committee.*

Of my own role in these events, Mr. Seirawan wrote:

Now, the Chief Arbiter, Geurt Gijssen, compounded the first two mistakes by making a mistake on his own: 22 minutes after game five had been due to start, he pressed the clock and the game officially began. With hindsight it can be readily be seen that Gijssen should have realized that the playing conditions had been changed without the approval of both players. Indeed, it was quite obvious to everyone that one player, Kramnik, was in his rest area, clearly protesting that his bathroom door was locked. In writing this passage, I have been stuck by a particular photo from Elista. It shows an earlier game in the match about to begin. Gijssen stands between the seated players with his palms open and appears ready to address both players with the familiar, "Gentlemen, are we ready to begin?" Clearly when he started the clock for game five something was wrong. Kramnik was missing and was certainly not ready to begin.

Instead of starting the clock, Gijssen should have called for a further delay to settle the issue of the bathroom. Indeed he should have insisted that the playing conditions of the previous games be reinstated until both players were in agreement. If the issue could not be settled in a timely manner, Gijssen should have called the game an official time-out.

Once the clock had been started, the train wreck was in motion. The outcome was clear. Kramnik forfeited game five. Topalov signed the score-sheet, as did Gijssen. Kramnik did not. If he had signed it, the game would have been officially lost for him. Full stop.

It can thus be seen that the crisis occurred because the match officials failed to fulfill their respective duties properly.

Well, it is clear that Mr. Seirawan is mistaken about my role. As I already explained, the Appeals Committee had the authority to make their decision. So I am afraid that Mr. Seirawan cannot explain to me what I did wrong.

I postponed the start of the game because of the letter that was on its way to Elista, which confirmed the decision of the Appeals Committee. At that moment I had no other choice but to start the clock. It was also impossible to postpone the game any further. Let me quote Article 3.3 of the Match Regulations:

No postponement of any game shall be allowed except with permission of the FIDE President.

What really disturbs me is the fact that Mr. Seirawan has not apologized for what he wrote about my decision, even after he had received GM Macieja's reaction. A second point is that the article is still posted at Chessbase, where it is described as follows: "An experienced grandmaster explains the situation comprehensively in this important document." Given that Mr. Seirawan admitted his knowledge was outdated, a reference to the Macieja article would seem to be in order. I very much appreciate GM Macieja's article because it shows that he made some effort to discover the facts.

It is clear that this was not an easy match. There were more appeals in this one twelve-game match than in two of the Kasparov – Karpov matches, which totaled 48 games. The tension was higher than I have ever seen before. So I was not surprised that my blood pressure rose to 220 at one point, but I recovered very quickly thanks to the excellent treatment of the Kalmykian doctors.

The players' behavior at the board was excellent. Prior to game 5 they even analyzed a little bit after the game, but after this incident they did not. Draw offers were never a problem either, they looked at each other, there was a little smile and they signed the scoresheets. There were a few critical moments, when it seemed as if the match would be aborted, but at such times the FIDE President showed that he is an excellent diplomat.

Everyone who was present in Elista praised the way the match was organized. The Organizing Committee, under the flawless leadership of Valery Bovaev, was able to fulfill almost all wishes. This comes as no surprise, because Mr. Bovaev is a very experienced organizer. He organized 14 Russian National Championships, the Karpov – Kamsky match in 1996, the 1998 Olympiad and the 2004 Women's World Chess Championship. I mention this in reaction to Mr. Seirawan's remark about Mr. Bovaev:

On the official website, he is listed as Chairman of the Executive committee World Chess championship match 2006. (Whether he has

any world chess championship match experience is another question).

Well Mr. Seirawan, as you can see, Mr. Bovaev is a very experienced and highly appreciated organizer. Full stop.

Perhaps the readers' are surprised by the tone of this Notebook, but they have to understand that I am still angry. Lastly, I would like to say that Kalmykia showed once again that it is synonymous with hospitality.

Have a question for Geurt Gijssen? Perhaps he will respond to it in a future column. Send it to geurtgijssen@chesscafe.com. Please include your name and country of residence.

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