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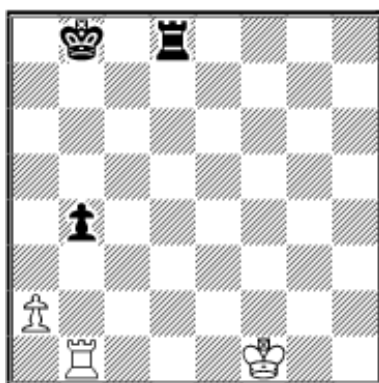
An Arbiter's Notebook
Geurt Gijssen



Unobserved Illegal Moves

Question Your response to Guy Haworth's question (in [MonRoi and Other Matters](#)) left me confused.

About the following position, you wrote that "... when the position appears on the board for the third time in [the below] example, the claim is not correct because Black lost the right to capture *en passant* when he had to play his first move."



However, because of the pin, Black never actually had the right to capture *en passant*, so it's unclear to me what he actually lost. According to 9.2:

Positions as in (a) and (b) are considered the same, if the same player has the move, pieces of the same kind and colour occupy the same squares, and the possible moves of all the pieces of both players are the same.

Positions are not the same if a pawn that could have been captured en passant can no longer in this manner be captured or if the right to castle has been changed temporarily or permanently.

Since the pawn could not have been captured *en passant*, it seems that the first condition applies and the second does not. In fact, it's not clear to me why the second condition is necessary, as it seems to be covered by the first condition's requirement that "the possible moves of all the pieces of both players are the same," assuming that "possible moves ... of both players" means both the immediately available moves (to the side on the move) as well as latent castling possibilities for both players. **Joshua Green (USA)**

Answer The question was "if White plays 1 a4 in the [diagrammed] position, Black could normally capture *en passant*, but here he cannot. If this position were to occur two more times, can the side on move then claim a draw? The positions are technically different, but the set of legal moves is the same."

The positions are different because if it were not for the pin, Black could capture *en passant* on his first move, but on subsequent moves he absolutely cannot. So in my answer I noted that the "this situation is analogous to what we discussed in [Dresden 2005](#) regarding castling."

However, Article 9.2 probably should be modified because it treats castling and capturing *en passant* in the same way, and in my opinion it is incorrect to do so, because capturing *en passant* is only possible on the next move. For instance, in this example, it is only possible immediately after 1 a4.

Question Dear Mr. Gijssen, I have two questions:

1) I was the arbiter in a team competition of the regional league. A player had less than five minutes remaining and his captain approached me to ask for permission to inform his player that he no longer had to record his moves. I refused, taking into consideration that the captain may only communicate with the player about accepting or refusing a draw offer. Informing the player that he did not have to record the moves would indicate to him that he was in *zeitnot*. Was my decision correct?

2) In another match, 15 minutes was supposed to be added to the clocks in the second time period, but they were set incorrectly and this was not done. White still had 1 minute and 8 seconds, when Black's flag fell and the arbiter stopped both clocks to correct them. However, White then made a move, despite the fact that his clock was not running. Thus, the arbiter decided to add only 14 minutes to White's time, at which point his captain protested vehemently. The arbiter informed them that the reason for his decision was that White apparently used the opportunity to think about his next move, even though his clock was stopped. Since White

won the game, there were no further protests. Yet, the question remains as to whether the arbiter's decision was correct when he reduced White's time? **Jos Vlak (The Netherlands)**

Answer 1) Both your decision and your reasoning are correct with regards to not allowing the captain to inform his player about recording the moves.

2) In answer to your second question, it is very important for the arbiter to clearly announce that he is interrupting the game, so that it is evident to the player on move to not make a move. Nevertheless, it is impossible to force a player to stop thinking about his next move. Therefore, I do not see any reason to reduce the player's time. In fact, it confers a slight advantage to the opponent, who can then begin thinking about his next move without losing time.

I once encountered a situation in which there was so much noise coming from the street outside the tournament hall that it was impossible to continue the games. I announced an interruption of the games and asked the players to stop their clocks. All the players then immediately left their boards, except for one. This player stayed seated at the board, thinking about the position, and I could not force him to do otherwise.

Question Dear Mr. Gijssen, in a team competition it was discovered on move 16, that the king and queen of my team mate's opponent had been reversed since the start of the game. One arbiter said that the game had to continue from this position and that the opponent could not castle; another said that they would have to start a new game. Who was correct? Best Regards **Muttley (Brazil)**

Answer If it was a normal time control game, then the second arbiter was correct. If it was a rapid or a blitz game, then the first arbiter was right. For normal games see Article 7.1.a:

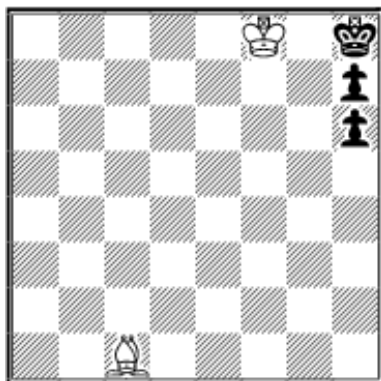
If during a game it is found that the initial position of the pieces was incorrect, the game shall be cancelled and a new game played.

For Rapid and Blitz games see Article B4:

Once each player has completed three moves, no claim can be made regarding incorrect piece placement, orientation of the chessboard or clock setting.

In case of reverse king and queen placement castling with this king is not allowed.

Question Dear Geurt, Consider the following position:



1) Black is on move and can only play 1...h5, allowing 2 Bb2 mate. However, what would happen if Black let his time elapse? Since White only has a lone bishop and a king, would the game be declared a draw?

2) Now add a black rook on b1. What if Black forfeits on time in this position? It is possible, albeit unlikely, for Black to be checkmated via the moves 1...Ra1 2 Bb2.

3) If White is awarded the win in the previous example, then why is it that K+N+N vs. K is considered insufficient mating material? Thank you. **Paul Seet (USA)**

Answer 1) The arbiter must declare the game won for White. I refer to

Article 6.10 of the Laws of Chess:

Except where Articles 5.1 or one of the Articles 5.2 (a), (b) and (c) apply, if a player does not complete the prescribed number of moves in the allotted time, the game is lost by the player. However, the game is drawn, if the position is such that the opponent cannot checkmate the player's king by any possible series of legal moves, even with the most unskilled counterplay.

I assume you ask this question because White usually cannot checkmate with only a bishop, but, as you indicate, it is possible to checkmate the black king in this position.

2) Again, I refer to Article 6.10, especially the words "even with the most unskilled counterplay," which you

demonstrated in your question. Therefore, the result is the same: White wins.

3) If the player with the bare king in a K+N+N vs. K ending oversteps the time, article 6.10 has to be applied and the game is won for the opponent.

Question Dear Mr. Gijssen, I witnessed a tournament game where both players were in time trouble, so the arbiter wrote the moves for White and another player, whose match was finished, wrote the moves for Black.

White overlooked a mate in one in the time-scramble, but still won the game on time. Both players then signed their scoresheets, but much later on the player who wrote the moves for Black noticed that White had made an illegal move. Therefore, the arbiter reset the position prior to the illegal move and had the players replay the position with two minutes each on the clock. White subsequently lost the game in this “rematch.”

I believe the arbiter acted incorrectly by replaying the game and that the initial result must stand because the players had signed the scoresheets. Article 7.4a states:

If during a game it is found by the arbiter or one of the players that an illegal move, including not exchanging a pawn who reached the last rank for a queen rook, bishop or knight and capturing the opponent's king, has been completed, the position immediately before the irregularity shall be reinstated. If the position immediately before the irregularity cannot be determined, the game shall continue from the last identifiable position prior to the irregularity. The clocks shall be adjusted according to Article 6.14. Article 4.3 applies to the move replacing the illegal move. The game shall then continue from this reinstated position.

The operative term here is “during the game.” I could not find any rule for illegal-move-spotting made after a result had been declared. What is your opinion? Yours Sincerely, **Einar B. Gilberg (Norway)**

Answer You are completely right. Only, if an illegal move is found *during the game*, do we reinstate the position before the illegal move was made.

Question Dear Mr. Gijssen, I have read your previous columns on the issue of capturing the king in blitz chess, and the recent FIDE rules clarify that it is illegal to capture the opponent's king. However, consider the situation when:

- White leaves his king in check
- Black captures the white king
- White makes a move

All of this without a claim from either player. What happens now? Can play really continue without the white king? It seems to me that the rules need to be corrected to include this possible scenario. What is your opinion? Thanks for a great column, **Henrik Jegbjerg Hansen (Denmark)**

Answer You are correct that this situation is not explicitly covered by the Laws of Chess. The easy answer would be to simply refer to the Preface of the Laws of Chess:

The Laws of Chess cannot cover all possible situations that may arise during a game, nor can they regulate all administrative questions. Where cases are not precisely regulated by an Article of the Laws, it should be possible to reach a correct decision by studying analogous situations, which are discussed in the Laws.

Yet, to be honest, I am not satisfied with this answer, nor do I know how to reach a correct decision or what kind of analogous situations to which to refer. The only possibility that I see is to refer to Article B6 of Rapid Chess, and this is somewhat unconvincing:

An illegal move is completed once the opponent's clock has been started. The opponent is then entitled to claim that the player completed an illegal move before the claimant has made his move. Only after such a claim, shall the arbiter make a ruling. However, if both Kings are in check or the promotion of a pawn is not completed, the arbiter shall intervene, if possible.

As you can see, an arbiter can intervene in some specific situations. If the arbiter does not intervene, then White's king cannot be checkmated and he can only lose by overstepping the time limit.

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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