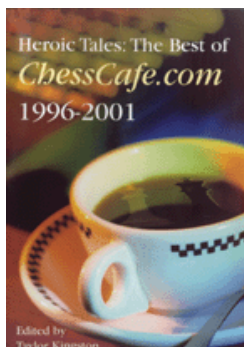




COLUMNISTS

*An Arbiter's Notebook*

Geurt Gijssen



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Draw Claims

**Question** During a normal game (65/65), White had a mate in two moves, but one second remaining on the digital clock, and Black had more than two minutes. Black then made an illegal move and pressed the clock. Before White could stop the clock, time ran out and Black claimed a win. White then claimed two minutes extra time for the illegal move. I was not at the board to witness the proceedings, but accepted the story, as both players agreed on the basic facts.

I dismissed White's claim, as I thought that giving extra time is discretionary, and since White could not complete the necessary two moves in the remaining one second, I gave Black the win on time. In reviewing the rules, I read that the time penalty is mandatory in the case of an illegal move. If that were done, White would probably have won. I could not get the players together before the next round to correct my wrong decision, so I changed the outcome of the match to a draw. This seemed like a fairer outcome than a loss for one side. Your comments please. **Wim Slabbert (South Africa)**

**Answer** I refer to Article 7.4 (in part) of the Laws of Chess:

*If during a game it is found that an illegal move has been completed, the position immediately before the irregularity shall be reinstated.*

*The clocks shall be adjusted according to Article 6.14 (The arbiter shall use his best judgement to determine the times to be shown on the clocks.)*

*For the first two illegal moves by a player the arbiter shall give two minutes extra time to his opponent in each instance; for a third illegal move by the same player, the arbiter shall declare the game lost by this player.*

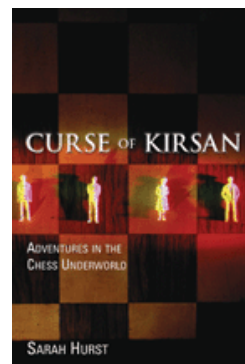
When you read these three paragraphs, then it is very clear what should be done.

- Reset the position before the illegal move was completed.
- Adjust the clocks. In this case it is very easy, because you knew the exact times shown on the clocks (White: one second; Black: two minutes)
- After the clock times are adjusted, give two minutes to the opponent of the player that completed an illegal move (in this case: White).

These are the required actions. The fact that White now has two minutes and one second on his clock is simply the consequence of Black's illegal move. It is clear that your decision to declare the game lost for White was completely wrong. Yet your decision to declare the game drawn seems somewhat dubious, because, as I understand it, White had an (easy?) mate in two moves. I am also curious as to whether or not both players agreed with your decision to declare the game drawn.

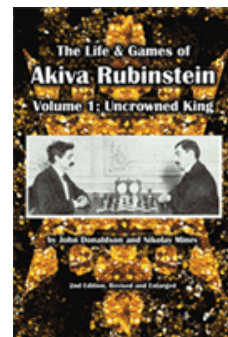
**Question** Dear Mr Gijssen, the following incident occurred in the German Bundesliga. A player realized that his intended move would lead

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to a triple repetition of position, so he stopped the clocks and informed the arbiter. The players and the arbiter then reconstructed the game and found this claim to be correct. However, the arbiter noticed that the player had not written down the move in question (obviously he should have checked this beforehand, but, well, he forgot). The arbiter informed the claimant about the correct procedure, adjusted the clock according to 9.5b and restarted it. The player then wrote down the intended move and stopped the clock, after which the arbiter declared the game drawn. I have three questions:

**1:** I know that the player is required to act as the arbiter directed him. My main question concerns the application of 9.5.b in this case. What is considered a “correct” or “incorrect” claim in terms of Article 9? I can’t find a formal definition anywhere in the rules. After all, the claim was “semantically” correct (the move led to a third repetition of the same position); of course, it was formally incorrect. Furthermore, 12.6 mentions “unreasonable” claims – which I understand as meaning something else than “incorrect” (especially since, as far as I understand, the “claims” in 12.6 aren’t limited to claims of draw). So could you please clarify what exactly is meant by the term “correct” in Article 9? (And, of course, does it cover this incident?)

**2:** If the arbiter really applied 9.5.b, was the player actually allowed to make another claim on the same move? After all, the final sentence reads, “Then the game shall continue and the intended move must be made.” I guess one could argue that the “intended move” here obviously means the one written down in accordance with 9.2 (or, in case of a 50 moves claim, 9.3) and since the move wasn’t actually written down, this part doesn’t apply here. Still, this confuses me.

**3:** As a matter of fact, the position had already been repeated for the third time before the player’s intended move, but he had failed to notice it. Could he have claimed the draw based on this, after the game had been reconstructed, as he hadn’t written down the move? Somehow this would seem to violate 12.2 (and he would have had an advantage by not meeting the requirements of 9.2, which is definitely a contradiction), but again, I’m not sure. Yours sincerely, **Raimund Klein (Germany)**

**Answer 1** I refer to the following Articles:

Article 9.2:

*The game is drawn, upon a correct claim by the player having the move, when the same position, for at least the third time (not necessarily by a repetition of moves)*

- a. is about to appear, if he first writes his move on his scoresheet and declares to the arbiter his intention to make this move, or*
- b. has just appeared, and the player claiming the draw has the move.*

Article 9.3:

*The game is drawn, upon a correct claim by the player having the move, if*

- a. he writes his move on his scoresheet, and declares to the arbiter his intention to make this move which shall result in the last 50 moves having been made by each player without the movement of any pawn and without any capture, or*
- b. the last 50 consecutive moves have been made by each player without the movement of any pawn and without any capture.*

Article 9.5:

*If a player claims a draw as in Article 9.2 or 9.3, he shall immediately stop both clocks. He is not allowed to withdraw his claim.*

- a. If the claim is found to be correct the game is immediately drawn.*
- b. If the claim is found to be incorrect, the arbiter shall add three minutes to the opponent’s remaining time. Additionally, if the claimant has more than two minutes on his clock the arbiter shall*

*deduct half of the claimant's remaining time up to a maximum of three minutes. If the claimant has more than one minute, but less than two minutes, his remaining time shall be one minute. If the claimant has less than one minute, the arbiter shall make no adjustment to the claimant's clock. Then the game shall continue and the intended move must be made.*

In the previous [Notebook](#), I mentioned a case regarding a draw claim in the European Team Championship. I expressed my opinion that the best practical order for claiming a draw in such cases is to stop the clocks, to summon the arbiter, and then write the intended move. For a correct procedure, these three actions are required according to the current Laws of Chess. The question is: if a player does not follow this procedure, is the claim incorrect according to Article 9.5? In my opinion this is not the case. I base my opinion on Article 9.5.b (see above):

*If the claim is found to be incorrect, then the game shall continue and the intended move must be made.*

And the intended move is the move that was recorded by the claimant.

As to what constitutes an unreasonable claim or offer of a draw: the first sentence explains it.

*It is forbidden to distract or annoy the opponent in any manner whatsoever.*

It is then up to the arbiter to decide whether a claim or offer is unreasonable.

**Answer 2** Article 8.1 states:

*It is forbidden to write the moves in advance, unless the player is claiming a draw according to Article 9.2 or 9.3.*

If a player claims a draw and he has written his move, the move stands. In case the player has not written his move, the arbiter should not even begin to investigate the claim and should order the players to continue the game.

I once had a case in which a player (Korchnoi) told me his intended move produced the same position for the third time, and when I informed him that he had to record his move, he refused. So I refused to check his claim. He then decided to write down his move and I began to check his claim. If a player refuses to record the intended move, the arbiter can even penalize him for making an incorrect claim if he feels that the opponent was disturbed.

In the scenario you describe, it is my opinion that the claimant can make a new claim, but now using the correct procedure.

**Answer 3** If I understand you correctly: a player claimed a draw based on Article 9.2.a, but after checking the claim, it was discovered that a claim based on Article 9.2.b was also possible. If so, I will grant the claim. In this case, you have a problem with Article 12.2.a, but Article 12.3 solves it. I quote these two Articles:

*During play the players are forbidden to make use of any notes, sources of information, advice, or analyse on another chessboard.*

*The scoresheet shall be used only for recording the moves, the times of the clocks, the offers of a draw, **matters relating to a claim** and other relevant data.*

There are several questions about draw claims in this column and in my research I discovered a possible problem. It is written that the player has to make his intended move when the claim is incorrect. Yet what should

be done when the intended move is illegal? It is clear that the intended move cannot be played, but what is the penalty? There are two possibilities:

- the intended move will be considered only as an illegal move and the penalty is two minutes extra for the opponent (See Article 7.4)
- the player will be penalized as stated in Article 9.5.b (See above)

The first penalty is less severe than the second. Nevertheless, I believe that the first option is correct. The arbiter can immediately deduce that the move is illegal and does not have to investigate the claim as with a legal move.

**Question** Geurt, suppose White has a king on e1 and rook on h1 and that castling is legal. Say White only plays the king from e1 to g1 and leaves the rook on h1. This move is illegal, but it's also only half a move. Is White forced to then castle or can he move the king as he sees fit?"

Based on Article 4.6 of the Laws of Chess, I concluded that he would be forced to castle:

*When, as a legal move or part of a legal move, a piece has been released on a square, it cannot then be moved to another square... In case of castling: when the player has released the king from his hand (the white king on g1 or c1, the black king on g8 or c8), the move is not yet made, but the player no longer has the right to make any move other than castling on that side, if this is legal...*

But if the player pressed the clock (after only moving the king to g1), then he made an illegal move and the situation is governed by Article 7.4.a.:

*If during a game it is found that an illegal move... has been completed, the position immediately before the irregularity shall be reinstated. .... Article 4.3 applies to the move replacing the illegal move.*

In this case, it seems that Article 4.3 (the "touched piece") applies and the player can move the king freely and is not forced to castle. Therefore, it seems that in a tournament situation a player could move Ke1-g1 to have a look at this alternative a half move forward. If the opponent then calls the arbiter, the player presses the clock (having found that Kd1 was better) and is only penalized a couple of minutes as a consequences. Am I missing something here? **Roberto Osorio (Argentina)**

**Answer** Your question is very interesting. Article 4.6 relates that a piece released on a square, provided the move is legal, cannot be replaced by another move. It also states that there are three types of moves that consist of two parts: capturing a piece, castling and promotion of a pawn. If the first part of a move is legal, then the player is forced to play the second part of the move as well. In case of Ke1-g1 nothing else can be played except the rook from h1 to f1. Therefore, I am inclined to consider Ke1-g1 as the first half of a legal move, not as an illegal move. Nevertheless, I shall discuss this case in Dresden during the meeting of the Rules and Tournament Regulations Committee in November 2008.

**Question** In a FIDE event, if someone loses the game because of a ringing mobile, is it considered forfeiture or a resignation? In other words, does the game get rated? **Robin J. Grochowski (USA)**

**Answer** It is neither forfeiture nor resignation. Yet the game will be considered as a normal game and therefore rated.

**Question** Dear Mr. Gijssen, I was recently directing a blitz event when the following situation occurred: Player A ran out of time in a winning position, but Player B didn't notice it and kept playing until he ran out of time as well. Player B then claimed a flag on Player A, because the digital

clock clearly indicated the side that ran out of time first. (There is even a little flag there.) I gave the point to Player B based on the Rapidplay rules B8 and B9:

*B8: To claim a win on time, the claimant must stop both clocks and notify the arbiter. For the claim to be successful the claimant's flag must remain up and his opponent's flag down after the clocks have been stopped.*

*B9: If both flags have fallen, the game is drawn. Both flags had to have fallen in order for the game to be declared a draw.*

Since, in this case, only one flag appeared, I decided Rule B9 didn't apply. Please let me know whether I interpreted this rule correctly. Sincerely, **Vlad Rekhson (Canada)**

**Answer** First, I have to clarify a misunderstanding. The expression "flag fall" simply means that a player runs out of time. If it is written that both flags have fallen, it means that both players overstepped the time. In the DGT clock a flag appears the moment the first player oversteps the time; other types of clocks also indicate when the second player has run out of time; and analogue clocks always clearly show when either player oversteps the time control.

In the situation you describe, it is clear that "both flags have fallen" and both players have overstepped the time limit. One of the players made a claim that the opponent's flag had fallen, but his own flag was also down. This means that Article B8 covers the situation and that Article B9 should be applied. Therefore, you had to decide that the result of the game should be a draw.

**Question** Dear Mr. Gijssen, in a recent blitz game my opponent made an illegal move. I failed to notice this while thinking about my reply, but I did hear some noise from the spectators. The arbiter, who was also watching the game, then intervened. I was told that a spectator had said that an illegal move had been made. The arbiter undid the illegal move, and told my opponent to make a different move with the same piece. I was completely taken by surprise and did not fully realize what had happened until the game had finished. I have two questions:

**1:** Was the arbiter correct to intervene? If he had not, I would have made another move and the spectator's remark would not have influenced the game. In my opinion, he should not have intervened. Although I would like to know what he should have done if I had claimed the game and he had the impression the claim was made based on the spectator's remark.

**2:** If the arbiter should have intervened, did he do so correctly? I find it very hard to believe that he should undo a move (even if it was illegal) in a blitz game. With kind regards, **Tom Pronk (The Netherlands)**

**Answer** Here Article C3 of the Laws of Chess is relevant:

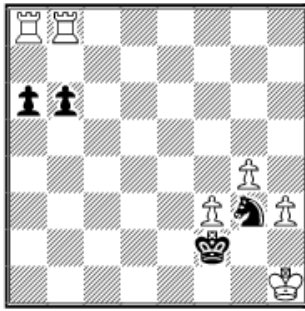
*An illegal move is completed once the opponent's clock has been started. The opponent is entitled to claim a win before he has made his own move. However, if the opponent cannot checkmate the player's king by any possible series of legal moves with the most unskilled counterplay, then the claimant is entitled to claim a draw before he has made his own move. Once the opponent has made his own move, an illegal move cannot be corrected.*

When a player makes or completes an illegal move, the arbiter should not intervene at all. The arbiter should act only after the opponent claims that a player completed an illegal move.

Even if the arbiter thought the claim was made based on the spectator's remark, you cannot be blamed. The arbiter should remove the spectator

from the venue, and you retain the right to the claim.

**Question** Dear Geurt, can you please give me some advice in the following situation. During a 5-minute blitz game White only has four seconds left, and Black has more than one minute.



The game continued with White moving his king from h1 to h2, and Black moving his knight from g3 to f1. White always has only one possible move and Black was playing on time. After the same position occurred more than four times, White claimed a draw on Article 5.2.d. Black refused the draw, claiming that there was no evidence that the position repeated for the third time. (The moves are not recorded in Blitz games.)

White's flag then fell and Black claimed a win. What should be the result? Is it a triple repetition draw or a loss for White on time? Best regards, **Kris Van Quickenborne Waarschoot (Belgium)**

**Answer** To be honest this looks like a composed position. Nevertheless, to answer your question I refer to two Articles of the Laws of Chess:

*B2. Play shall be governed by the FIDE Laws of Chess, except where they are overridden by the following Laws of Rapidplay.*

*C2. Play shall be governed by the Rapidplay Laws as in Appendix B except where they are overridden by the following Laws of Blitz. The Articles 10.2 and B6 do not apply.*

This means that a Blitz game is also played according to the "normal" Laws of Chess, with some exceptions. As far as I can see, Article 6.13.b (partly) is not an exception.

*A player may stop the clocks only in order to seek the arbiter's assistance.*

In my opinion, this is such a case. White can request the arbiter to observe the game and the player can claim a draw when the same position occurs three times; a scoresheet for such a claim is not necessary. Once the arbiter observes the triple repetition, he should grant the claim, providing one was made.

There is one interesting point. If I were the black player, I would repeat the position twice and then make another move. It would likely be impossible for White to checkmate my king within seconds, and I would still have sufficient material to checkmate the white king.

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Have a question for Geurt Gijssen? Perhaps he will reply in his next [ChessCafe.com](http://ChessCafe.com) column. Please include your name and country of residence.

*[Yes, I have a question for Geurt!](#)*

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