



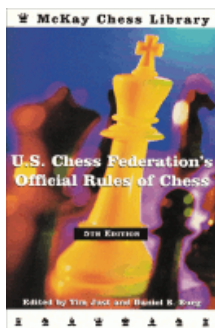
COLUMNISTS

*An Arbiter's Notebook*

Geurt Gijssen

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The Never-Ending Story of Article 10.2

**Question** At a recent German School Team Championship two tricky situations arose concerning draw requests based on FIDE Rule 10.2. The time limit was sixty minutes for the whole game. All games involved experienced tournament players of a rating level of 1600-1800 Elo.

First Game



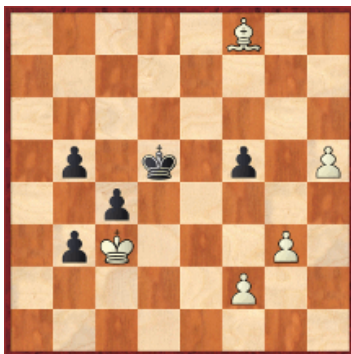
[FEN "8/1p1k2B1/1p4p1/1bp2p2/5N2/7P/5PP1/4K3 b - - 0 41"]

In this position with Black to move, White has only six seconds left, while Black has about twenty minutes. Despite not having the move now (OK – that was not decisive), White stopped the clocks and summoned the arbiter to claim a draw because, "Black cannot win by normal means." The arbiter decided to continue the game and declared explicitly, "Black can win, because of his passed pawns."

I think you will agree that this position is very far from anything where Black cannot win "by normal means."

Unfortunately, it is not absolutely clear if the arbiter had **rejected** the draw claim or if he only had **postponed his decision**. I think his statement can be considered a rejection, because he explicitly stated that Black can win with normal means.

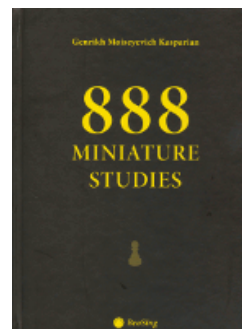
The game continued under arbiter's observation and after about ten more moves the following position was reached with White to move.



[FEN "5B2/8/8/1p1k1p1P/2p5/1pK3P1/5P2/8 w - - 0 53"]

Here are the moves between both positions: **41...c4 42.Nxg6 Bc6 43.g3 b5 44. Bf8 b6 45.Kd2 Ke6 46.Nf4+ Ke5 47.Bg7+ Ke4 48.h4 b4 49.Bf8 b3 50.Kc3 Bd5 51.Nxd5 Kxd5 52.h5 b5.**

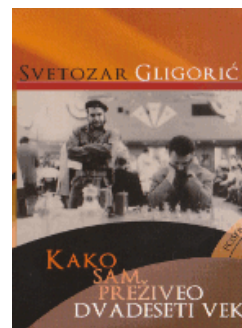
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Because Black pushed his pawns forward and tried to assist them with the king this can be understood as an effort to win.

Obviously White has a winning position now, as Black has blundered away his g-pawn. At this moment White has still two seconds (he played very quickly), and Black has about fifteen minutes. Now the arbiter stopped the game – without any further draw claim by the player – and declared it a draw. His statement was "Black cannot win by normal means." The appeal committee approved this decision with the same argument. Black's passed pawns are still on the board and they have even advanced. At least White must avoid traps like 1.h6 b4+ 2.Kxb4?? (of course 2.Bxb4 wins) 3...b2 and now even Black is winning.

I have a number of questions concerning this game.

**Question One** If the arbiter rejects a draw claim, has he lost the right to cancel the claim later and declare it a draw without a new claim?

**Question Two** I understand that the normal advice to arbiters is to delay their decision whenever possible. But do you agree that an arbiter is supposed to rule against a draw claim when the situation is very far from a position "not to be won by normal means" and the claim is obviously unjustified?

**Question Three** How do you view the first position from this game? Should the arbiter reject the draw claim or delay his decision?

**Question Four** How about the second position? White has claimed a draw shortly before this and now oversteps the time limit. Would you accept a draw claim, even if Black points to possible pitfalls after ...b4+?

**Answer One** My impression is that the arbiter had postponed his decision. The fact that he declared the game drawn after ten more moves confirms it. But the answer to your question whether the arbiter can declare a game drawn after a previous rejection is very clear: he cannot.

If he had rejected the claim, then he had to add two minutes to Black's time. The fact that he later stopped the clocks and declared the game drawn confirms my assumption. It is also possible that he simply made his decisions without knowing the exact rules in this matter. I base this also on what happened afterward. The Appeals Committee confirmed the arbiter's decision, but it is quite well known that appeals are not possible. I refer to Article 10.2 of the Laws of Chess.

*If the player, having the move, has less than two minutes left on his clock, he may claim a draw before his flag falls. He shall summon the arbiter and may stop the clocks. (See Article 6.12.b)*

*a. If the arbiter agrees the opponent is making no effort to win the game by normal means, or that it is not possible to win by normal means, then he shall declare the game drawn. Otherwise he shall postpone his decision or reject the claim.*

*b. If the arbiter postpones his decision, the opponent may be awarded two extra minutes and the game shall continue, if possible in the presence of an arbiter. The arbiter shall declare the final result later in the game or as soon as possible after a flag has fallen. He shall declare the game drawn if he agrees that the final position cannot be won by normal means, or that the opponent was not making sufficient attempts to win by normal means.*

*c. If the arbiter has rejected the claim, the opponent shall be awarded two extra minutes time.*

*d. The decision of the arbiter shall be final relating to (a), (b) and (c).*

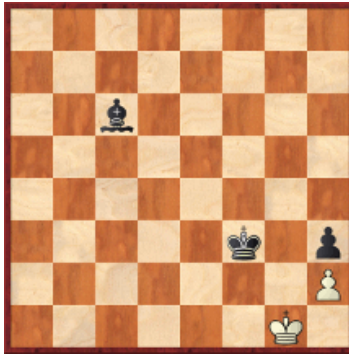
**Answer Two** In general it is wise to postpone a decision, especially in cases in which the arbiter had not followed the game. He does not know in these

cases whether one of the players did make efforts to win the game by normal means or not. In the first position of the first game it is still possible to win the game by normal means.

You mentioned that the arbiter followed the game from the first to the second position. Playing through the moves one can say that the players played quite "normally." I had the impression that both players tried to win "by normal means." In this situation I would have not stopped the game and declared the game drawn. Nevertheless, given the text of Article 10.2, and especially item d, I don't want to blame the arbiter. As far as I can see, he had the right to postpone the decision and to declare the game drawn.

**Answer Three and Four** I answered these questions in my second answer.

### Second Game



This position, with White to move, is obviously drawn. The white king cannot be driven off the squares f1 and g1. White had claimed a draw some moves before. The game was continued under the arbiter's observation. In this period White's king moved along the squares f1, g1, and h1, but in the last four or five moves he only oscillated between g1 and h1! Black's last move was to bring his bishop to the long diagonal.

Now White overstepped the time limit and the arbiter declared the game a draw. Black objected and the arbiter asked him, "How do you want to win?" Black's immediate answer was, "If he goes back to h1, then it is mate in one with Kf3-f2." He demonstrated these moves on the board. We can only suspect whether White and the arbiter had seen this danger before. Of course now White answered "OK – I go to f1." The arbiter accepted this statement and confirmed the draw. Having seen the progress of the game, I think it was very likely that White could have stumbled into the mating trap.

**Question One** Would you have declared the game drawn?

**Question Two** Would your decision be influenced by White's last moves? Would it be a significant difference for you if White plays Kg1-h1-g1-h1 or Kg1-f1-g1-f1? **Thomas Binder (Germany)**

**Answer** If a player claims a draw based on Article 10.2 and I had followed the game, there are two questions I have to answer.

- 1) Did Black make some efforts to win the game?
- 2) Is the position such that it can be won by normal means?

I understand that Black made some bishop moves without repetition and that he really tried to win in this way. The fact that White repeated moves is irrelevant.

And, as matter of fact, I have to answer to both questions with yes. Therefore I would not declare the game drawn. But, just as in the first case, I don't blame the arbiter who declared the game drawn.

**Question** Dear Mr. Gijssen, I refer to [the question from Mr. Rosario Aráoz](#) . Your answer was clear, but let me explain some doubts, propose a different

interpretation, and some possible changes in the Laws of Chess in order to remove sources of misunderstanding about this item. I discussed this argument with my friend Italian IA Francesco De Sio, sharing the doubts below.

If I'm not wrong, your opinion is that in case of illegal moves, no penalties should be applied until (and unless) the illegal move has been completed by pressing the clock, no matter which kind of game, Normal, Rapid, or Blitz. This seems clearly explained in the Appendix A (Article A.4.c) for Rapid play, and in the Appendix B (Article B.3.c) for Blitz. As for Normal play, you based your interpretation of Article 7.4. a and 7.4.b. This means that arbiters shall not apply any penalty in case an illegal move has been executed but not completed; not in Normal play, and not in Rapid and Blitz as well.

In my opinion, the matter is not so clear, because

- a) There is no reason to repeat in Appendix A and B the same definition of the "completed move" of Normal play. Only the exceptions to be applied in Rapid games, in respect to the Laws of Chess, should be listed in them; the definition of completed move is not an exception, it is the same!
- b) Article 7.4.a lists the actions to be executed in order to recover situations when illegal moves were completed during a game. Of course, both position and clock were affected by the irregularity, and must be reset to the situation before the irregularity
- c) Article 7.4.b does not contain the word "completed" at all. Why? With this word missing, in my opinion, a player could claim a penalty, and an arbiter could apply it, without waiting for the completion of the illegal move, but immediately after it has been executed.

So, I think that nothing is written against the following interpretation:

- a) in Normal play, penalties should be applied on executed illegal moves even if they were not completed.
- b) in Rapid and Blitz, they should be applied only after completed illegal moves, if the opponent is claiming before moving.

In order to avoid different behaviors caused by different interpretations, if your opinion is the correct one, the following changes should be proposed and approved:

- Article 7.4.b should be changed by adding the word "completed" after the words "two" and "third."
- In both Articles A.4.c and B.3.c the definition of completed illegal move should be removed, as well as the word "then" in the next sentence.

In the other case, if penalties should be applied in Normal play for the executed illegal moves even if not completed:

- Article 7.4.b should be changed by adding the word "executed" after the words "two" and "third."
- In both Articles A.4.c and B.3.c the definition of completed illegal move should be removed, as well as the word "then" in the next sentence.

In any case, the current rules are a bit ambiguous. Saluti, **Sergio Pagano (Italy)**

**Answer** I will stick to what I wrote before. Here's why: Article 7.4.a mentions very clearly that the position must be reinstated, when it is found that an illegal move has been **completed**. And "completed" means that the move is made and the clock has been pressed.

I agree with you that Article 7.4.b does not contain the word "completed," but

there is no need for it. Article 7.4.b starts with the words "*After the action taken under Article 7.4.a*". It means that Article 7.4.b can only be applied after applying Article 7.4.a.

In my opinion also the Rapid and Blitz rules are very clear. Claims are only possible after an illegal move has been completed. The rules are very consistent. A player can claim when his own clock is running.

**Question** Hello, Geurt. In a friendly rapid tournament the following happened. White picks up his rook on h2 and with that rook (not with his hand!) touches a pawn on h6. He suddenly sees that taking on h6 is a bad move. He decides to play Rh1. Black claims that according to Article 4.3 white must take on h6, as he touched the pawn. White responds that he didn't touch the pawn with his hand, so he's free to make any rook move he wants. The arbiters decided that White had to take on h6, as his intentions were clear when he touched the pawn with his rook. Was this a correct decision in your opinion? Kees Stap (The Netherlands)

**Answer** I refer to two Articles of the Laws of Chess:

*4.1: Each move must be made with one hand only.*

*4.3.a and b: (...) If the player having the move deliberately touches on the chessboard:*

*a. one or more of his own pieces, he must move the first piece touched which can be moved.*

*b. one or more of his opponent's pieces, he must capture the first piece touched which can be captured.*

Oddly enough it is not mentioned how the relevant pieces have to be touched. Nevertheless, the case is for me quite clear. The player touched the pawn on h6 and, in my opinion, he has to take it. I am also convinced that he cannot explain why he touched the pawn on h6 with the rook with the intention of Rh1.

**Question** Dear Mr. Gijssen, at second board of an eight board team match played in one of the regional leagues in The Netherlands, the following happened. At one point White played an illegal move of Kxf3, with a black pawn on e4. Both Black and White were in time trouble, but Black had a winning position. Black did not notice the irregularity and went on playing. During two or three moves the position was illegal, after which a move was played which turned everything back to a legal position again.

In the meantime, one of the spectators went to notify the arbiter, who was observing some other boards where time trouble was also an issue.

This spectator told the arbiter that at board two White had made an illegal move, after which the arbiter came to the board to inspect the situation. However, when he arrived at the board, the position was already legal again, and there was no evidence of any irregularity. The arbiter then decided not to stop or interrupt the game, and let the players continue, without his intervention.

**Question One** Was this, in your opinion, the right decision? Or do you think the arbiter should have interrupted the game in order to find out whether an illegal move had been made? I should add that the time setting was one hour and forty minutes plus ten seconds per move, and that both players had stopped recording their moves (in accordance with Article 8.4).

**Question Two** Does it matter whether the players (or one of them) had stopped recording their moves? With kind regards, **Rob de Vries (The Netherlands)**

**Answer One** It is very difficult to answer this question. First of all, I wonder whether the arbiter has to react to all statements made by spectators. How seriously should he take these remarks? I had once a case where the game was

played on an electronic board. The operator informed me that the computer stopped registering the game because of an illegal move. I checked the situation without interrupting the game and came to the conclusion that the operator was right. Then I stopped the clocks, informed the players, and took the required actions. This was a very clear case, and therefore the decision was also easy.

But your case is a little bit different. If I had been the arbiter, I would not have stopped the clocks, but waited until time trouble was over or there was any "decision." Then I would inform the players and reconstruct the game. If there was really an illegal move, I would follow the actions mentioned in Article 7 of the Laws of Chess.

**Answer Two** From my first answer it is clear that there is no difference to me whether they had recorded the moves or not.

**Question** Dear Mr. Gijssen, I have a question about checkmate and flag fall. Suppose that as an arbiter we are called to a board where Player A has mated his opponent, but Player B claims that checkmate occurred after the player's flag has fallen.

The board and clock are provide evidence that this is the case. Player A according to the board is the winner, but has no time left. No evidence is available to find out who is telling the truth. So, is checkmate the accepted end to this game or not? Does it make a difference if it is Normal, Rapid, or Blitz? Thank you, **FA Giyahi Maghsoud (Iran)**

**Answer** In principle the situation on the board has preference, but if it is noticed that the flag fall was first, then the flag fall is decisive. I refer to Article 6. 8 of the Laws of Chess:

*A flag is considered to have fallen when the arbiter observes the fact or when either player has made a valid claim to that effect.*

If the arbiter observes that the flag falls or has fallen before the mating move was made, then the flag fall is decisive. It happens many times that a player mates the opponent's king and then the player claims that the opponent's flag has fallen. Then the checkmate stands, because the flag is considered to have fallen at the moment of the claim.

**Question** Dear Mr. Gijssen, I have some questions.

**Question One** The default time for arriving late to the round is thirty minutes. The round starts and Player A arrives at the playing venue just three minutes late for the start of the round. He enters the playing area and is walking to the board but has not arrived at the board. His phone rings or makes a sound. Does he lose the game? The tournament has started but he did not arrive at his board.

**Question Two** In this case, the default time is one hour. Player A is waiting for his opponent, Player B, at board seven and Player C is waiting for Player D at board seventeen. Player B arrives fifteen minutes into the round and he mistakenly sits at board seventeen with Player C (wrong opponent) and they start the game. Forty-five minutes into the round Player D arrives and notes that there is someone else in his chair and goes to the arbiter. Player A is still waiting for his opponent and we still have fifteen minutes left for the players to get to their boards. What would you do?

**Question Three** In a Rapid game both players have a king and a rook. There is no immediate mate or anything that will allow either of them to win. It is a completely drawn position. Both players have less than two minutes. Can either individual claim a draw or have they to play until somebody's flag falls even if is a drawn position?

**Question Four** Article 10.2 says

*If the arbiter agrees the opponent is making no effort to win the game by normal means, or that it is not possible to win by normal means, then*

*he shall declare the game drawn. Otherwise he shall postpone his decision or reject the claim.*

What does "it is not possible to win by normal means" mean? In other articles it is stated, "cannot win the game by any series of legal moves" but here it is phrased differently. What are "normal means"? Best regards, **FA Edgar Murray Ortiz (Puerto Rico)**

**Answer One** If the arbiter cannot consider this person as a player, because he did not yet arrive at the board he has still the possibility to consider him as a spectator. I refer to Article 13.7.b of the Laws of Chess:

*Unless authorised by the arbiter, it is forbidden for anybody to use a mobile phone or any kind of communication device in the playing venue and any contiguous area designated by the arbiter.*

It is quite normal to remove a spectator from the playing hall in the event his phone is ringing. Although it is not mentioned in this Article, arbiters do apply this Article in this manner and will remove such a person. There is something else I have to mention in case the arbiter punishes a player as a spectator. This player will lose his game by forfeit and the result is not 1-0 or 0-1, but +— or —+.

**Answer Two** I assume that the games B-C and A-D were not played in one of the early rounds. It depends, in my opinion, which round we are referring to. If it happened at the beginning of the tournament, I would not make corrections. If it happens later in the tournament and the differences in scores are significant (let us say more than one point), then I let them play according to the scheduled pairings, keeping in mind the periods the players were too late. It means Player B starts his game with fifteen minutes less and Player D starts his game with forty-five minutes less.

**Answer Three** Even when the supervision is inadequate, claiming a draw based on Article 10.2 is possible. And if a player does not try to win by normal means (such as trying to checkmate the opponent's king), the opponent can declare this a draw. If the situation is as you state, the arbiter must agree.

**Answer Four** I think you are right. There is no difference between "it is not possible to win the game by any series of legal moves" and "cannot win by normal means." I had in mind Article 9.6, but according to this Article both players cannot win by any series of legal moves. According to Article 10.2 only the opponent of the claimant cannot.

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