



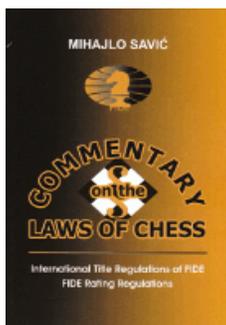
COLUMNISTS

An Arbiter's
Notebook

Geurt Gijssen



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Article 10.2: Here we go again!

Question Hello, I noted that in some circumstances if a player is clearly trying to win on time, with no realistic winning chances, then you would recommend that the arbiter steps in prior to flag fall and use 12.1 to call the game a draw.

I was therefore surprised in the example in the [April 2008 column](#), where you commented that if you were on the side with the big material deficit, then you would decline the draw by perpetual and play for a win on time.

Would this be an example of a player contravening 12.1? Does the fact that this was a blitz game change things?

Also, if an arbiter watches such an incident being played out until a flag fall, can they still apply 12.1 afterward and call the game a draw? Thanks, **Mike Forster (England)**

Answer The portion of your question, "Does the fact that this was a blitz game change things?" is essential to the answer. First of all, it was a blitz game. And most likely it was one with inadequate supervision. In such cases time plays, in my opinion, a very important role and a player has a full right to use the lack of time of his opponent.

Question Dear Mr Gijssen, I would like to know about a situation that occurred in a recent tournament in Rio de Janeiro, a tournament that would qualify the winner for the FIDE World Cup.

As soon as the arbiter declared the start of the round a cell phone rang. The player was actually talking to the arbiter or standing very near the arbiter's and organizer's table and had not sat down at his board. The arbiter declared that he lost the game.

Was the arbiter correct, since the game had not started and the player was not even seated at the table, or was he too drastic in his measures?

I know about the rule that forbids cell phones, but could the arbiter be more lenient? Sincerely yours, **David Borensztajn (Brazil)**

Answer I understand that the arbiter had declared that the round had started. The rule states clearly that a mobile which is not switched off is forbidden in the playing venue. I think that the arbiter had could have made no decision other than the one he made.

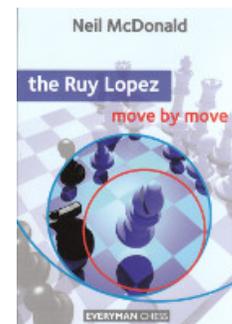
Question Dear Geurt, I have several questions.

Question One This is in reference to Thomas Binder's questions from the [July 2011 column](#). He indicated that 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."

In my opinion, it is improper for the arbiter to give the player an example of a winning plan, no matter whether this plan is in the spirit of the position and it is possible to play or not. You did not discuss this in your answer.

Question Two Recently my friends and I were discussing the case described in the first question of Edgar Murray Ortiz in the [July 2011 column](#). Thank you for the answer provided there. My question is, for how long can the

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arbiter penalize the spectator being a player? In Poland there are some cases where tournaments A and B are played in the same venue, but with different time controls. Usually the last rounds do not begin simultaneously. Imagine a B tournament player who is in the playing venue and his mobile rings when the round in the A tournament has already started. However, the B tournament round has not started. Is this a forfeiture?

Question Three During a Polish lower-level tournament a player was reading something on his cell phone during the game. The phone was on, but did not produce any sound. It took about forty minutes for the opponent to make a claim. The arbiter accepted the claim and declared the game lost for the player using a mobile. After the round, several players asked the arbiter why he intervened so late. The arbiter answered that there is no article allowing him to intervene without a claim in such a case as an active but silent mobile does not interrupt any player except the opponent. Was the arbiter correct?

Question Four In Poland a player who wants to achieve a local category may play one game less than the official minimum for the category. In such a case he achieves the category provided his performance is high enough after adding an extra game. This is calculated as if the player had lost against an opponent with a rating equal to the average of his other opponents. I once witnessed a situation in which Player A was paired against Player B in the last round and any played result would give a category to Player A, but in case of forfeiture he would not achieve a category. Player B, playing for nothing in the tournament and disliking Player A, thought about forfeiting on purpose but he suggested that he was ready to play if he was paid by Player A. Player A paid and the game was played. The arbiter did not know about the agreement. My question is, if you were the arbiter and you knew about the agreement before the round had started, what would you do? Forfeiture seems an intuitive penalty for Player B, but this is exactly what punishes Player A, not Player B. There's no article allowing for 1:0 (not + or -) without playing. Best regards, **Wojciech Pietrzak (Poland)**

Answer One You are right. The arbiter should not give such advice.

Answer Two A player should be penalized as a player and a spectator as a spectator.

If a spectator's mobile rings my usual penalty is that he may not enter the playing venue during that round.

If a player's mobile rings and the player is not playing, I would make the same decision.

In the situation you mentioned, where the player's game starts later in the same venue, I would let him play, but immediately after the game he has to leave the playing site.

Answer Three There is a misunderstanding, seemingly spread worldwide, that an arbiter may only come into action in case of inappropriate behavior of a player after a claim on the part of the opponent.

I refer to Article 13.1 of the Laws of Chess:

The arbiter shall see that the Laws of Chess are strictly observed.

This means, for instance, that an arbiter should force a player to move a piece if it is the arbiter's opinion that the player deliberately touches that piece to move it. The opponent does not have to make that claim.

I would like to discuss your case. It is clear that the mobile was not switched off. I refer to Article 12.3.b (first sentence):

Without the permission of the arbiter a player is forbidden to have a mobile phone or other electronic means of communication in the playing venue, unless they are completely switched off.

It is clear that the player was wrong, because an active mobile is not allowed.

But the question remains whether this is a reason to declare the game lost. I especially have in mind the second sentence of this Article:

If any such device produces a sound, the player shall lose the game.

Probably there was no sound, although I wonder why the player took his mobile. I am inclined to agree with the arbiter's decision. The fact that the mobile was not switched off and that he looked at the display (it could have been a suggested move) is sufficient to penalize in this manner.

Answer Four Let me begin with a remark about the regulations of this tournament. You mentioned that it is possible to not play the last round in case of a score in excess of that needed for the category qualification. The last "game" will be counted as a loss for the player against an opponent with a rating equal to the average of the other opponents. Why is it not with a rating equal to the lowest rating in the tournament? This would be, in my opinion, more logical.

Let me try to find a solution for your problem. In my opinion Player B brings the game in disrepute. If I know that a player wants to be paid in the situation you mentioned, I shall inform him that I know about it. If he denies this, the problem has been solved and they play. If he agrees and still claims the money, I will inform him that I will inform the chess authorities in the city, region or country (it depends of the level the tournament is played) about his behavior and shall ask for an appropriate punishment. Of course, I will ask Player A's permission to discuss the matter with Player B.

If the arbiter knows Player B quite well, a solution could be an informal discussion with him pointing out his behavior. If this does not work, then the only solution is in my opinion to declare the game lost for Player B with a result of $+−$ or $−+$, although Player A will not be pleased at all.

Question Dear Sir, I have a question about "zero tolerance."

If a tournament has been declared as following zero tolerance, this means if a player arrives late to the board, he loses the game. The question is whether it's the opponent's duty to claim the late arrival or it the arbiter's? Some players prefer to play since by claiming he only receives one point and no rating gain. So if can, he waits for the player to arrive? Is this allowed?

I have this question since everything in chess must be claimed. So, according to this logic, a player can wait. Please clarify. Thank you. **Abhijeet Joshi (India)**

Answer The player at the board does not have to claim that the opponent was not present at the start of the round. The arbiter has to declare the game forfeited ($+−$ or $−+$). I checked the Laws of Chess for those situations in which a player has to make a claim. In general it is only in cases of draw claims (Article 9 and 10). I found one other situation. If a player touches a piece and does not play this piece, his opponent has to inform the arbiter before he has made his next move, provided (of course) the arbiter has not seen it.

Question Dear Geurt, Recently Moiseenko and Navara were playing in the World Cup in Khanty Mansiyk 2011. In his game, Navara touched the king instead of an attacked bishop. Moiseenko told Navara that, because he obviously was planning to move his attacked bishop (but for some reason his king was the piece touched), he would allow Navara to make the bishop move. Finally, Navara offered a draw when he had a checkmate in two moves! Navara said that he felt the moral obligation to offer a draw as he thought that was not right to win the game in this manner.

The entire episode strikes me as absurd. Why did Moiseenko take the responsibility of the arbiter to decide if the game could continue with a new move instead of the king move? Should the arbiter force Navara to make the king move? Now the media is describing the event as an example of "fair play" but to me this event looks more like misbehavior of two professional players. Now what about if something similar happens in the future? If a player claims that his opponent touched a piece, now, with the Navara

antecedent, the offended party could be seen not as making a legitimate claim. Instead, he could be accused of unfair play, or be called a cheater or any number of pejorative terms.

In another similar situation, Azmaiparashvili changed his move against Malakhov, from the European Championship 2003. Why did Malakhov let Azmaiparashvili make another move? Why did the arbiter allow this? In fact, thanks to this, Zurab was the winner of the tournament and Malakhov was second. I repeat, why did the arbiter allow this? Why did no one ask the arbiter to follow the rules of competitive chess? Best regards, **FM Manuel López (México)**

Answer Many journalists and players have discussed what happened in the game Moiseenko – Navara and some of them referred to game Malakhov – Azmaiparashvili. Let us analyze what happened in both games.

Moiseenko – Navara, World Cup 2011



[FEN "8/p3bk2/5p2/2pq3r/1p2R2P/8/
PB2QP1P/6K1 b - - 0 35"]

Navara had the intention to play **35...Bd6**. When he moved his hand to the bishop, he touched the king. His opponent claimed that he has to play the king. Navara admitted that he touched his bishop and the king, but he did not know in which order he did so, but it was very clear that he had the intention to play the bishop. What do the Laws of Chess say about such a situation? I refer to Article 4.3 (partly) of the Laws of Chess:

If the player having the move deliberately touches on the chessboard one or more of his own pieces, he must move the first piece touched which can be moved.

Important is the word "deliberately." Do you think that he deliberately touched the king? It is clear that Navara didn't. It means that according to the Laws of Chess he did not have to play the king. Fortunately, Moiseenko understood that he should not further insist that Navara has to play the king.

The fact that Navara felt uncomfortable about this "incident," which is not an incident at all, is probably understandable. And therefore he offered a draw in a winning position.

Malakhov – Azmaiparashvili, Fourth IEEC 2003



[FEN "2r1k3/ppp2p2/5Pp1/3N4/4P3/5Rb1/
PPPR4/2K4r w - - 0 25"]

What happened in the game Malakhov – Azmaiparashvili? Black's last move was **24...Rh8-h1+**. Azmaiparashvili had calculated 25.Rd1 Rxd1 26.Be5. Malakhov played **25.Rd1** and then Azmajparashvili played instead of 25...Rxd1, immediately **25...Be5**. He saw his mistake and "corrected" his move and put the bishop back on g3 and played 25...Rxd1. He won the game, but I would like to mention that he also did not feel comfortable and offered a draw, but his opponent refused.

I hope that you will understand that these two games cannot be compared in any way. Navara had a full right to play **35...Bd6**. The move **25...Be5** in the other game stands in my opinion.

Recently, Stewart Reuben mentioned a similar case. In a Hungarian Championship the opening moves were **1.e4 c5 2.Nf3 d6 3.Bb5+** and at this moment the player of the black pieces touched his queen, but not deliberately. The arbiter forced Black to play the queen. He played **3...Qd7**. White continued with **4.Bf1** and the game continued with **4...Qd8 5.Bb5 Bd7**.

Question During the summer I played in a local tournament. In a game against a stronger opponent, I played with the black pieces, the game continuing as follows: **1.d4 Nf6 2.c4 g6 3.Nc3 Bg7 4.e4 d6 5.f4 0-0 6.Nf3 c5 7.d5 e6 8.Be2 exd5 9.cxd5 Bg4 10.0-0 Nbd7 11.h3 Bxf3 12.Bxf3 a6 13.g4 b5 14.g5 Ne8 15.Kg2 Nc7 16.a4 bxa4 17.Rxa4 Nb5 18.Qd3 Nb6 19.Ra2 Nd4 20.Bd1 c4 21.Qg3 Nd7 22.Ra4 Nb6 23.Ra2 Nd7 24.Ra4 Nb6 25.Ra2.**

Here I wrote 25...Nd7 on my scoresheet, stopped the clock, and told my opponent that after my move the same position arises for the third time and I claimed the repetition. My opponent wasn't sure this was the case, so we went to the arbiter. The arbiter then took another board and went through the game. He finally said that the threefold repetition does not occur after my move and that the game should continue.

How should I react to this elementary mistake, made by a FIDE arbiter? Best regards, **Krzysztof Chojnacki (Poland)**

Answer The only thing what you could do in this situation to ask the arbiter to replay the game again and to write down the position on the board after 21...Nd7, after 23...Nd7, and after the intended move 25...Nd7. But I believe I understand his mistake. Before 23...Nd7 and 25...Nd7, he saw 23.Ra2 and 25.Ra2, but not 21.Ra2. There are players, and apparently also arbiters, who have the opinion that in such claims there must be a threefold repetition of moves instead of positions.

This is the position after 21...Nd7, 23...Nd7, and 25...Nd7.



[FEN "r2q1rk1/3n1pbp/p2p2p1/3P2P1/2pnPP2/2N3QP/RP4K1/2BB1R2 w - - 0 22"]

Question Dear Geurt, I'm asking for a clarification about the first question published in your [August 2011 column](#), and your answer. Subsections (d) and (g) state the same, so it is possible that (g) should be intended as the "greater number of games won with the black pieces." But what about subsections (c) and (f)? They are the same as well, both stating "Number of games won." As consequence of this, I think that both (f) and (g) subsections are a consequence of a typo error, and should be removed. Best Regards, **Sergio**

Pagano (Italy)

Answer The correct items are

- (c) Number of games won.
- (d) The greater number of games played with the black pieces.
- (f) The greater number of games played with the black pieces.
- (g) Must be deleted.

In response to the [August 2011 column](#) **Kevin Bonham** from **Australia** posted the following:

IA Gijssen claims "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." This is incorrect, for two main reasons.

Firstly, if there was no difference then the "not possible to win by normal means" part of the rule in question (10.2) would be pointless, since a player whose opponent cannot win by any series of legal moves can simply allow their time to run out and obtain an automatic draw under Article 6.9 ("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.").

Secondly, if the two terms had the same meaning then Rule 10.2 would provide insufficient protection from loss on time for a player whose opponent was playing on with rook vs. rook (or even knight vs. knight), in a hopelessly drawn opposite colour bishop ending or with one piece against several – to give just some examples. All the opponent would need to do would be go through the motions of attempting to win the position and they would do win the game on time. There is a need for FIDE to provide some guidance on the actual meaning of "normal means." A possible interpretation is that a position cannot be won by normal means if it can only be won (other than by time) through deliberate helpmate, blunders of pieces to obvious one-move captures or complete inattention to opposing passed pawns.

My Reaction Let me begin by mentioning that the term "cannot win by normal means" is very vague. I agree with you that some definition of this term is probably needed. I have my doubts regarding the examples given by you. For instance, the helpmate option: How does the arbiter know that a player is **deliberately** playing to create a helpmate? The same applies to the other examples. It is very difficult, in my opinion almost impossible, to judge in many cases whether blunders are made on purpose.

Regarding the endings you mentioned: R vs. R, N vs. N, and B vs. B of opposite colors. In general, I do not see the problem. If a player in these positions claims a draw, let the game continue in the presence of the arbiter. And in case the arbiter does not observe any progress in the game, he has all reasons to declare the game drawn.

I would like to add another remark, not intended as a reaction to your remarks. If there is a discussion about Article 10.2, it deals always with "cannot win by normal means" and almost never with "the opponent is not making efforts to win the game by normal means."

A second remark is, If a player claims a draw based on Article 10.2, he should give the arbiter the opportunity to follow some moves of the game. I have my doubts in situations where a player claims a draw with a few seconds left on his clock.

I would like to thank you for your response.

I received additional reactions regarding Article 10.2. In my capacity of chairman of the Rules and Tournament Regulations Committee, I received a proposal from international arbiter Krause (Germany). I add it to this column. I append here two reactions and IA Krause's proposal. Further responses are very welcome.

Reaction One I would like to come up with an improvement to Article 10.2 of the Laws of Chess and invite comments.

1. Too many decisions are being made in favour of the claimant (the person claiming a draw) and not enough in favor of the claimee.
2. Arbiters are not either a) Trained well enough in the application of this rule; b) Incapable of understanding the purpose and proper application of the rule; or c) Not a good enough chess player to apply the rule correctly in some cases.
3. The claimee is not being given the benefit of the doubt.
4. The game is being brought into disrepute.
5. Arbiters/opponents do not understand what "by normal means" means. (apologies for repetition of "means" made worse by this note).
6. No right of appeal is available.

Here is the 10.2 rule as it stands:

10.2 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).

I propose to try to strengthen the position of the claimee and reduce the pressure on the arbiter in the following way:

I. The arbiter should retain the power to declare the game drawn in 10.2a but should be advised to exercise this power with caution and always give the claimee the benefit of the doubt.

II. The arbiter should retain his powers in 10.2b. However if he declares the game drawn on flag-fall the claimee may accept the decision or should have the automatic and immediate right to invoke the following clause:

Both clocks should be put back two minutes and the game should continue. Both players must complete fifteen moves with the time they have left. If a flag falls before fifteen extra moves have been played the player whose flag has fallen will lose the game. If a flag falls after fifteen extra moves have been played the arbiter will make a decision

according to 10.2b. No further right to invoke the clause remains.

The benefits are obvious and various:

1. The arbiter will end up deciding the result of the game in far fewer cases.
2. The arbiter will be guaranteed to see at least fifteen moves (if the clause is invoked) which will give him far more opportunity to make the correct decision.
3. The claimant will have the opportunity to prove that the draw is obvious and arbitrary as he will be given a generous eight seconds per move.
4. The claimee will have far more opportunity to try to discover the best and possibly various winning attempts.
5. Both parties may lose the game on flag-fall if the clause is invoked. The remaining time left to both (two minutes to the claimant and two minutes plus to the claimee) becomes a factor in the result of the game and this is good since the claimant should be at a disadvantage here as they have used up more time than the opponent in the game. The clock is after all an integral part of the game and should remain so in these circumstances.
6. The whole appeal/case should only take about five extra minutes.

Nick Thomas (England)

Reaction Two Before rule 10.2 was introduced, players just lost on time when they got short of time, even in positions where the opponent just had a pawn left against a whole army of pieces. That clearly led to results that players felt were unjust. After the 10.2 rule was introduced this situation was clearly improved, however because of the scope of the rule there are still problems:

- A player with just a few pieces can win on time against an overwhelming army of pieces, and 10.2 is not applicable.
- A lot of theoretical draws or sterile positions can't be claimed draws because it is still possible for the opponent to win if the player who wants to claim the draw plays in helpmate style, even if that would have been an unlikely continuation of the game had he had more time.
- There is a certain extra demand on chess skills for the arbiter, which is not required in other rules than 10.2.
- In some situations it is unfair for the player with more time that the position is deemed a draw because it deprives him of winning attempts.

The problems are perhaps most overwhelmingly demonstrated by the sheer number of complaints on decisions of 10.2. FIDE has only made this worse by claiming that any decision by an arbiter on 10.2 is final. This is against common sense of fair dealings in, for instance, the legal world, where appeals to a higher authority are always possible. Indeed, appeals are possible for all other laws of chess as far as I know.

The [July 2011 column](#) is a clear example consisting of many rule 10.2 questions. Although rule 10.2 is claimed relatively seldom, many players are in doubt when it can be claimed and when it would be accepted, and there are always a lot of questions about the rule in your chess arbiter column. One of the most common items of confusion is how and when a player is trying to win by normal means.

Even arbiters who have learned the rule sometimes confuse this rule with "can checkmate with any series of legal moves."

I would like to suggest a new rule that would eliminate all the administrative

doubts, both for players and for arbiters. The new text of 10.2:

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 opponent agrees with the claim, the arbiter shall declare the game drawn.

b. If the opponent disagrees with the claim, the arbiter shall add a two second increment per move to both clocks, possibly by replacing the clock with another adjusted clock. The game is continued with the constraint that the opponent can declare a draw at any moment unless the game has finished by other means.

The advantage to using an increment in all games from the first move should be obvious; it is much easier to calculate a tight schedule of rounds when games will finish. Even when players can still win within the two minutes time, they will probably be hesitant to invoke a 10.2 claim, because after that they "can't win," so this claim will probably only happen when the player is already defending a worse position, or he has only a few seconds left (five to fifteen). Thus it will not prolong the games nearly as much as normal increment from the first move. The tournament would need a few digital clocks available, but not that every clock is digital by any means.

It is clear that adding incremental time to both players will mostly favor the claimant, who has little time, and who has at most two minutes available. To counter that extra advantage, the compensation for the opponent is that he can always declare a draw, unless the game has ended by checkmate, stalemate, flag fall, forfeit, resigning or a dead position. He can continue to try and prove on the board that he can win the position, but if he doesn't succeed, he can always pull the emergency break and declare a draw. The arbiter doesn't need to evaluate the position at all, and he doesn't need to follow the game. He only needs to remember there was a 10.2 claim by which player, in case the other player wants to declare the draw. I can hardly see any player complaining about when and how this rule is applied, and the administration for the arbiter is easy.

I think the current situation that 10.2 can be claimed in normal games and rapid games, but not in blitz games, is a fair situation also for the new 10.2 rule.

The situation of a player jumping aimlessly around with his pieces just to wait for winning on time, is unlikely to occur because the opponent can claim a draw by rule 10.2 regardless of the position, and thus will not likely lose on time against aimless moves after getting two seconds per move.

The only disadvantage I see is that you can't run a tournament with say 100 players and fifty analog clocks alone. You need at least one digital clock available, probably several. Also it must be expected that more 10.2 claims will occur, although the administration of each of them for the arbiter will be easier.

As you can see I have eliminated the rule that the decision of the arbiter of 10.2 is final, mainly because it is not necessary because his role is reduced to an administrative one. That the importance of an arbiter decision is reduced for 10.2 is probably something that both arbiters and players will be happy about. The more the players can decide the result on the board between them, the better for all.

Please consider this as a request to change for the FIDE Rules Commission.

Jesper Nørgaard Welen (Mexico)

Herewith I propose an amendment to the rules of chess Art 10.2b as follows:

Art. 10.2b: 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. *He shall impartially monitor the game to avoid that either player loses the game although he would accept a draw for the sole reason that his time runs out in spite of an opponent who is unwilling or unable to win with normal means. If the advantage in the game changes the claim may be made and/or repeated by both players.*

The arbiter shall declare the final result later in the game or as soon as possible after *either player's* 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 of *the player who has run out of time* was not making sufficient attempts to win by normal means.

Reason for the amendment:

Art. 10.2 was introduced to avoid that a player loses for the sole reason that his time is running out although he would accept a draw in cases where his opponent is unwilling or unable to win by normal means. It is common opinion that as much as possible the game should be decided on the board.

Let me show an example.

Situation: White has one and one-half minutes, rook and one pawn. Black also has one and one-half minutes, a rook and two pawns.

White claims due to Art. 10.2 The arbiter postpones the decision.

Black blunders his two pawns and is now one pawn down.

Black's situation: The rules do not stipulate a right for black to claim due to Art.10.2 for his part. He may offer a draw, but if White now wants to win by time, the arbiter cannot help him. He will lose on time even if he keeps the position balanced and white does not show any progress.

White's situation: White may play for a win and it is unclear whether his first claim is protecting him from losing on time. On the other side if White may continue to want only a draw he may offer the draw. If black refuses the rules do not stipulate that white can repeat his claim due to 10.2.

Arbiter's situation: If the arbiter intervenes without being asked and declares the game drawn then he influences the progress of the game.

White is now playing for a win. When he has only thirty seconds on his clock he admits that he will lose on time. What can he do ? Is he protected from losing on time according to his first claim or has he lost the protection because he has in the meantime played for a win ? The rules do not stipulate that he can repeat his claim. If he has only ten seconds on his clock, it is too late for a claim. Is he protected anyway by his first claim?

The rule 10.2 must apply equally to both players. It would be unfair if a player just by claiming based on Art.10.2 can make the arbiter to his lawyer against his opponent. Therefore the claim based on Art. 10.2 must put the whole game under control of the arbiter and the arbiter has to take care of both players equally. The opponent of the claimant must have the right to claim for his part.

The current wording of Art.10.2b "after a flag has fallen ... ," or, "*or that the opponent was not making sufficient attempts*" may already cover this view, but I had to learn that prominent arbiters, even those in teaching positions, fail to handle the situation in that way. They ignore the wording "*a* flag has fallen" and interpret the word "opponent" only as the opponent of the player who initially has claimed. The outcome is that the opponent of the claimant will not be protected in the same way as the claimant.

I share your hope that the problem may be obsolete by use of electronic

clocks and time controls with increments. But there are many rated tournaments played with electronic clocks and a quick play finish. *On the other hand, if we delete Art. 10 now, the strange fights at the end of the quick play terminal phase may stop the acceptance of quick play finishes and promote incremental time controls.*

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