



April 29th 2011

To: GM Haine Peter Nielsen

SUBJECT: The decision of the ECU Board on the Protest of GM Nielezen from April 10th, 2011

Dear Mr. Nielsen,

We acknowledged the receipt of your e-mail ("Protest" and "Enclosure") dated from 10th of April 2011. We read both documents very carefully, and here is our answer.

The regulations were published well in advance, and every player could have checked and tested them during (and even before) the tournament - their validity, logic and accuracy, as well as the way they were interpreted to calculate the standings after each round.

We have to distinguish between criticizing the regulations (which is a legitimate procedure) and claiming against the interpretation of these regulations given by the arbiters/organizers.

We agree with your principal ("academic") claims that the new regulations for tie-breaking in the Individual European Championships are an unsuccessful combination (to say the least) of Performance Rating (PR) and Median-Buchholz. ("Median Performance Rating" (MPR) as you defined it in your Enclosure).

However, any appeal against the *interpretation* of the regulations should have been presented in due time to the EICC 2011 Appeal Committee, giving the latter at least the chance to clarify this point before the last round at the latest.

Rule 6.2 (Tie-breaking in individual competitions) , approved by ECU GA in Novi Sad 2009 says:

The order of players that finish with the same number of points shall be determined by application of the following tie-breaking procedures in sequence, proceeding from (a) to (b) to (c) to (d) the extent required:

- (a) Performance Rating;*
- (b) Median-Buchholz 1, the highest number wins;*
- (c) Buchholz, the highest number wins;*
- (d) Number of wins, the highest number wins.*

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In case of (a) the highest and the lowest rated opponent will be deleted and the maximum rating difference of two players shall be 400 points. In the case of unplayed games for the calculation of (a), (b) and (c) the current FIDE Tournament Rules shall be applied.

A Performance Rating is a number derived from both the results and the ratings of the opponents. Reading (a) together with the last sentence means, to our knowledge, that the PR should be based in this case on only 9 results (against the "median" opponents) and 9 ratings (of the same "median" opponents) while ignoring two games (against the "extreme" opponents) as if they were not played (for tie-breaking purposes).

If we pay more attention to your claim, we come to a conclusion that it is not necessary at all to calculate performance rating, given that all the players sharing the same place have the same percentage. According to your interpretation, it is enough just to calculate the average rating of each player's opponents (after the opponents with the highest and lowest rating are discarded).

Now, even if we accept your claims that these regulations are illogical, unfair and that they do not solve all the possible situations etc, these are still the regulations and you will probably agree with us that we cannot change the rules during the games.

Consequently, Dear Mr. Nielsen, the ECU Board decided to reject both of your claims (a) to retroactively change the final standing of the EICC 2011 and (b) to give compensation to anyone for this.

Sincerely,

ECU Board

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