

DECISION

Request No.: 20

Protest

Event: 2024 Formula Kite European Championships Race Number: Red 9
Hearing Schedule: 2024-03-21

PARTIES AND WITNESSES

Request No.: 20: Formula Kite - Male - SUI 150 - Bruce Kessler - Bruce Kessler

Formula Kite - Male - DOM 47 - Deury Corniel

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

1. Matthieu Girolet (coach of SUI 155) and Javier Ocariz (coach of DOM 47) attended the hearing as observers.
2. SUI 150 provided screenshots of the tracking.
3. The panel of the International Jury was composed in accordance with RRS N1.4(b).

FACTS FOUND

1. The conditions at the time of the incident on the second upwind of race Q9 of the red fleet were 25 knots of wind and flat water.
2. SUI 150 was sailing close-hauled on starboard tack and on converging course with DOM 47, who was sailing close-hauled on port tack.
3. When SUI 150 was less than 70m away from DOM 47, she hailed to DOM 47 who kept her course and did not take any avoiding action.
4. SUI 150 then lifted her kite to 12 o'clock and slowed down from about 21 knots to about 14 knots.
5. When DOM 47 was less than 30m away from SUI 150, she also lifted her kite, slowed down and bore away slightly.
6. When SUI 150 passed in front of DOM 47, the distance between the the leeward tip of her kite kites and the windward tip of DOM 47's kite was less than 2m.
7. Neither kiteboard took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, N1.4(b); WS Case 50

1. There was reasonable doubt that DOM 47 could have crossed, if SUI 150 had not taken avoiding action (see WS Case 50).
2. DOM 47 on port tack failed to keep clear of SUI 150 on starboard tack, and broke RRS 10.

DECISION

DOM 47 is DSQ in race Q9.

Date & Time: 2024-03-21 20:45 CET

PROTEST COMMITTEE

Committee Type: International Jury

Chaired By: Francisco Vidal (ESP)

Committee Members: Marios Zisimatos (GRE), Finn Mrugalla (GER)