

DECISION

Request Number: 09

Protest

Event: 2018 Asian Games Sailing Competition Race Number: 1

Hearing Date: 2018-08-25

PARTIES AND WITNESSES

Initiator: Laser - Radial - IND 195372 - KUMANAN NETHRA

Respondent(s): Laser - Radial - CHN 201213 - ZHANG DONGSHUANG

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond with Good Reason

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. In the incident between KOR and CHN (Case 4), CHN had lodged another protest (Case 7) alleging IND collided from clear astern and compelled her to make contact with KOR.

However, in the re-opened hearing of Case 4 and 7 it was established that IND was not in the vicinity of the incident CHN stated in the protest, and therefore IND was not involved in the incident.

2. CHN admitted in the re-opened hearing that she did not identify the boat who collided with her stern, but only saw the face and the clothing, and thought it was a sailor from Indonesia.

When she filed the protest form she was confused with the national codes for INA and IND and wrote IND erroneously.

3. During the re-opened hearing, CHN apologized to IND and the panel members.

4. IND did not attend the hearing for Protest Case 7. CHN stated that if IND had been present at the original hearing, she would have realized that she had protested the wrong boat.

5. CHN had earlier been exonerated in Protest Case 04 but subsequently was DSQ in the reopened hearing No 4.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

The Jury is convinced that CHN's error in identifying IND did not violate the principles of sportmanship and fair play.

Since CHN was DSQ in Race 1 for breaking RRS 11, no further action will be taken.

DECISION

Protest is dismissed.

Date & Time: 2018-08-26 18:48 WIB

PROTEST COMMITTEE

Chaired By: Leonard Chin (MAS)

Committee Members: Masaaki Tanaka (JPN), Muhammad Ramlan (INA), Lock Kit (SGP), Benjamin Harding (HKG)

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