

# DECISION

Request No.: 14

## Protest and Request for Redress

Event: 2023 Formula Kite Youth Europeans and KiteFoil Masters Worlds Race Number: 11  
Hearing Schedule: 2023-05-27 16:45

### PARTIES AND WITNESSES

Request No.: 14: YOUTH - Male - FRA 161 - Paul Labordère

YOUTH - Male - POL 140 - Jan Koszowski

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Not required

**Decision:** Request Valid

### PROCEDURAL MATTERS

FRA 161 was asking for help with translation.

### FACTS FOUND

1. Race F4 Gold wind 10-12 kots, flat water.
2. At the starting signal of race F4 FRA 161 and POL 140 were approaching the starting line on starboard tack with FRA 161 clear astern of POL 140 in a distance of 15 meters.
3. FRA 161 sailing faster created a leeward overlap from clear astern.
4. At that moment POL 140 started to raise his kite.
5. Approximately 2-3 seconds after the overlap was established contact occurred between the left bridles of FRA 161 and the right bridles of POL 140 kite.
6. The long left bridle of FRA 161's kite broke and the kite started flapping immediately. The left tip of the kite was flying and not able to be closed.
7. FRA 161 went to shore to repair the bridle and did not finish race F4 Gold.
8. POL 140 finished the race F4 Gold in 15th position.
9. Neither kiteboard took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 11;14; 15; 43.1(a)

1. When acquiring right of way through her own actions, FRA 161 failed to initially give POL 140 room to keep clear, and broke RRS 15.
2. FRA 161 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. POL 140 to windward failed to keep clear of FRA 161 to leeward, and broke RRS 11.
4. Since POL 140 was compelled to break RRS 11 as a consequence of FRA 161 breaking RRS 15, she is exonerated under RRS 43.1(a) for this breach.
5. It was not reasonably possible for POL 140 to avoid the contact, therefore she did not break RRS 14.

### DECISION

Protest upheld. FRA 161 retired. No further penalty imposed.  
Redress is not given.

**Date & Time:** 2023-05-27 17:30 CEST

### PROTEST COMMITTEE

**Committee Type** International Jury

**Chaired By:** Marios Zisimatos (GRE)

**Committee Members:** Anastazja Lewandowska (POL), Jan Stage (DEN), Ilca Heinrich (GER), Nikolaos Papageorgiou (GRE)

Printed: 27 May 18:42