

# DECISION

Protest and Request for Redress

Request No.: 04

Heard Jointly With Number(s): 05, 06, 09

Event: 2022 Formula Kite European Championships Race Number: Red 1  
Hearing Schedule: 2022-09-28 17:50

## PARTIES AND WITNESSES

**Request No.: 04:** FK - Men - FRA 65 - Theo De Ramecourt

FK - Men - SUI 7 - Karl Maeder

FK - Men - FRA 63 - Axel Mazella

**Request No.: 09:** FK - Men - FRA 17 - Max Nocher

FK - Men - FRA 63 - Axel Mazella

**Request No.: 06:** FK - Men - SUI 7 - Maeder - Karl Maeder

FK - Men - FRA 63 - Mazella - Axel Mazella

**Request No.: 05:** FK - Men - FRA 17 - Max Nocher

**Witnesses:** 17

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Hail not required Protestee informed at the first reasonable opportunity.

**Red Flag Displayed:** Not required

**Decision:** Request Valid

## PROCEDURAL MATTERS

1. Hearing No. 4 was heard together with Hearings No. 5, 6 and 9 in accordance with RRS 63.2 since all four hearings arose from the same incident.
2. Ariane Imbert (FRA coach) attended the hearing as an observer.

## FACTS FOUND

1. The wind was 14-15 knots.
2. SUI 7 was in 2nd position, FRA 17 was 3rd, FRA 63 was 4th and FRA 65 was in 5th position in the race.
3. FRA 17 and SUI 7 were on starboard, approaching mark 4 slightly below the layline for the final rounding with SUI 7 approximately 2-3m clear ahead.
4. FRA 63 was on port tack, on a converging course with FRA 17 and SUI 7.
5. FRA 65 was upwind of the three kiteboards, approximately 20-30m behind.
6. FRA 63 altered course to gybe ahead of FRA 17 and SUI 7 to round the mark.
7. Before FRA 63 completed her gybe, approximately 10m to leeward of mark 4, there was contact between the boards of FRA 63 and SUI 7, causing contact between the lines and kites of SUI 7 and FRA 17.
8. FRA 63's kite remained in the air, and SUI 7 and FRA 17's kites were tangled.
9. FRA 65 reached the group of kiteboards. His kite lines became wrapped around FRA 17 and SUI 7's kite lines and also became tangled.
10. FRA 17's rider was trapped under the water in the tangle. The lines were wrapped around the rider's neck and the propeller of a nearby power boat. FRA 17's rider inhaled water.
11. SUI 7 immediately attempted to reach and free FRA 17's rider. FRA 65 immediately released his kite to aid FRA 17's release from the entrapment.
12. FRA 63 helped FRA 17 to a support boat.

13. FRA 17 required urgent medical treatment.
14. FRA 17's kite bridles and lines were cut.
15. SUI 7's kite bridles and approximately half their lines were broken. SUI 7's board was cracked.
16. FRA 65's bridles were broken, back wing is scratched and the rider suffered a minor neck injury.
17. FRA 63's kite internal cells are split and the rider suffered a cut to his left hand.
18. None of the four kiteboards finished Race 1.
19. All four kiteboards competed in Race 2.

**Diagram:** Diagram not endorsed

#### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 10, 14, F2.22.1, F2.22.2, 43.1(a), F4.44.1(b), 62.1(b) and 62.1(c)

1. FRA 63 on port did not keep clear of SUI 7 and FRA 17 on starboard breaking RRS 10 and 14.
2. While recovering, FRA 63 failed to keep clear of FRA 65 who was not recovering and broke RRS F2.22.2.
3. By retiring, FRA 63 took the appropriate penalty for her breach under RRS F4.44.1(b).
4. While recovering, SUI 7 failed to keep clear of FRA 17 who was not recovering, and broke RRS F2.22.2.
5. Since SUI 7 was compelled to break RRS F2.22.2 as a consequence of FRA 63 breaking RRS 10, she is exonerated under RRS 43.1(a) for this breach.
6. It was not possible for FRA 65 to avoid SUI 7 and FRA 17, who were capsized. FRA 65 did not break Rule F2.22.1.
7. It was not reasonably possible for SUI 7, FRA 17 and FRA 65 to avoid the contact, therefore they did not break RRS 14.
8. The score of SUI 7 and FRA 65 was made significantly worse in race 1 through no fault of their own by giving help in compliance with RRS 1.1 to FRA 17. Therefore the requirements of RRS 62.1(c) are met.
9. The score of FRA 17 was made significantly worse through no fault of her own by injury because of the action of FRA 63 that was breaking RRS 10 and 14 and took an appropriate penalty. Therefore the requirements of RRS 62.1(b) are met.

#### DECISION

**Date & Time:** 2022-09-28 19:22 EEST

Protest upheld. FRA 63 retired. No further penalty imposed but the incident is counted to determine the number of tangles the kiteboard has caused during the event.  
Redress is given to FRA 17, FRA 65 and SUI 7. SUI 7 is to be scored points equal to 2, FRA 17 points equal to 3 and FRA 65 points equal to 4. No other kiteboards score shall change.

#### PROTEST COMMITTEE

**Chaired By:** Pauline Den Burger (NED)

**Committee Members:** Yoann Peronneau (FRA), Rosemary Collins (AUS), Stavros Kouris (GRE), Marios Zisimatos (GRE)

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