

# DECISION

Request No.: 17

## Protest and Request for Redress

Event: 2023 Formula Kite Youth (U21) World Championships Race Number: 10  
Hearing Schedule: 2023-07-21

### PARTIES AND WITNESSES

**Request No.: 17:** FK - Female - GBR 19 - Ella Geiger

FK - Female - FRA 17 - Tylia Louber

**Interpreters:** Sebastien Queney; Coach FRA 17.

### 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. The hearing request was delivered by FRA 17 but initially showed GBR 17 as protestor and FRA 17 as protestee. This was corrected before the hearing as permitted under RRS 61.2.
2. Sebastien Queney (coach of FRA 17) attended the hearing as translator for FRA 17.

### FACTS FOUND

1. The conditions at the time of the incident were 7 knots of wind and small chop.
2. GBR 19 and FRA 17 were approaching mark 2 on starboard tack with GBR 19 being 30m clear ahead and in line with FRA 17.
3. After passing mark 2, GBR 19 lifted her kite and bore away and slowed down while doing so.
4. FRA 17 did not change the position of her kite and her course and closed the gap to GBR 19 but remained clear astern.
5. Five seconds after GBR had lifted her kite, FRA 17's kite flew between the lines of GBR 19's kite, causing contact and tangle between the kites.
6. Both competitors fell into the water and the kites were tangled for approximately 10 minutes.
7. After getting untangled, both competitors were in the water additional 10 minutes and tried to relaunch the kites.
8. GBR 19 then recovered and finished the race.
9. FRA 17 retired from the race and received assistance to return to the beach.
10. No damage or injury occurred to GBR 19.
11. Damage occurred to FRA 17 having one broken bridle and a 3 cm long cut in the canopy.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 12, 14, 62.1, 64.2(a), F2.16.1, F4.44.1(b), F5.64.2(c)

1. When changing course and changing the position of her kite when bearing away, GBR 19, the right-of-way kiteboard, gave FRA 17 room to continue keeping clear, as required by RRS F2.16.1.
2. FRA 17 clear astern failed to keep clear of GBR 19 clear ahead, and broke RRS 12.
3. FRA 17 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. It was not reasonably possible for GBR 19, the right-of-way kiteboard, to avoid contact with FRA 17 when it was clear that FRA 17 was not keeping clear. GBR 19 did not break RRS 14.
5. Since FRA 17 caused a tangle by her breach, her penalty was to retire as required by RRS F4.44.1(b).
6. FRA 17's score in race 10 was made significantly worse through her own fault. Therefore, the requirements for redress in RRS 62.1 are not met.

**DECISION****Date & Time:** 2023-07-21 20:11 CEST

1. The protest is upheld. Since FRA 17 took an applicable penalty, she is not further penalized under RRS 64.2(a). However, the incident is counted to determine the number of tangles the kiteboard has caused during the event under RRS F5.64.2(c).
2. Redress is not given.

**PROTEST COMMITTEE****Committee Type:** International Jury**Chaired By:** Finn Mrugalla (GER)**Committee Members:** Stephen Procter (GBR), Timo Haß (GER), Max Marselis (NED), Per-Olof Ekstrand (SWE)**Printed:** 31 Jul 13:58