

# DECISION

Request No.: 03

## Protest and Request for Redress

Event: 2021 EUROSAF Platu25 European Championship Race Number: 7  
Hearing Schedule: 2021-10-08 17:45

### PARTIES AND WITNESSES

Request No.: 03: Platu 25 - UKR 26 - Centravis - YURIY ATANASOV

Platu 25 - UKR 1704 - Anima - ALEKSANDR OLENICH

### VALIDITY

**Objection to Jury:** No Appendix UF

**Within Time Limit:** Within Time Limit Appendix UF

**Incident Identified:** Yes Appendix UF

**Proper Hail:** Protest hailed Appendix UF

**Red Flag Displayed:** Yes Appendix UF

**Decision:** Request Valid Appendix UF

### PROCEDURAL MATTERS

1. The hearing was held under Appendix UF after signalling that umpires do not have the facts required to make a decision (3.5(d) Appendix UF).
2. UKR 26 is represented by Yuriy Atanasov.
3. UKR 1704 is represented by Ivan Kiminchidzki.
4. Stavros Kouris and Georgii Paches, members of the International Jury, attended the hearing as observers.

### FACTS FOUND

1. The wind was 18 knots, gusting 22 knots with choppy waves of 2 metres.
2. After passing mark 1a UKR 26 and LTU 2325 were overlapped and sailing on starboard tack on a downwind course (run).
3. LTU 2325 was positioned to leeward of UKR 26.
4. The distance between the boats was 2 boat lengths.
5. UKR 1704 was sailing on starboard tack 2 metres ahead of UKR 26 and two boat lengths to windward.
6. UKR 1704 gybed on to port, lost steerage and made contact with UKR 26.
7. As a result of the contact UKR 26 was pushed sideways and made contact with LTU 2325.
8. Two stanchions on the port side and two stanchions on the starboard side of UKR 26 were damaged
9. The helm of UKR 26 was injured on the right shoulder.
10. UKR 26 lost positions as a result of the incident.
11. In the hearing UKR 1704 admitted to have known that they broke a rule.
12. No boat took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** Appendix UF, RRS 2, 10, 11, 14, 43.1(a), 62

1. UKR 1704 on port failed to keep clear of UKR 26 on starboard, and broke RRS 10.
2. UKR 1704 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. By knowingly breaking a rule of Part 2 and not taking the appropriate penalty, UKR 1704 failed to compete in compliance with the principles of sportsmanship and fair play, and broke RRS 2.
4. UKR 26 to windward failed to keep clear of LTU 2325 to leeward, and broke RRS 11.
5. It was not reasonably possible for UKR 26, the right-of-way boat to avoid contact with LTU 2325 and UKR 1704 when it was clear that UKR 1704 was not keeping clear. UKR 26 did not break RRS 14.
6. Since UKR 26 was compelled to break RRS 11 as a consequence of UKR 1704 breaking RRS 10, she is exonerated under RRS 43.1(a) for this breach.

7. UKR 26's score in race 7 was made significantly worse through no fault of her own by injury and physical damage because of the action of UKR 1704 that was breaking RRS 10 and was penalized.

**DECISION**

**Date & Time:** 2021-10-08 18:42 EEST

1. UKR 1704 is to be scored DNE in race #7.
2. Redress is given to UKR 26. UKR 26 is to be scored in race #7 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races sailed before the last scheduled day of the regatta, except race #7.

**PROTEST COMMITTEE**

**Chaired By:** Pinar Coskuner Genc (TUR)

**Committee Members:** Timo Haß (GER), Delbart Bernadette (FRA), Patricia Neri (GBR), Olha Balabukha (UKR)

**Printed:** 08 Oct 19:12