

# DECISION

Request No.: 19

## Protest and Request for Redress

Event: 2023 Formula Kite Youth (U21) World Championships Race Number: F7  
Hearing Schedule: 2023-07-22 17:35

### PARTIES AND WITNESSES

Request No.: 19: FK - Male - FRA 67 - Paul Labordère

FK - Male - CZE 57 - Vojtech Koška

### 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. Cloin Oudot (coach of FRA 67) attended the hearing as an observer.
2. Antoine Weiss (coach of the French team) attended the hearing as an observer.
3. Jan Koška (father of CZE 57) attended the hearing as an observer.
4. The International Jury used video evidence from the live-stream produced by the Organising Authority.

### FACTS FOUND

1. The conditions at the time of the incident at the start of race F7 were 8 knots of wind and flat water
2. 15 seconds before the starting signal, CZE 57, FRA 67 and NED 37 were approaching the starting line on starboard-tack and aiming towards the stern of the race committee starting vessel.
3. CZE 57 was closest to the starting line, being clear ahead and to windward of FRA 67, who was clear astern and to windward of NED 37.
4. CZE 57 had her kite up, was almost stationary and the competitor fell in the water 12 seconds before the starting signal. At this time, CZE 57 was 30 metres clear ahead and in line with FRA 67.
5. Seven seconds before the starting signal CZE 57 put her kite down again with the competitor still being in the water.
6. NED 37 approached the starting line with greater speed and was sailing 4 metres to leeward of CZE 57.
7. At the time of the starting signal, the competitor of CZE 57 was still in the water and she put her kite down again, while NED 37 passed CZE 57 to leeward at a distance of five metres.
8. When NED 37 was seven metres clear ahead and four metres to leeward of CZE 57, contact occurred between the tip of CZE 57's kite and NED 37's lines (five metres from the bar) which caused CZE 57's kite to collapse.
9. At this time, FRA 67 was sailing at high speed 14 metres astern and two metres to leeward of NED 37.
10. Two seconds after the contact of CZE 57's kite and NED 37's lines, the collapsing kite of CZE 57 fell on FRA 67's lines, causing her bar and lines getting tangled with CZE 57's kite.
11. CZE 57 broke four bridles and FRA 57's lines broke three metres from the bar. No injury occurred to either kiteboard.
12. CZE 57 and FRA 67 were tangled for three minutes and retired from race F7.
13. FRA 67 could not compete in race F8 because all her kites were broken and no suitable replacement was available before the race.

Diagram: Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 14, 62.1(b), F2.22.2, F4.44.1(b), F5.64.2(c)

1. While recovering, CZE 57 failed to keep clear of NED 37 and FRA 67 who were not recovering, and broke RRS F2.22.2.
2. CZE 57 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. Since CZE 57 caused serious damage and a tangle by her breach, her penalty was to retire as required by RRS

F4.44.1(b).

4. It was not reasonably possible for NED 37 and FRA 67, the right-of-way kiteboards, to avoid contact with CZE 57 when it was clear that CZE 57 was not keeping clear. NED 37 and FRA 67 did not break RRS 14.
5. FRA 67's scores in races F7 and F8 were made significantly worse through no fault of her own by physical damage because of the action of CZE 57 that was breaking RRS F2.22.2 and 14 and took an appropriate penalty. Therefore, the requirements for redress in RRS 62.1(b) are met.

## DECISION

Date & Time: 2023-07-22 18:11 CEST

1. The protest is upheld. Since CZE 57 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 given to FRA 67. FRA 67 is to be scored 24 points in race F7. No other kiteboard's score shall change. FRA 67 is to be scored in race F8 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in races F1 to F6. No other kiteboard's score shall change.

## PROTEST COMMITTEE

**Committee Type** International Jury

**Chaired By:** Timo Haß (GER)

**Committee Members:** Finn Mrugalla (GER), Stephen Procter (GBR), Max Marselis (NED), Per-Olof Ekstrand (SWE)

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