

DECISION

Request No.: 16

Protest

Event: 2023 Formula Kite Youth (U21) World Championships Race Number: F1
Hearing Schedule: 2023-07-21 18:25

PARTIES AND WITNESSES

Request No.: 16: FK - Male - CZE 57 - Vojtech Koška
FK - Male - BRA 85 - Lucas Fonseca

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. Eduardo Vietes (coach of BRA 85) attended the hearing as an observer.
2. CZE 57 provided video evidence (2 videos shot from different angles).
3. Ivan Doronin (coach of CZE 57) attended the hearing as a witness for CZE 57.
4. Jis Van Hees (NED 3)7 attended the hearing as a witness for BRA 85.

FACTS FOUND

1. The conditions at the time of the incident were 14-16 knots of wind and small chopp.
2. In race F1, BRA 85 and CZE 57 were approaching mark 3 on starboard-tack.
3. When entering the zone of mark 3, BRA 85 was four metres clear ahead and one metre to leeward of CZE 57.
4. When approximately ten metres from the mark, BRA 85 took her kite up and luffed towards mark 3.
5. When two metres from mark 3, CZE 57 established an overlap to windward of BRA 85 at a distance of two metres between the kiteboards.
6. At the same time, contact but no tangle between the tips of the kites of BRA 85 and CZE 57 occurred and lasted three seconds.
7. When at the mark, contact occurred between the board and competitor of CZE 57 and marks 3 as well as between the board and body of BRA 85 and the board of CZE 57.
8. The competitor of CZE 57 fell into the water, recovered and finished the race. BRA 85 also finished the race.
9. No damage or injury occurred to either kiteboard.
10. Neither kiteboard took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, F2.18.2(a)(2)

1. CZE 57 not overlapped with BRA 85 and not in the zone at the time BRA 85 reached the zone, failed to give BRA 85 mark-room, and broke RRS F2.18.2(a)(2).
2. CZE 57 to windward failed to keep clear of BRA 85 to leeward, and broke RRS 11.
3. CZE 57 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. It was not reasonably possible for BRA 85, the right-of-way kiteboard and kiteboard sailing within the mark-room to which she was entitled, to avoid contact with CZE 57 when it was clear that CZE 57 was not keeping clear and not giving mark-room. BRA 85 did not break RRS 14.

DECISION

CZE 57 is DSQ in race F1.

Date & Time: 2023-07-21 19:22 CEST

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)