

# DECISION

Request No.: 07

## Protest

Event: Asian Sailing Championships & Asian Continental Olympic Qualifier for 2024 Paris Olympics Race Number: 8  
Hearing Schedule: 2023-12-15 17:20

### PARTIES AND WITNESSES

**Request No.: 07:** 49er - CHINA 177 - CHNSW10 - Weirui Sun

49er - THAILAND 279 - THADW3 - Don Whitcraft

**Witnesses:** CHN167 Mingliang DING, attended the hearing as the witness of CHN 177; Kitsada VONTTIM, the mark layer of Mark 1, attended the hearing as the witness of THA 279

**Interpreters:** Zuoru JIANG

### VALIDITY

**Objection to Jury:** Yes

THA 279 declared his objection to the translator of CHN 177 as he is also the rules advisor for Chinese Team. He withdrew his objection after the panel explained that there will be a Chinese panel member present to check the accuracy of the translation.

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** N/A

**Decision:** Request Valid

### PROCEDURAL MATTERS

1. Simon Hiscocks, coach of the boat THA 279, attended the hearing as an observer.
2. Mingliang DING, the crew of CHN 167, attended the hearing as a witness for boat CHN 177.
3. Kitsada VONGTIM, the mark layer for Mark 1, of the Race Committee, attended the hearing as the witness for boat THA 279
4. Koravic BHANUBANDH (Wikki), from the Organizing Authority, attended the hearing as the interpreter for Kitsada VONGTIM, the witness for boat THA 279.
5. Zuoru JIANG, translator of Team China, attended the hearing as interpreter for boat CHN 177 and for Mingliang DING (CHN 167), the witness for boat CHN 177
6. The Jury offered the tracker recording to be used as the evidence. The parties agreed to view the tracker.
7. The panel of the International Jury was composed in accordance with RRS N1.4(b).

### FACTS FOUND

1. At the second upwind leg, the wind was 10-12 knots and the sea choppy.
2. THA 279 approached the upwind mark on port tack, on the port layline.
3. CHN 177 approached the mark on starboard tack above the starboard layline, on a converging course with THA 279.
4. When the distance between THA 279 and CHN 177 was one and a half boat lengths, CHN 177 luffed up to avoid collision.
5. Immediately after, THA 279 tacked to starboard and became overlapped to the leeward side of CHN 177. The distance between CHN 177 and THA 279 at that time was half boat length.
6. There was no contact.
7. No boat took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** Rule 10, World Sailing Case 50

1. CHN 177, on starboard, had a genuine and reasonable apprehension of collision with THA 279, on port, if CHN 177 had not luffed up.
2. CHN 177 was justified in taking avoiding action by luffing up, in accordance with World Sailing Case 50.
3. THA 279 on port failed to keep clear of CHN 177 on starboard, and broke RRS 10,

**DECISION****Date & Time:** 2023-12-15 20:37 +07

THA 279 is DSQ in race 8.

**PROTEST COMMITTEE****Committee Type** International Jury**Chaired By:** Leonard S Chin (MAS)**Committee Members:** Qu Chun (CHN), Tom Sheppard (HKG)**Written Decision Requested By:**No**Printed:** 16 Dec 09:12