

# DECISION

Protest and Request for Redress

**Request No.: 54**

**Heard Jointly With Number(s): 55, 58, 59, 60, 61, 62, 63**

**Event:** 2019 KiteFoil World Series Gizzzeria/Weifang/Pingtang/Cagliari **Race Number:** 4  
**Hearing Date:** 2019-10-03

## PARTIES AND WITNESSES

- Request No.: 54:** KiteFoil - Act 4 - Cagliari - MAR 69 - Elias Ouahmid  
KiteFoil - Act 4 - Cagliari - FRA 87 - Benjamin Petit
- Request No.: 55:** KiteFoil - Act 4 - Cagliari - ESP 51 - Alejandro Climent Hernandez  
KiteFoil - Act 4 - Cagliari - FRA 87 - Benjamin Petit  
KiteFoil - Act 4 - Cagliari - GER 88 - Florian Gruber
- Request No.: 60:** KiteFoil - Act 4 - Cagliari - FRA 87 - Benjamin Petit  
KiteFoil - Act 4 - Cagliari - ESP 51 - Alejandro Climent Hernandez
- Request No.: 62:** KiteFoil - Act 4 - Cagliari - ESP 51 - Alejandro Climent Hernandez  
KiteFoil - Act 4 - Cagliari - GER 88 - Florian Gruber
- Request No.: 63:** KiteFoil - Act 4 - Cagliari - GER 88 - Florian Gruber  
KiteFoil - Act 4 - Cagliari - NED 23 - Mariska Wildenberg
- Request No.: 58:** KiteFoil - Act 4 - Cagliari - BUL 72 - Aleksandar Bachev  
KiteFoil - Act 4 - Cagliari - GBR 10 - Lily Young
- Request No.: 59:** KiteFoil - Act 4 - Cagliari - GBR 10 - Lily Young  
KiteFoil - Act 4 - Cagliari - BUL 72 - Alexander Bachev
- Request No.: 61:** KiteFoil - Act 4 - Cagliari - GBR 17 - Katie Dabson  
KiteFoil - Act 4 - Cagliari - BUL 72 - Alexander Bachev

## VALIDITY

- Objection to Jury:** No
- Within Time Limit:** Within Time Limit
- Incident Identified:** Yes
- Proper Hail:** Protest hailed
- Red Flag Displayed:** Not required
- DECISION:** Request Valid

## PROCEDURAL MATTERS

## FACTS FOUND

1. Shortly after the start of race 4, there was an incident between two unidentified kite boards which were sailing ahead and to leeward of NED 23
2. The unidentified kite boards changed the position of their kites and immediately NED 23 lifted her kite
3. In line, GER 88, ESP 51, GBR 10, MAR 69, GBR 17, BUL 72 and FRA 87 changed the position of their kites and multiple contacts and tangles occurred
4. NED 23 finished the race
5. There was damage on the kites of GER 88, MAR 69, BUL 72 and ESP 51
6. GER 88 returned ashore on another sailor's kite, changed equipment and started race 5
7. ESP 51, GBR 10, MAR 69, GBR 17, BUL 72 and FRA 87 were brought ashore on rescue boats at the start of race 5
8. FRA 87 started race 5 late and finished in 39th place
9. GBR 17 and BUL 72 did not start in race 5 but started in race 6
10. ESP 51, GBR 10 and MAR 69 did not start in race 5 or race 6

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

1. The unidentified right of way kiteboards, changed the position of their kites without giving room to NED 23 to keep clear, breaking rule 16.1 and 14
2. NED 23 broke rule 16.1
3. All of the other kiteboards broke rules but are exonerated because they were compelled to do so by a kite board breaking a rule
4. The score GER 88 was made significantly worse in race 4 through no fault of her own by a tangle caused by the action of a kiteboard that was breaking a rule of part 2
5. The score of ESP 51, GBR 10, MAR 69, GBR 17, BUL 72 and FRA 87 was made significantly worse in races 4 and 5 through no fault of their own by a tangle caused by the action of a kiteboard that was breaking a rule of part 2
6. The scores of ESP 51, GBR 10 and MAR 69 was not made significantly worse in race 6 through no fault of their own

## DECISION

**Date & Time:** 2019-10-03 20:00 CEST

1. GER 88 is given redress in race 4 and will be scored points equal to the average of her scores in the other races of the day rounded to the nearest tenth of a point (0.05 to be rounded upward). This shall not change the score of the other kiteboards.
2. ESP 51, GBR 10 and MAR 69 are given redress in races 4 and 5 and will be scored points equal to the average of their scores in races 1, 2 and 3, rounded to the nearest tenth of a point (0.05 to be rounded upward). This shall not change the score of the other kiteboards.
3. GBR 17, BUL 72 and FRA 87 are given redress in races 4 and 5 and will be scored points equal to the average of their scores in the other races of the day rounded to the nearest tenth of a point (0.05 to be rounded upward). This shall not change the score of the other kiteboards.
4. ESP 51, GBR 10 and MAR 69 are not given redress in race 6

## PROTEST COMMITTEE

**Chaired By:** Anastazja Lewandowska (POL)

**Committee Members:** Marina Psychogyiou (GRE), Paco Quinonero (ESP), Gianluca Fantini (ITA) Marco Giampa (ITA)

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