

DECISION

Protest

Request No.: 22

Heard Jointly With Number(s): 30

Event: 2021 World Sailing Youth World Championships Race Number: 6
Hearing Schedule: 2021-12-15 17:05

PARTIES AND WITNESSES

Request No.: 22: 420 (Male&Mixed) - SUI 420 MaleMixed - Nik Burkhard

420 (Male&Mixed) - ARG 420 MaleMixed - Martin Barletta

Request No.: 30: 420 - Male - Arg - . - Martin Barletta

420 (Male&Mixed) - SUI 420 MaleMixed - Simon Kaiser

Witnesses: JAP (SUI's witness), helm of ARG (ARG's witness), helm of ISR (ARG's witness), helm of CHI (ARG's witness)

Interpreters: NIL

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

Original Hearing

1. Hearing held under RRS N1.4 (b) with a panel of three members.
2. The hearing started at 17:05.
3. Representative of SUI, Nik was the crew and the representative of ARG, Martin was the crew.

Consideration of the Reopening

1. The decision of Case 22 was announced to both parties at 1800h.
2. ARG requested for a full panel and to reopen Case 22, submitted at 1836h as Case 30.
3. The reconsideration to reopen started at 1840h and ended at 1852h, with a full panel of five members. The additional two members were Ken (IJ - POR) and Line (IJ, DEN).
4. ARG claims that according to the tracking evidence by TracTrac, there was no overlap between SUI and ARG.

FACTS FOUND

Original Hearing

1. The wind speed was 6 knots and the sea-state was flat.
2. SUI, JPN and ARG were sailing downwind towards Mark 4P on converging courses.
3. All three boats were overlapped when the three boats entered the zone with SUI and JPN on starboard tack, ARG on port.
4. ARG outside, SUI in the middle and JPN inside, the gap between each boat was 1.5 BL apart.
5. JPN gybed to port when her bow was abeam with the mark.
6. JPN rounded the mark with less than half boat-width from the mark.
7. ARG luffed towards JPN narrowing the gap between the two boats to 50cm.
8. SUI luffed sharply to pass astern of ARG and rounded the mark clear astern of ARG.
9. The next leg of the course after Mark 4P was a reach to the finishing line.
10. There was no contact and neither boats took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 18.2(b) and 66, SI 17.1

Original Hearing

1. ARG, outside overlapped at the zone, failed to give SUI mark-room, and broke RRS 18.2(b).

Consideration of the Reopening

1. SI 17.1 does not allow a boat to use information from the tracking system as evidence.
2. The Jury did not make a significant error in the original hearing. Therefore, the requirements in RRS 66.1 for reopening the hearing are not met.

DECISION

Date & Time: 2021-12-15 18:52 +04

ARG is DSQ in Race 6.

Hearing No. 22 will not be reopened.

PROTEST COMMITTEE

Chaired By: Anastazja Lewandowska (POL)

Committee Members: Manuel Ken Gamito (POR), Line Juhl (DEN), Ali Ambusaidi (OMA), Jerrold Ng (SGP)

Printed: 15 Dec 19:42