

DECISION

Request No.: 01

Protest and Request for Redress

Event: 2023 A's YouthFoil World Championships Race Number: 1
Hearing Schedule: 2023-07-13 17:25

PARTIES AND WITNESSES

Request No.: 01: A's - A's - 11 - 11 - Karolina Jankowska

A's - A's - 47 - 47 - Pau Cifre Seguu

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. Hearing No. 1 was heard together with hearing No. 2 in accordance with RRS 63.2 since both hearings arose from the same incident.
2. ESP 47 provided video evidence taken by her coach.

FACTS FOUND

1. The conditions at the time of the incidents were 10 knots of wind and flat water
2. Approximately 5 seconds after the starting signal of race 1, kiteboards 47, 11 and 43 were approaching the starting line on starboard tack and all aiming for the stern of the race committee starting signal.
3. ESP 47 was approximately 5m clear ahead and slightly to windward of POL 11; POL 11 was 5 m clear ahead and slightly to windward of UKR 43.
4. ESP 47 fell into the water.
5. Approximately 2 seconds after ESP 47 fell into the water, POL 11 jumped of her board.
6. Contact occurred between the mast of POL 11 and the the port side of ESP 47's board and helmet, causing a large scratch at the front edge POL 13's mast and a small scratch on the port side of ESP 47's board.
7. If POL 11 had not jumped of her board, contact between the boards and competitors of POL 11 and ESP 47 at high speed would have occurred.
8. At the same time, the kites of POL 11 and ESP 47 touched but not tangle occurred.
9. Approximately 2 seconds after POL 11 jumped off her board, UKR 43 also jumped off her board and fell into the water.
10. No contact occurred between UKR 43 and any other kiteboard.
11. If UKR 43 had not jumped of her board, contact between the UKR 43 and POL 11 at high speed would have occurred.
12. ESP 47, POL 11 and UKR 43 recovered, finished the race and neither kiteboard took a penalty.
13. POL 11 replaced her mast before race 3.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 14, 43.1(b), 62.1(b), F2.22.3

1. While recovering, ESP 47 failed to keep clear of POL 11 who was not recovering, and broke RRS F2.22.2.
2. ESP 47 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. While recovering, POL 11 failed to keep clear of UKR 43 who was not recovering, and broke RRS F2.22.2.

4. Since POL 11 was compelled to break RRS F2.22.2 as a consequence of ESP 47 breaking RRS F22.2, she is exonerated under RRS 43.1(a) for this breach.
5. It was not reasonably possible for POL 11, the right-of-way kiteboard, to avoid contact with ESP 47 when it was clear that ESP 47 was not keeping clear. POL 11 did not break RRS 14.
6. POL 13's place in races 1 and 2 was not made significantly worse by physical damage because of the action of ESP 47 that was breaking RRS F2.22.2 and 14. Therefore, the requirements for redress in RRS 62.1(b) are not met.

DECISION**Date & Time:** 2023-07-13 18:25 CEST

1. ESP 47 is DSQ in race 1.
2. Redress is not given to POL 11.

PROTEST COMMITTEE**Committee Type** Protest Committee**Chaired By:** Finn Mrugalla (GER)**Committee Members:** Marina, Salvatore

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