

# DECISION

Request No.: 13

## Protest

Event: Arab Sailing Championship 2022 Race Number: 7  
Hearing Schedule: 2022-10-15 08:20

### PARTIES AND WITNESSES

**Request No.: 13:** ILCA 7 - BRN 212489

ILCA 7 - 180000, 201180, 100000

**Witnesses:** Mohammed Al Battashi (Jury)

**Interpreters:** Mohamed Al Battashi for MAR  
100000

### 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

1. In the hearing request form, one of the protestees mentioned was changed by the protestor before the hearing started.
2. The protest submitted included 3 incidents.
3. In the 1st 2 incidents, the description of the incidents indicated sail numbers different to the protestees identified before the hearing.
4. The protests involving the 1st two incidents were considered invalid since the protest did not identify the protestees correctly before the hearing, as required by RRS 61.2(a).
5. The description of the 3rd incident indicated the sail number as of the protestee identified before the hearing.
6. The PC proceeded with the protest concerning the 3rd incident being a valid one.
7. Notwithstanding that the protests were invalid, allegations of misconduct were made in all the 3 incidents.
8. Therefore, the PC proceeded to review the evidence to see whether there had been any serious breach of RRS 2, or any other conduct that may be considered an act of misconduct under RRS 69, and decide whether to call a hearing accordingly.

### FACTS FOUND

1. ILCA 7 were sailing in Race 7 in 7-8 knots of wind and small waves.
2. BRN 212489 rounded mark 4P at the end of the second downwind leg to proceed to the finishing line.
3. MAR 100000 who was following BRN 212489 did not leave mark 4P to port, but left it starboard and sailed on a collision course towards BRN 212489.
4. BRN 212489 took avoiding action and then continued to sail towards the finishing line.
5. UAE 180000 and UAE 201183, who were behind BRN 212489 and MAR 100000 on the second downwind leg, caught up with BRN 212489, while BRN 212489 was trying to avoid MAR 100000.
6. BRN 212489 finished ahead of UAE 180000 and UAE 201183.
7. MAR 100000 took a two-turn penalty and proceeded towards the finishing line.
8. MAR 100000 did not pass between the finishing line marks, but left the starboard end finishing line mark to his port.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 28.1, 2

1. MAR 100000 broke Rule 28.1 and hindered BRN 212489 in Race 7 thus failing to compete in compliance with the principles of sportsmanship and fair play. MAR 100000 broke RRS 2.

### DECISION

MAR 100000 is DNE in Race 7.

**Date & Time:** 2022-10-15 10:20 +04

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**PROTEST COMMITTEE**

**Chaired By:** Gurvinderpal Julka (IND)

**Committee Members:** Mohamed Al Battashi (OMA), Ali Ambusaidi (OMA), Mohammed Salim AlAnboori (OMA)

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