

# Hearing Decision



## 2023 ILCA Senior European Championships & Open European Trophy

**Case Number**

4

**With Case**

6,7,8,9,10,11,12,13,14,15

**Race Number**

1

**Hearing Status**

Closed

### Type of Hearing

Request for redress

**Valid**

yes

**Date of Race**

13/03

**Received Time**

16:28:42

### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
ILCA 6 WOMEN	Red	ROU 221976	Ebru BOLAT
Race Committee	Red	Race Committee	RC

### Witnesses

Name	Boat - Committee - Role
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### Case Summary:

### Procedural Matters:

Gonzalo Pereira De Carvalho, Steven Le Fevre, Carolijn Brouwer, Lisa Ross and Piotr Wojewski attended the hearing as observers.

Michal Jodlowski (member of the international jury) presented evidence as a witness.

Case 15 was lodged at 17:08 on 13th of March. The protest time limit for the ILCA 6 Red fleet was 16:51. The international jury extended the protest time limit as CAN 217312 was unable to lodge her request electronically, because her sail number was not in the system. CAN 217312 lodged her request on a paper.

POL 197117, Wiktoria Golebiowska, was absent in part during the giving of the decision by the international jury.

**The hearing was reopened as the international jury decided it might have made a significant error by failing to consider the effects of the decision on the boats sailing in the yellow fleet.**

**The original decision was given at 18:10 on 13.03 and stated:**

***Redress is given. Race 1 of the red fleet is abandoned. The score for each boat in the red fleet in race 1 shall be the better score between the initial abandoned race and the re-sailed race.***

**The international jury decided to change the decision in order to achieve an arrangement as fair as possible for all boats in both fleets.**

**The facts found and the conclusions remained unchanged.**

### Facts Found:

In Race 1 - ILCA 6 Women Red Fleet, at the 2nd upwind rounding, the wind was 5 knots.

After the top 12 boats rounded the mark, Mark nº2 (an autonomous robotic mark) moved 200 meters upwind.

44 boats, the rest of the 56 boats fleet, rounded the mark.

The gap between the 2 parts of the fleet was around 5 minutes.

The race committee did not abandon the race.

**Conclusion & Rules:** —————

The fact that 44 boats had to sail a course 400 meters longer than the other 12 boats clearly and directly affected the fairness of the competition (see RRS 32.1(d)). By not abandoning race 1, the race committee made an improper omission. The score of multiple boats in race 1 was made significantly worse through no fault of their own by an improper omission of the race committee. The conditions of RRS 62.1(a) are met.

**Decision:** —————

The hearing was reopened.

Redress is given. Race 1 of the ILCA 6 red fleet is abandoned.

However, the score for **boats that finished in the first 12 positions** in the abandoned race 1 shall be the better score between the initial abandoned race and the re-sailed race.

<b>Short Decision:</b>	<b>Decision Date</b>	<b>Decision Time</b>
The hearing was reopened.		
Redress is given. Race 1 of the ILCA 6 red fleet is abandoned.		
However, the score for <b>boats that finished in the first 12 positions</b> in the abandoned race 1 shall be the better score between the initial abandoned race and the re-sailed race.	13/03	23:08:00

<b>Panel Chair</b>	<b>Panel Members</b>
Michal Jodlowski	Bence Borocz, Stavros Kouris, Claudio Uras, Baptiste Verniest