

# DECISION

Protest

Request No.: 03

Heard Jointly With Number(s): 02

Event: Europa Cup Italy 2024 Race Number: 1  
Hearing Schedule: 2024-05-03 19:15

## PARTIES AND WITNESSES

**Request No.: 03:** Ilca 6 - F - 213019 - Matilda Talluri

Ilca 6 - F - 222639

**Request No.: 02:** Ilca 6 - F - 213019 - Matilda Talluri

Ilca 6 - F

## 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

- Hearing No.3 was heard together with Hearing No.2 in accordance with RRS 63.2 since both hearings arose from the same incident
- The panel of the International Jury was composed in accordance with RRS N1.4(b).
- FRA 222639 did not come to the hearing, The hearing proceeded in accordance with RRS 63.3(b).
- During the hearing the protest committee clarified in accordance with RRS 64.1(c) that the hearing request was not only a protest but also a request for redress and proceeded with it accordingly.
- Jacopo Morelli, member of the Race Committee attended the hearing as an observer.
- Deepak Singh Dikhit, member of the International Jury attended the hearing as an observer
- Stavros Kouris, member of the International Jury, presented evidence during the hearing as a witness.

## FACTS FOUND

1. Wind 20kn and high wave
2. After the starting signal of race 1, ITA 213019 was sailing close hauled on port-tack, passing close behind the stern of a group of boats sailing on starboard.
3. Just after passing behind the last boat on starboard, ITA 213019 on port got a wave, accelerated and became on collision course with FRA 222639 on starboard in a distance of less than 1 boat length.
4. FRA 222639 luffed up.
5. Contact occurred between the FRA 222639's bow and the starboard middle front side of ITA 213019's hull.
6. There was a damage on ITA 213019's hull, a hole of ca. 0.5m.
6. Both boats capsized.
7. ITA 213019 retired from the race.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 10; 14; 44.1(b); 62.1; 63.2; 63.3(b); 64.1(c); 62.2(a); N1.4(b).

1. ITA 213019 on port-tack failed to keep clear of FRA 222639 on starboard-tack, and broke RRS 10
2. It was not reasonably possible for FRA 222639, the right-of-way boat, to avoid contact with ITA 213019 when it was clear that ITA 213019 was not keeping clear. FRA 222639 did not break RRS 14.
3. ITA 213019 did not avoid contact when it was reasonably possible, and broke RRS 14
4. Since ITA 213019 caused serious damage, her penalty was to retire as required by RRS 44.1(b).
5. ITA 213019's score in race 1 was made worse through her own fault. Therefore, the requirements for redress in RRS

62.1 are not met.

**DECISION**

**Date & Time:** 2024-05-03 19:40 CEST

1. Protest upheld. since ITA 213019 Since ITA 213019 took an applicable penalty, she is not further penalized under RRS 64.2(a).
2. Redress is not given.

**PROTEST COMMITTEE**

**Committee Type:** International Jury

**Chaired By:** Antonio Rutoli ()

**Committee Members:** Zlatko Jakelic (CRO), Boguslaw Moczorodynski (POL)

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