



Jury Decision

Case 9

With Case (s):

Race: 1

Jury hearing on Support person

Parties

	Class/Person:	Sail No:	Represented by:
Initiator:	International Jury		Lynne Beal
Defendant:	Support Person		Pablo Pescheira, Julio Alsogaray and
Defendant:	Laser Std	PER	Stefano Peschiera

Witness:

Represented by:	Role:
Diego Romero	GUA
Javier Hernandez	ESA
Giordio Elena, Agustin Bellechio, Walter Boedner, Meredith Bridy, David Covo (PASAF)	

Validity: Protest or request valid

Procedural matters:

Jorge Barreda attended the hearing as translator for Julio Alsogaray.

Other information:

The Case refers to races 1 to 5 .

Facts Found:

- 1) During Laser races 1, 2, 3, 4 and 5 a rubber boat was in a windward side of the Laser course watching the races.
- 2) The boat was not registered in the official coach boats list and was not identified with any country letters.
- 3) The boat belongs to Pablo Pescheira and is docking in his home.
- 4) The people on board were: Pablo Pescheira, father of Peruvian Laser Sailor Stefano Pescheira, and Julio Alsogaray.
- 5) Pablo Pescheira is accredited as Volunteer in Sport Operation in the venue with number 1164078-01.
- 6) Julio Alsogaray is not accredited. He is a former Laser Olympian sailor.
- 7) They were watching the Laser races from the same distance of the coaches.
- 8) They were asked by a Security jet-ski to move slowly when near the course. They were not told to leave the course area.
- 9) Coach from GUA, Diego Romero advised PRO Alvaro Robaina after the third race.
- 10) There are no restrictions marks on windward side of the course.
- 11) Stefano Pescheira has a coach with a support boat registered at the event.
- 12) Stefano Pescheira did not know that Pablo Pescheira was seeing the racings.
- 13) Stefano Pescheira and Julio Alsogaray did not approached of Pablo Pescheira during the races 1 to 5.

Conclusions and Rules applicable:

- 1) Pablo Pescheira, as father of a competing sailor, is a Support Person (definition of Support Person).
- 2) The boat he was in therefore ranks as a support boat (STR 1.3), and is required to comply with the support boat regulations (STR).
- 3) The boat did not carry country letters in breach of STR1.9.

- 4) Julio Alsogaray is not a Support Person, but acted as Support Person, being in a Support Boat.
- 5) The boat was not registered in breach of STR 1.8.
- 6) The boat would not have been able to register as a support boat as the Peruvian NOC has separately registered the one entitled support boat for the Laser group of classes.
- 7) There is no evidence that the sailor Stefan Pescheira received information during the races from Pablo Pescheira and Julio Alsogaray, so he did not gain advantage.

Decisions:

Pablo Pescheira and Julio Alsogaray are removed the privilege to go afloat from 08/08/2019 until the end of the event.

No penalty to Stefan Pescheira, but issue a warning to him: If Pablo Pescheira and Julio Alsogaray committed a further breach after this protest heraring, a penalty may be imposed to Stefan Pescheira.

Parties informed of the decision (Date & time): 07/08/19 at 19:50

Jury Members:

<p>Panel Chairman Rut S. <i>Signature</i></p>	<p>Scribe Nelson I.</p>	<p>Andres A.</p>	<p>Chris A.</p>	<p>Sandy G.</p>	
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