

Intention to protest received at 21:32 loc.

Protest fee received at 22:13 loc.

Protest received at 23:16 loc.


Martin Vegner - ED

To the Jury members of the 23rd FAI European Hot Air Balloon Championship 2025
Response to Event Director's decision regarding Task 33 (Fly On – FON)

We, Team 26 (Adrien de Sade, Pilot), respectfully submit this official response to the Event Director's ruling concerning Task 33 (FON) during Flight 8.

We have carefully read the Event Director's reasoning and we fully understand his point of view. However, we believe that his interpretation relies on provisions that do not apply to our case and that the matter must be reconsidered by the Jury.

The COH is not binding for competitors

- The Event Director explicitly quoted the Competition Operations Handbook (COH).
- We respectfully recall that the COH is not part of the European Championship Rules; it is a guideline for Directors and scoring officials, not a regulation binding competitors.
- As competitors, we are required to comply strictly with the AXMER rules, the Event Rules, and the TDS.
- Therefore, COH references cannot be used as the decisive legal basis against competitors in a protest.

Distance infringements do not apply when a declaration is invalid

- The Director based his reasoning on COH 13.3 (Distance Infringements).
- However, this applies only if the declaration is considered valid and infringes on distance/altitude limitations.
- In our case, the issue is different: the TDS clearly states that for a goal to be valid it *must* be ± 1500 ft from the declaration point (Point c).
- Therefore, the first declaration did not meet the TDS requirement and cannot be considered valid in the first place.

The definition of a FON

- The general definition of FON (Rule 15.5) only establishes that there can be "one valid declaration". It does not define what makes a declaration valid.
- For Task 33, the TDS introduced a mandatory requirement: "goal altitude must be at least 1500 ft higher or lower than the declaration point." This requirement is placed under Point c – Goals available for declaration (validity), not under Point e – Distances.
- This demonstrates that the ± 1500 ft rule is a validity condition, not a distance infringement.
- We acknowledge that the definition of FON could be clarified in future versions of the rules to avoid ambiguity in similar cases.

General Briefing notes cannot override the TDS

- We have carefully considered the Event Director's reference to the General Briefing statement: "All declarations are valid and will be scored based on the percentage of infringement."
- However, as the rules state, the Task Data Sheet must be strictly respected.
- The General Briefing provides clarifications but cannot override or contradict the specific requirements of the TDS for each task.
- Furthermore, it was never explicitly stated that General Briefing clarifications would prevail over the Event Rules or the TDS.

We understand the reasoning presented by the Event Director, but we firmly believe that in this case the TDS requirements must prevail.

The first declaration did not meet the validity conditions stated in the TDS, and therefore only our second declaration should be considered valid for scoring.

Respectfully submitted,

Adrien de Sade - Team 26

A handwritten signature in black ink, appearing to be 'Adrien de Sade', written in a cursive style.

Wieselburg, 21/08/2025

Complaint send 21/08/2025 at 08:18pm regarding scoring of Task 33 (Fly On – FON)

I, Adrien de Sade (Team 26) hereby submit a formal protest regarding the scoring of Task 33 (FON) during Flight 8 on 21 August 2025.

In loggergoal #1, our first declaration contained an altitude difference of less than 1500 ft compared to the declaration point. According to the Task Data Sheet (TDS) for Task 33, this condition is mandatory for a declaration to be valid:

“Goals available for declaration ... goal altitude must be at least 1500 ft higher or lower than declaration point.”

We considered this first declaration invalid and therefore made a second declaration that fully respected the requirements of the TDS.

The Event Director has scored our first declaration as valid and applied a penalty as a “distance infringement.”

Relevant Rules and References

- Rule 15.5 (Fly On – FON):
“Method of declaration in loggergoal #1, max. 1 valid declaration.”
→ This clearly states that only one valid declaration may be used.
- TDS – Task 33 (FON):
“Goal altitude must be at least 1500 ft higher or lower than declaration point.”
→ The use of “must be” signifies an obligation. A declaration not fulfilling this condition cannot be considered valid.
- Rule 12.3 (Declarations by Competitors):
Requires that declarations respect the conditions stated in the Task Data Sheet.
Rules 12 and rules 12.2 states the same thing.
- General Briefing Notes (17.08.2025):
“All declarations are valid and will be scored based on the percentage of infringement.”
→ This clarification appears contradictory to the strict TDS requirement. However, according to competition hierarchy, the Task Data Sheet governs the validity of declarations for a specific task.
→ **For us, even if this information has been said in the general briefing, it was not precise nor clear enough for it take over higher hierarchy over each TDS depending on what was written on the TDS.**

Important : Task data sheet

Task	33 FON Fly On (Rule 15.5)	Task order	in any order
a. Method of declaration			in loggergoal #1, max. 1 valid declaration
b. Number of goals permitted			1
c. Goals available for declaration			any coordinate with altitude (above 1999ft): goal altitude must be at least 1500ft higher or lower than declaration point
d. minimum and maximum distance between previous mark and declared goal			-
e. minimum and maximum distance between declaration point and declared goal(s)			min. 4km, no max.
f. minimum and maximum distances of declared goal(s) from any goal set by the director			1km
			If you declare before TO, TO is your declaration point.
Scoring period	ends at 09:00:00	MMA	-
Scoring area	entire contest area	Marker color	-
		Marker drop	-
		Loggermarker	7

- The TDS Point c. defines validity: if the ± 1500 ft condition is not met, the declaration is not valid.
- Only point e. is governed by the rule of distance infringement.
- The TDS Point e. regulates distances but makes no mention of altitude, confirming that altitude is a separate validity criteria, not a distance infringement.
- Since Rule 15.5 requires “1 valid declaration”, the first declaration not fulfilling Point c. cannot be considered valid.
- Our second declaration, which complied with both Point c and Point e, is the only declaration that should be scored.

Important : Specificity of the FON in the TDS

The definition of FON (15.5) explains the principle of the task (a goal declared after another...), but it does not specify that the declared goal altitude **“must be ± 1500 ft.”**

This detail exists only in the TDS :

- Point c. – Goals available for declaration
→ “goal altitude must be at least 1500 ft higher or lower than declaration point.”

In the rules:

- Chapter 15.5 FON (in the 2025 Competition Rules) only mentions the method of declaration and the fact that there is only “1 valid declaration.”
→ There is no explicit mention of any altitude requirement.

Therefore the ± 1500 ft rule is not a general requirement of FON in the AXMER/Europeans 2025 rules. It was added locally via the TDS and in this case the wording “must be” makes it a binding obligation for this specific task.

The TDS clearly defines what constitutes a valid declaration. A declaration that does not meet the ± 1500 ft requirement cannot be considered valid. Since Rule 15.5 requires “1 valid declaration”, our first declaration did not meet the condition, and therefore could not be scored. Our second declaration, which complied with the TDS, should therefore be recognized as our only valid declaration. Scoring the first declaration as valid with a penalty contradicts the mandatory requirement set by the TDS.

My request is that our score for Task 33 (FON) needs to be recalculated based on our second declaration which fully complies with the TDS requirements. The first declaration not fulfilling the ± 1500 ft altitude condition is considered invalid and therefore has to be disregarded.

I think we need a rule specifically stating what are the valid terms of a PDG and a FON. It's not the first time that pilots and event directors have different interpretations.

I kindly ask for you to review this case and ensure that scoring reflects the binding obligations of the TDS.

Respectfully,

Adrien de Sade - Team 26

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Wieselburg, 21/08/2025