

JURY DECISION

Event: 26th FAI World hot Air Balloon Championship 2026

Protest: Competitor #22, Markus Kalousdian (Brazil)

Task: Task 4 – Hesitation Waltz, Flight 1, 20 September 2026

Subject: Interpretation of Rule 12.9.1 where a marker comes to rest on and is carried on another balloon.

Decision

The Protest is denied.

Reasons

The facts are not disputed. The Event Director accepted that the physical marker released by Competitor #22 came to rest on top of another balloon and was subsequently carried by that balloon.

The Jury agrees that Rule 12.9.1 expressly addresses this circumstance by stating: "Same applies, if the marker is carried on top of another balloon."

However, Rule 12.9.1 cannot be read in isolation. The Rules must be interpreted as a coherent framework. Rule 12.13.2 states that a competitor will only score by physical marker if the marker is on the ground within the applicable scoring period; otherwise, the competitor is scored by electronic mark.

The carried-marker situation described in Rule 12.9.1 concerns a marker that cannot be measured directly in its normal resting position. The Rule permits officials to determine the scoring position from evidence with the highest accuracy available. It does not create an exception to Rule 12.13.2, nor does it redefine a marker resting on a balloon as being "on the ground."

The Jury therefore finds that, before any physical mark can be considered valid under Rule 12.17.1, a scoring position consistent with the Rules must be established. In the present case the marker never reached the ground within the scoring period because its descent was interrupted by another balloon. Consequently, the exact point where the marker would have reached the ground, had that interruption not occurred, had to be assessed from the available evidence.

The Event Director's determination was based on the accepted position of the carrying balloon and the remaining descent of the marker. The purpose of that calculation was not to create a new scoring method or penalty, but to determine whether the interrupted marker trajectory would have produced a physical mark within the MMA. The resulting position was determined to be outside the 30 m MMA. Therefore, Rule 12.16.3 applied and the competitor was scored by electronic mark.

The Jury does not accept the protester's argument that Rule 12.9.1 requires the vertical projection of the marker position while resting on the carrying balloon to be treated as the physical mark. Such an interpretation would remove the requirement of Rule 12.13.2 that the marker be on the ground and would potentially allow results to be determined from airborne positions rather than marks. No wording in the Rules expressly authorizes that result.

The Jury further finds that Rule 12.16.3 provides the prescribed consequence whenever a competitor does not achieve a physical mark within the MMA, namely scoring by electronic mark. The Event Director correctly applied that provision after determining that no valid physical mark within the MMA had been achieved.

Conclusion

The Jury concludes that:

Rule 12.9.1 does not create an exception to the requirement in Rule 12.13.2 that a marker be on the ground for physical-marker scoring.

The Event Director was entitled to use the available evidence to determine the interrupted marker's effective ground position for scoring purposes.

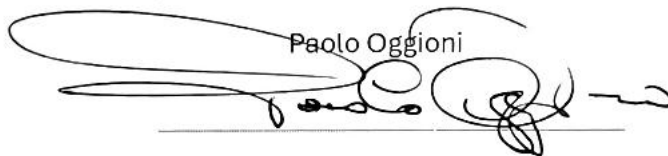
The determined position lay outside the MMA.

Under Rule 12.16.3, the competitor was therefore correctly scored by electronic mark.

The published result stands and the protest fee is retained.

FAI JURY:

Jury President:

Paolo Oggioni


Jury member:

Sylvia Meint



Jury member:

Laszlo Meszaros

