

Jury ruling on the Swiss complaint against the disqualification of Daniel Hubmann
and

Jury ruling on the Swiss and Czech complaints against no disqualification of Gustav Bergmann

Facts of procedure:

The Jury notes that complaints were filed by both the Swiss and Czech Teams on Saturday 26th

The jury find the complaints were delivered in due time according to IOF rule §27.3 and §27.5 as no time limit was set by the organizers in Bulletin 4 for the event.

The Jury notes the organizers have failed to make a written decision on the complaints by Sunday October 27th at 10am. The SEA has therefore asked the IOF office for the authority to proceed handling the complaints as protests. Authority was granted by the IOF CEO on Sunday 27th.

The Jury notes Christine Luescher-Fogtmann, Switzerland, declared a conflict of interest and withdrew from the Jury

The Jury notes Håkan Carlsson, Sweden, declared a conflict of interest and withdrew as an alternate jury member.

The Jury accepted that SEA Blair Trewin appointed Anna Sheldon, Australia, as a new jury member

Facts of the case:

The Jury find it undisputed that the athlete Daniel Hubmann, Switzerland, (and others) did pass through an olive-green area (ISOM2017 symbol 520) toward control 5. Entering such area is forbidden according to the ISOM2017 map specification and the IOF competition rules 2019 §17.2

The SEA has investigated the competition map and determined that in the particular case on control 5 the olive-green area (ISOM2017 symbol 520) is not mapped according to the minimum dimensions defined in ISOM2017 map specification.

The Jury also find that in several additional cases an inconsistent use of white screen under tracks and paths has been applied on olive green areas. For instance a lack of white screens in olive green areas on leg 4-5 and 16-17, and in many other cases the use of white screens being too narrow. A white screen shall be applied to show tracks and paths which can be passed, and such screen shall be minimum 0.15mm wide to either side.

The jury notes that the competition map has been checked and declared ISOM2017 compliant using the IOF compliance tool before the event.

The jury find it possible that the athlete Gustav Bergman, Sweden, (and others) did pass through an olive-green area towards the last control.

The jury have investigated split times and find it unlikely that any athlete entering the olive-green area between control 23 and 24 has gained a substantial advantage by running through this area. In particular, Gustav Bergman lost approximately 45 seconds on this leg relative to other competitors.

Conclusions:

Despite being declared ISOM2017 compliant, the Jury find the map not being fully compliant with the ISOM2017 specification and the map in some cases not being legible. The Jury therefore concludes the inability of athletes to understand the map in full during competition and at competition speed.

The jury finds that if a strict interpretation of the Competition rules and the map specification should be imposed, all but one athlete should be disqualified for running in Olive Green (ISOM2017 symbol 520). The jury does not find this to be in the interest of any competitor, or the competition as a whole.

The jury assessed that the maximum advantage gained by any athlete who had passed through the forbidden area en route to control 5, relative to those who took alternative route choices which did not approach the forbidden area, was in the order of 30 seconds, and that this was not material to any medals.

The jury notes the content of the document circulated by the IOF council on September 29th, 2019 setting standards for cancellation of a race.

The jury notes that sporting fairness shall be imposed by the jury as the guiding principle and also acknowledges that a perfect map and or a 100% fair competition is impossible to produce.

The jury therefore concludes that the magnitude of non-compliance of the map and the time-losses/gains of affected athletes is not great enough to allow for voiding of the race.

The jury notes the importance of compliance of map specifications and proper selection of terrain according to the provisions in the ISOM2017 map specification for future events. In particular attention should be paid to securing ISOM2017 compliance and legibility of the map, as well as sufficient resources of experienced personnel allocated for organizing a World Cup competition, no matter the region. The experience of this event has shown that the use of the ISOM2017 compliance tool is not sufficient and that specific checks need to be made by event organisers and Event Advisers.

The jury have considered voiding World Cup points for the race but doesn't find either option to be fairer to all competitors.

Ruling:

On the basis of the facts and conclusions the Jury declares the relevant parts of the map illegible for the athletes. The jury therefore declares any entry into olive green (ISOM2017 symbol 520) by athletes in the particular competition as unintentional.

The jury also declares it being too difficult to identify specific paths in the terrain based on the mapping of olive-green areas with buildings.

The jury rules that no athletes shall be disqualified for passing olive green areas (ISOM2017 symbol 520) in the current race.

The following athletes shall be reinstated in the official results:

Alexi Niemi, Finland

Aston Key, Australia

Daniel Hubmann, Switzerland

Gaute Hallan Steiner, Norway

Kasper Fosser, Norway

Maxime Rauturier, France

Hirokazu Osaka, Japan

Teodor Yordanov, Bulgaria

The jury also rules World Cup points to be awarded for the race.

The jury expresses the ruling in this case does not constitute any precedence regarding future races or events and recommends the ISOM2017 map specification and competition rules be applied.

On behalf of the Jury

Lars Lindstrøm

Head of High Performance

Danish Orienteering-Federation

Jury composition

Anna Sheldon, Australia

Lars Lindstrøm, Denmark

Ming Li, China

Xiqiao, Guangdong, China - October 27th, 2019