



INTERNATIONAL COURT OF APPEAL (ICA)

of the

FEDERATION INTERNATIONALE DE L'AUTOMOBILE

Appeal brought by

Mr Luka Scelles

against

**Decisions No. 211 and No. 214 dated 7 June 2025 of the Stewards of the Viterbo
Competition (Italy) counting towards the 2025 Mondokart.com FIA Karting
European Championship – OK Junior**

Case ICA-2025-03

Hearing of 16 September 2025

Decision of 29 September 2025

The INTERNATIONAL COURT OF APPEAL (“the Court”), which comprised Mr Xavier Bone Matheu (Spain), who was designated President of the Hearing, Mr Martin Maisner (Czech Republic), Mr Kyle Novak (USA) and Ms Waltraud Wunsch (Germany) held a hearing at the Fédération Internationale de l'Automobile, 8 place de la Concorde, 75008 Paris, on Tuesday, 16 September 2025.

Nobody challenged the composition of the Court or submitted a request for the recusal of any of the judges.

Prior to the hearing, the Court received and considered submissions and attachments thereto made by Luka Scelles (“the Driver” or “the Appellant”) and the FIA (“the Respondent”) (the two of them collectively referred to as “the Parties”).

The following persons attended the hearing:

On behalf of the Appellant, Luka Scelles:

Mr Luka Scelles, Driver
Mr Emmanuel Escard de Romanovsky, Counsel
Mr Nicolas Scelles, Driver’s father
Mr Geoffrey Baudot, Team Principal, Victory Lane
Mr Lazare Lartigau, Coach (Witness)
Mr Matthieu Neron, Technical Director of the Junior category
(via videoconference, Witness)

On behalf of the Respondent, the FIA:

Ms Alejandra Salmerón García, Head of Regulatory
Mr Alejandro Artiles, Legal Counsel
Mr Vincent Caro, Head of Circuit Mass Participation disciplines & activities
Mr Jacob Nortfort, Head of Karting
Ms Delphine Lavanchy, Senior Legal Counsel
Ms Ninon Jeanneret Troboas, Junior Legal Counsel
Mr Gonzalo Planter Lerma, judge of fact of the Competition
(Witness)

Also attending the hearing:

Mr Jean-Christophe Breillat (Secretary General of the FIA Courts)
Mr Nicolas Cottier (Clerk of the FIA Courts)
Ms Sandrine Gomez (Administrator of the FIA Courts)

The Parties filed written submissions and, at the hearing on 16 September, set out oral arguments and addressed the questions asked by the Court. The hearing took place in accordance with the adversarial principle, with the aid of simultaneous interpretation in French and English. None of the Parties raised any objections, in relation either to the composition of the Court or to the manner in which the proceedings and the hearing were conducted, notably concerning the respect of the adversarial principle or the simultaneous interpretation.

I. REMINDER OF THE FACTS

1. The FIA organises and regulates the 2025 FIA Karting European Championship – OK Junior (the “Championship”).
2. The Championship is run over the following four Competitions:
 - Round 1: Campillos, Spain (3-6 April).
 - Round 2: Portimão, Portugal (1-4 May).
 - Round 3: Viterbo, Italy (5-8 June) (the “Competition”).
 - Round 4: Rødby, Denmark (31 July-3 August).
3. Like the other three competitions of the Championship, the Competition comprises 3 free practice sessions, 3 qualifying practice sessions, 15 qualifying heats, 2 super heats and 1 final phase.
4. The Driver participates within the Championship as a driver for the competitor Victory Lane (the “Competitor”), which in addition to the Driver, registered six other drivers.
5. On 5 March 2025, the Driver signed the following declaration included in the Championship entry form:

“I have read the Sporting Regulations issued for this competition and agree to be bound by them and by the FIA Karting General Regulations, the International Karting Regulations, Article 1 of the FIA Code of Ethics and the FIA International Sporting Code in force (available on www.fiakarting.com/page/sporting-regulations).”
6. In the Competition, several karts were entered by the Appellant, including kart No. 218 driven by the Driver.
7. The Driver finished 7th in Qualifying Practice Session 2 (“QPS2”), which took place on 6 June 2025 at 11:35.

8. Based on the results of the three qualifying practice sessions, the Driver ranked 21st out of the 86 participating drivers and therefore joined group C in the qualifying heats, which took place on 6 and 7 June 2025.
9. After four out of five qualifying heats, the Driver had scored 151 position points in total. In the fifth qualifying heat, namely Qualifying Heat B-C (the “Qualifying Heat”), the Driver finished in 6th position and scored 34 additional position points.
10. On 7 June 2025, Mr Kris Lambrecht, Head of Race Control, drafted a report (the “Report”) concerning an incident involving the Driver and the driver Emiliano Hernández, during lap 8 of the Qualifying Heat (the “Incident”).
11. The Report describes the Incident as follows:

“Statement:

Contact driving Tag 73

Reason:

Kart no 218 made contact with kart no 246 forcing kart no 246 to retire

Tag 73

Cam. 32 and streaming

MP9

Time: 17.30.52

Lap 8”

12. The Report mentions the video captured by one of the official CCTV cameras filming the Qualifying Heat.
13. After having examined the Report, the Stewards summoned the Driver and the Competitor. A hearing was held on the same day and the Stewards heard the Competitor and the Driver.
14. The Stewards issued their decision No. 211 at 18:13 (the “Decision”), stating that the Driver had caused a collision with the driver Emiliano Hernández, which led to the retirement of the latter’s kart from the Qualifying Heat.
15. The Stewards found that this manoeuvre constituted a breach of “*article 3.6.2 b)*” [recte: 3.6.2 e)] of the Code of Driving Conduct and decided to impose a penalty, as authorised by Article 2.24 of the CIK-FIA Karting General Prescriptions (the “General Prescriptions”) in connection with Article 12.4 of the International Sporting Code (the “Code”).
16. As a result, the Driver was disqualified from the Qualifying Heat and two points were withdrawn from his Digital Licence.

17. The Decision was notified to the Driver and the Competitor on 7 June 2025 at 18:16. Within one hour of the notification, namely at 18:38, the Driver notified his Intention to appeal.
18. As a consequence, the Stewards issued the decision No. 214, whereby they suspended the effects of the Decision, in accordance with Article 12.3.3.a of the Code.
19. By virtue of the said suspensive effect, the Driver, who had finished 6th in the Qualifying Heat, scored 34 additional points with a total of 185 position points over the five qualifying heats. The Driver thus obtained 11th position in the intermediate classification, as well as 5 Championship points and the assignment to Super Heat A.
20. Having started in 6th position and finished 3rd in Super Heat A, the Driver scored 72 position points which, added to the 185 position points already scored within the Competition, resulted in a total of 257 position points, which awarded the Driver 7th position in the final intermediate classification, the Driver thereby scoring 11 Championship points.
21. On 8 June 2025, the Driver participated in the final phase of the Competition, starting 7th and ending in 5th position. This result allowed him to score 30 Championship points.
22. Thus, the Driver scored altogether 46 Championship points through his participation in the Competition, namely:
 - 5 Championship points from his participation in the five qualifying heats.
 - 11 Championship points from his participation in Super Heat A; and
 - 30 Championship points from his participation in the final phase.

II. PROCEDURE BEFORE THE COURT

23. On 11 June 2025, namely within 96 hours of the notification to the Stewards of the Intention to appeal, the ICA received the notification of appeal from the Appellant.
24. The Appellant filed its Grounds for Appeal on 21 July 2025 (English and French versions).
25. By means of Procedural Decision No. 1, the FIA was granted until 17:00 on Monday 25 August 2025 to submit its Grounds in Response, which the FIA did within the said deadline when it comes to the English version, whereas it filed the French version on 29 August 2025.

III. REQUESTS OF THE PARTIES

26. The Appellant asks the Court to set aside the Decision and, should the Court decide that the Appellant breached the Regulations, not to impose a sanction on the Appellant, or, as a subsidiary request, to exercise more leniency.
27. In its Grounds in Response, the FIA asks the Court to dismiss the appeal, to confirm the Decision in its entirety and to order the Appellant to pay the costs of the appeal in accordance with Article 11.2 of the FIA Judicial and Disciplinary Rules ("the JDR").

IV. ADMISSIBILITY OF THE APPEAL BEFORE THE COURT

28. The Court notes that the FIA expressly admitted that the appeal had been brought in accordance with the provisions of the JDR.
29. The Court also considers that it has jurisdiction to hear this appeal.
30. Therefore, the Court deems the appeal admissible.

V. ON THE SUBSTANCE

a) *Arguments of the Parties*

The Appellant

31. The Appellant puts forward in essence that, while he is a promising driver with numerous podiums to his record since 2021, he has also never been the subject of any disciplinary sanction.
32. When it comes to the Incident, the Appellant argues that the driver Emiliano Hernández, teammate of the Appellant and leading ahead of the Driver, prevented any overtaking attempt by the latter, despite clear instructions to the contrary from the team, through dangerous manoeuvres and adopting aggressive defensive lines and nearly forcing the Appellant off the track, while the Appellant was, allegedly, clearly faster than Mr Hernández.
33. At the end of the Qualifying Heat, while the Appellant was about to overtake him, Mr Hernández again closed his line to prevent an overtaking manoeuvre and the Appellant could not avoid contact, with Mr Hernández ending up off the track and being forced to retire.
34. The Appellant stresses, in that context, that Mr Emiliano Hernández did not lodge any protest after the Incident.

35. Regarding Mr Emiliano Hernández' manoeuvres, the Appellant claims that the latter committed a breach of Article 3.6.2 of the FIA Code of Driving Conduct, which prohibits multiple changes of direction to defend one's position, deliberately forcing karts beyond the edge of the track, or any other dangerous change of direction.
36. The Appellant contends that Mr Emiliano Hernández showed "*non-compliance with these prescriptions*" and that "*his behaviour caused his off-track excursion and retirement.*"

The FIA

37. The FIA states first that the scope of the Appeal is limited to Decision No. 211 and does not encompass Decision No. 214, which deals with the suspensive effect of the Appeal and is not even mentioned by the Appellant in his Grounds for Appeal.
38. Referring to the Incident, the FIA explains that a previous incident took place between the two drivers at the beginning of Lap 8 of the Qualifying Heat, where the driver Emiliano Hernández moved to the right, impeding the Appellant from overtaking him and forcing him partially off the track.
39. The FIA explains that following this incident, Mr Emiliano Hernández was disqualified by the Stewards for unsafe driving and 2 points were withdrawn from his Digital Licence.
40. Coming now to the Incident, the FIA explains that the Appellant went directly behind Mr Emiliano Hernández while approaching Turn 15 of the circuit. While the Appellant was continuing to drive close to Mr Emiliano Hernández, his kart's front bumper made contact with the rear bumper and rear right wheel of Mr Emiliano Hernández' kart, which, allegedly inevitably began to spin and veer uncontrollably towards the inside of Turn 15, "*due to the pushing manoeuvre of [the Driver]*".
41. Based on the foregoing, the FIA contends that it was because of the Appellant's manoeuvre that Mr Emiliano Hernández was pushed off the track, and the FIA alleges that the Appellant is solely responsible for the Incident, relying for that on the witness statement of the Judge of Facts, Mr Gonzalo Planter Lerma, while the latter acknowledged at the hearing that he did not directly saw the incident, but heard it and saw its consequences afterwards.
42. The FIA then puts forward that the video footage of the Incident clearly shows that Mr Emiliano Hernández performed a correct defensive manoeuvre, which was consistent and foreseeable. The FIA argues further that the Appellant did not prove that he was indeed faster than Mr Emiliano Hernández, despite having access to the telemetry of both karts as Mr Emiliano Hernández runs for the same team as the Appellant.

43. Referring to seven, allegedly similar, precedents, where the drivers responsible were all sanctioned with disqualification and a withdrawal of two points from their Digital Licence, the FIA then contends that the Appellant could only face the same sanction, thus in accordance with the constant practice followed within the FIA Karting European Championship.
44. The FIA also sees aggravating circumstances which have to be considered when assessing the Appellant's degree of culpability, citing notably the Appellant's positioning straight behind Mr Emiliano Hernández, the Appellant's prior sanction for a collision, as evidenced in the FIA's Grounds in Response, the Appellant's experience which should have led him to avoid this Incident, and the fact that the Incident took place shortly after a previous incident between the two drivers.
45. As a last argument, the FIA stresses that *"a disqualification from the Qualifying Heat and the withdrawal of two points from the Digital Licence (...) is the sole measure capable of delivering a sporting consequence, as it has an impact in the points scored by the Appellant within the Competition, while ensuring a clear deterrent effect. It sends an unambiguous message to all drivers: any conduct causing a collision, jeopardising safety and undermining fairness in an FIA competition, is unacceptable."* The FIA further demonstrates that a lesser sanction, such as a 5-second time penalty, would have permitted the Appellant to retain the 5 Championship points he earned from his participation in the Qualifying Heat.

b) Conclusions of the Court

Applicable Regulations

46. The applicable regulations relevant to the present case are:
- the 2025 FIA International Sporting Code.
 - the 2025 FIA Karting European Championship Junior Sporting Regulations (the "Sporting Regulations").
 - the 2025 CIK-FIA Karting General Prescriptions (the "General Prescriptions").
 - the 2025 CIK-FIA Karting Specific Prescriptions (the "Specific Prescriptions").
- (hereinafter jointly referred to as: the "FIA Karting Regulations")

As well as:

- the Supplementary Regulations to the Competition and the Race Director's Competition Notes, published on 28 May 2025 on the CIK-FIA website.

The breach of the Regulations and the proportionality of the sanctions

47. The Stewards found in the Decision that the Appellant *"caused a collision – an incident defined in Art. 2.24 of the CIK FIA General Prescriptions. In the session concerned by MP 9 he hit the kart (kart n° 246) and following of this manoeuvre Driver n° 246 had to retire. This fact is a violation against the Art. 3.6.2 b [recte: Article 3.6.2 e)] of the 2025 FIA Code of Driving Conduct."*

48. Article 3.6.2 e) of the 2025 FIA Code of Driving Conduct provides the following:

"Contacts / collisions (during the race, deceleration lap included): sanctions may be imposed on a Driver who pushes another Competitor."

49. Art. 2.24 of the CIK FIA General Prescriptions provides the following:

An "Incident" means a fact or a series of facts involving one or several Drivers (or any Driver's action reported to the Stewards by the Clerk of the Course or the Race Director or noted by the Stewards and reported to the Clerk of the Course or the Race Director for investigation), who:

(...)

- have caused a collision;*

- have forced another Driver out of the track; (...)*

The Stewards shall inflict a 5-second time penalty on any Driver having caused an Incident. If the Incident was caused during a Qualifying Practice session, they shall proceed to the cancellation of the three fastest times which he achieved in the session concerned. However, depending on the gravity of the infringements in light of the facts, the Stewards may decide, instead of the 5-second time penalty, on a sanction among those provided for in the penalty scale of Article 12.4 of the Code, unless the offence relates to the position of the front fairing of the kart."

50. Art. 12.4 “Scale of Penalties” of the Code provides the following:

“12.4.1 Penalties may be inflicted as follows:

(...)

12.4.1.m Disqualification;(...)

51. The Court finds first that the video shown at the hearing proves beyond any doubt that there was contact between the Appellant and his teammate Mr Emiliano Hernández.
52. The Appellant claims first that he was quicker than his teammate who, allegedly, had received instructions to let him pass.
53. The Court rejects this submission as it is irrelevant. Indeed, each driver has the right to decide whether he intends to follow his team’s instructions or not. Team instructions are only internal measures which are not to be taken into account when it comes to the assessment of an incident by the Stewards or the Court.
54. As to the differences of speed between the two drivers, the Court stresses first that the Appellant wrongly refers to Article 3.6.2 a) of the Code of Driving Conduct as the Appellant was not “*about to lap*” his teammate.
55. So the main and only point that the Stewards had to determine was which of the two drivers was responsible for the Incident, namely whether the Appellant violated, at almost full speed, Article 3.6.2 e) of the Code of Driving Conduct, or whether, on the contrary, it was the driver Emiliano Hernández who violated Article 3.6.2 b) of the Code Driving Conduct by using an unauthorised manoeuvre to prevent the Appellant from overtaking him.
56. The Appellant indeed puts forward that Emiliano Hernández’ manoeuvre was dangerous and was prohibited by the Regulations, but the Court does not see here any breach of the regulations.
57. The Appellant sees also in a previous incident caused by Mr Emiliano Hernández, for which the latter was sanctioned, the proof of his teammate’s dangerous way of driving and therefore of his responsibility in the incident which is at the core of the present proceedings. But as for that previous incident, the Court considers that it is a different one, which is distinct from the second incident which is the only one under consideration in the present case.
58. The Court refers to its own jurisprudence, notably in the case *Koski Motorsport* (ICA-2022-03, para. 68), and stresses that it should exercise restraint when reassessing incidents and the penalties imposed by the Stewards, unless new evidence is available that was not accessible to the Stewards at the time of their decision, which is not the case here.

59. After having carefully reviewed the video which was used by the Stewards to issue their Decision, the Court does not find any element which could justify another conclusion being drawn from this key evidence.
60. The Court then refers to the precedents quoted by the FIA and concludes that the sanctions pronounced by the Stewards in their Decision are consistent with the constant practice of the Stewards in other similar cases. In other words, the sanctions issued by the Stewards are proportionate and justified given the need to ensure the safety of karting competitions.
61. Although the Court appreciates the fact that any competition implies that drivers are doing their best to finish in the best possible position, it remains that certain rules are to be applied to ensure that this healthy spirit of competition is exercised in the safest possible way and not beyond certain limits. In that sense, the FIA Karting Regulations are of course in place, amongst others, in order to ensure safety on the track, which is a cardinal condition for a fair and sustainable competition.
62. The Court concludes therefore that the Driver committed a breach of the Karting Regulations, notably of Article 3-6-2 e), and that the sanctions imposed by the Stewards are proportionate. Decision No. 211 is thus upheld.
63. For the sake of good order, the Court notes that the Appellant filed his Notification of appeal also against Decision No. 214, under which the Stewards suspended the execution of the sanctions pronounced in Decision No. 211. Obviously, the Appellant had no interest in appealing Decision No. 214 as this Decision is completely in his favour. His request is thus rejected both for lack of interest and as a consequence of the decision of the Court to uphold Decision No. 211.

VI. COSTS

64. Considering the outcome of the proceedings, the Court leaves it to the Appellant to bear all the costs.



ON THESE GROUNDS,

THE FIA INTERNATIONAL COURT OF APPEAL:

- 1. Declares the appeal admissible;**
- 2. Upholds Decision No. 211 dated 7 June 2025 of the Stewards of the Viterbo Competition (Italy) counting towards the 2025 Mondokart.com FIA Karting European Championship – OK Junior;**
- 3. Rejects the Appellant's appeal on Decision No. 214;**
- 4. Orders the competent Sporting Authority to draw, as appropriate, the consequences of this ruling;**
- 5. Orders the Appellant to pay the costs, in accordance with Article 11.2 of the Judicial and Disciplinary Rules of the FIA, to be calculated by the General Secretariat of the Courts and notified later on;**
- 6. Rejects all other and further conclusions.**

**Paris, 29 September 2025
The President**

Xavier Bone Matheu