

CONSENT AWARD

dated 26 April 2022 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

FEI Tribunal: Mr Phillip Cornegé (NZL), one-member panel.

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Mr. Moh'd NSOUR /10203247/JOR in his capacity as the **Additional Person Responsible (APR)**
in the following case:

Case: C22-0015- Mr. Moh'd NSOUR (APR)

FEI Case reference: (2022/CM03 BADR AL TAJ) - Mr. Moh'd NSOUR- Trainer (APR)

Additional Person Responsible/ID/NF: Moh'd NSOUR/10203247/JOR

Person Responsible/ID/NF: Ursula KLINGBEIL/10014504/GER

Horse/Passport: BADR AL TAJ/106KJ96/JOR

Event/ID: CEI2* 120 - Al Ula (KSA), 29.01.2022, 2022_CI_0298_E_S_02

Prohibited Substance: Dexamethasone, Phenylbutazone, Oxyphenbutazone

Bar Code Nos.: 5607023

I. Parties

1. The Fédération Equestre Internationale (**the FEI**) is the sole IOC recognised international federation for equestrian sport. The FEI is the governing body of the FEI equestrian disciplines (Dressage, Jumping, Eventing, Driving, Endurance, Vaulting, Reining, Para-Equestrian).
2. **Mr. Moh'd NSOUR (the APR)** is an endurance rider from Jordan and was the APR for the Horse BADR AL TAJ/106KJ96/JOR (**the Horse**) when he participated at the CEI2* 120 - Al Ula (KSA), 29.01.2022, 2022_CI_0298_E_S_02 (**the Event**).

II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Dexamethasone, Phenylbutazone and Oxyphenbutazone, Controlled Medication Substances under the FEI's Equine Prohibited Substances List.
4. The APR was informed of the positive result by the FEI through the Notification Letter dated 21 March 2022 and charged by the FEI with a violation of Article 2.1 (*The Presence of a Controlled Medication Substance and/or its Metabolites or Markers in a Horse's Sample*) of an Equine Controlled Medication Rule Violation (**the ECMRV**) through the Notice of Charge dated 23 March 2022.
5. In the Notification Letter, the APR was provided with an option to admit the Rule Violation, accept the proposed consequences and benefit from a three (3) months reduction of the otherwise applicable Period of Ineligibility of six (6) months asserted by the FEI in accordance with Art. 10.8.1 of the Equine Controlled Medication Rules (**the ECMRs**).
6. On 23 March 2022, the APR submitted to the FEI a duly signed Acceptance of Consequences Form and accepted Option 8 as outlined in the Notification Letter dated 21 March 2022¹.

III. Summary of the proceedings before the FEI Tribunal

7. On 25 January 2022, the FEI submitted to the FEI Tribunal (**the Tribunal**) the duly signed Acceptance of Consequences Form alongside with the Notification and Charge Letter requesting the FEI Tribunal to issue a consent award confirming the accepted consequences to be imposed on the APR.

¹ Notification Letter with Annexes from FEI to APR dated 21 March 2022.

8. On 8 April 2022, the Tribunal informed the Parties of the appointment of a one-person hearing panel to adjudicate and approve this case. The Parties were asked to provide any objections to the constitution of the hearing panel by 13 April 2022.
9. On 8 April 2022, the FEI informed the Tribunal that they did not have any objection to the constitution of the hearing panel. The APR nor the Royal Jordanian Equestrian Federation of **(the JOR-NF)** did not inform the Tribunal of any objection to the constitution of the hearing panel. Therefore, by not responding within the deadline, it was deemed they agreed to the constitution of the hearing panel.
10. Neither party requested an oral hearing.

IV. Jurisdiction

11. The jurisdiction of the FEI Tribunal, which is not disputed, derives from the:

Statutes 24th edition, effective 19 November 2019 ("Statutes"), Arts. 1.5, 38 and 39.

General Regulations, 24th edition, 1 January 2021, Arts. 118, 143.1, 159, 164, 165 and 167 ("GRs").

Internal Regulations of the FEI Tribunal, 3rd Edition, 2 March 2018 ("IRs").

FEI Equine Anti-Doping and Controlled Medication Regulations, ("EADCMRs"), 3rd edition, changes effective 1 January 2021.

V. Early Admission and Acceptance of Sanction

12. In accordance with Art. 10.8.1 of the ECMR *"Where Person Responsible and/or member of the Support Personnel and/or other Person, after being notified by the FEI of a potential ECM Rule violation that carries an asserted period of Ineligibility of six (6) months or more (including any period of Ineligibility asserted under Article 10.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving notice of an ECM Rule violation charge, the Person Responsible and/or member of the Support Personnel and/or other Person may receive a three (3) month reduction in the period of Ineligibility asserted by the FEI. Where the Person Responsible and/or member of the Support Personnel and/or other Person receives the three (3) month reduction in the asserted period of Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article"*.

VI. Ratification of the Accepted Consequences

13. The APR has explicitly admitted the Rule Violation and accepted the following consequences (in accordance with the Article 10.8.1 of the ECM Rules):

- A Period of Ineligibility of three (3) months commencing from the date of the Final Decision issued by the FEI Tribunal (the Provisional Suspension already served shall be credited against the imposed Ineligibility Period);
- Fine of CHF 2,500;
- Costs of CHF 1,000 (in the case of B-sampling).

14. The Tribunal confirms that the above Accepted Consequences are in compliance with the ECMRs and finds no grounds to object to the terms of the Accepted Consequences.

ON THESE GROUNDS

1. The FEI Tribunal hereby ratifies the Accepted Consequences by the APR in the C22-0015 - 2022/CM03 BADR AL TAJ - Mr. Moh'd NSOUR (APR) and incorporates its terms into the Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties as per the Acceptance of Consequences Form.
3. The Consent Award is pronounced without legal costs.
4. This Consent Award is final and is not subject to a right of appeal as the APR has waived his right.
5. This Consent Award shall be published in accordance with Article 13.3 of the ECM Rules.

DECISION TO BE FORWARDED TO:

a. The Parties:

- FEI
- Mr. Moh'd NSOUR (APR)

b. Any other:

- The Secretary General of the JOR-NF of the APR.

FOR THE TRIBUNAL



Mr Phillip Cornegé (NZL)