

CONSENT AWARD

Dated 12 July 2022 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Mr Martin Gibbs (GBR)

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Ms. Baydaa Muneed SHAKIR in her capacity as the **Additional Person Responsible** in the following case:

Case: C22-0027 SHAKIR

FEI Case reference: Case 2022/CM05_MADJANTHIS - APR - Ms Muneed Shakir

Person Responsible/ID/NF: Mr. Mohammed Rijwan KHAN/10164886/UAE(IND)

Trainer/ID/NF: Ms Baydaa Muneed SHAKIR/10042789/UAE(IRQ)

Horse/Passport: MADJANTHIS/106RK32/UAE

Event/ID: CEI1*100 - Dubai (UAE), 27-31.03.2022, 2022_CI_0451_E_S_01

Date of sample collection: 29.03.2022

Prohibited Substance(s): Dexamethasone, Phenylbutazone, Oxyphenbutazone

Bar Code Nos.: 5607401

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, Para-Equestrian).
2. **Ms. Baydaa Muneed SHAKIR** (FEI ID 10042789), the Additional Person Responsible (**the APR**), is a Trainer from the UAE and was in charge of the Horse, MADJANTHIS (**the Horse**) at the CEI1*100 - Dubai (UAE), 27-31.03.2022, 2022_CI_0451_E_S_01 (**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, which are Controlled Medication Substances under the FEI's Equine Prohibited Substances List.
4. The APR was informed of the positive result for these Controlled Medication Substances by the FEI through Notification Letter dated 28 April 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**).
5. In the Notification Letter, the APR was provided with an option to admit the ECMRV, 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 Article 10.8.1 of the Equine Controlled Medication Rules (**the ECMRs**).
6. On 13 May 2022, the APR submitted to the FEI a duly signed Acceptance of Consequences Form and accepted the following sanctions as outlined in the Notification Letter:
 - A Period of Ineligibility of three (3) months commencing from the date of the Final Decision issued by the FEI Tribunal (the Provisional Suspension if any, already served shall be credited against the imposed Ineligibility Period);
 - Fine of CHF 2,500;

III. Summary of the proceedings before the FEI Tribunal

7. On 17 May 2022, the FEI submitted to the FEI Tribunal (**the Tribunal**) the duly signed Acceptance of Consequences Form alongside with the Notification Letter requesting the FEI Tribunal to issue a Consent Award confirming the accepted consequences to be imposed on the APR.
8. On 13 June 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 16 June 2022.
9. On 13 June 2022, the FEI informed the Tribunal that they did not have any objection to the constitution of the hearing panel. The APR nor the Equestrian Federation of the United Arab Emirates (**the UAE-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 she had 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 ECMRs *"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 ECMRs):

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

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 C22-0027 - 2021/CM05_MADJANTHIS - APR – Ms Baydaa Muneed SHAKIR and incorporates its terms into this Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties as per the Acceptance of Consequences Form.
3. This Consent Award is pronounced without legal costs.
4. This Consent Award is final and not subject to a right of appeal as the APR has waived this right.
5. This Consent Award shall be published in accordance with Article 13.3 of the ECMRs.

DECISION TO BE FORWARDED TO:

a. The Parties:

- FEI
- Ms. Baydaa Muneed SHAKIR (APR)

b. Any other:

- The UAE- NF

FOR THE TRIBUNAL



Mr Martin Gibbs (GBR)