

## CONSENT AWARD

Dated 3 August 2022 and issued by the

## FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Mr Phillip Cornegé (NZL)

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

**Mr. Muhammad Ali Fazal AMIN** in his capacity as the Person Responsible (**the PR**) in the following case:

Case: C22-0026 AMIN

FEI Case reference: Case 2022/BS04 (2022/ATF02) DACTYLE D'AQUI – Mr. Muhammad Ali Fazal AMIN

Person Responsible/ID/NF: Muhammad Ali FAZAL AMIN/10103705/PAK(UAE)

Trainer/ID/NF: Ahmed Ali Salman Hassan AL SABRI/10041041/UAE

Horse/Passport: DACTYLE D'AQUI/106XH16/UAE

Event/ID: CEI2\* 120 - Bou Thib (UAE), 24-25.12.2021, 2021\_CI\_2037\_E\_S\_01

Prohibited Substance(s): Testosterone

Bar Code Nos.: 5607385

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## 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. Mr. Muhammad Ali FAZAL AMIN (FEI ID 10103705), the PR is an Endurance Rider competing for Pakistan (the PAK-NF) with the UAE-NF as his host National Federation. The PR participated with the horse DACTYLE D'AQUI (**the Horse**) at the CEI2\* 120 - Bou Thib (UAE), 24-25.12.2021, 2021\_CI\_2037\_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 Testosterone, which is a Banned Substance and its metabolite under the FEI's Equine Prohibited Substances List 2021. Testosterone is an anabolic steroid with anabolic effects. It is also a threshold substance according to the 2022 FEI Threshold Substances List<sup>1</sup>.
4. On the 8 March 2022, the FEI sent a Notification Letter to the PR informing him of the positive finding for the Banned Substance. The PR was Provisionally Suspended as of the date of the Notification Letter.
5. In the Notification Letter, the PR was provided with an option to admit the Equine Anti-Doping Rule Violation (**the EADRV**) accept the proposed consequences and benefit from a six (6) months reduction of the otherwise applicable Period of Ineligibility of eighteen (18) months, in accordance with Article 10.8.1 of the FEI Equine Anti-Doping Rules (**the EADRs**).
6. On the 1 June 2022, the PR was subsequently charged by the FEI with a violation of Article 2.1 (*The Presence of a Banned Substance and/or its Metabolites or Markers in a Horse's Sample*) of the EADRs and submitted to the FEI a duly signed Acceptance of Consequences Form accepting the following sanctions as outlined in the Notification Letter:
  - i. A Period of Ineligibility of eighteen (18) 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);

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<sup>1</sup> The 2022 FEI Threshold Substances List was published on 11 November 2021.

- ii. A period of two (2) months Provisional Suspension on the Horse commencing as of the date of the Notification Letter (sent by the FEI on 8 March 2022);
- iii. Disqualification from the whole Event and forfeiture of all medals, points, prize money, etc. won at the Event with the Horse; and
- iv. Fine of CHF 5,000.

### III. Summary of the proceedings before the FEI Tribunal

7. On 2 June 2022, the FEI submitted to the FEI Tribunal the duly signed Acceptance of Consequences Form alongside with the Notification and Charge Letters requesting the FEI Tribunal to issue a consent award confirming the accepted consequences to be imposed on the PR.
8. On 5 July 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 8 July 2022.
9. On 5 July 2022, the FEI informed the Tribunal that they did not have any objections 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 24<sup>th</sup> edition, effective 19 November 2019 ("Statutes"), Arts. 1.5, 38 and 39.

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

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

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

### V. Early Admission and Acceptance of Sanction

12. In accordance with Art. 10.8.1 of the EADRs *"Where a Person Responsible and/or member of the Support Personnel and/or other Person, after being notified by the FEI of*

*a potential EAD Rule violation that carries an asserted period of Ineligibility of two (2) years or more years (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 EAD Rule violation charge, the Person Responsible and/or member of the Support Personnel and/or other Person may receive a six (6) 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 six (6) 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 PR has explicitly admitted the Rule Violation and accepted the following consequences (in accordance with the Article 10.8.1 of the EADRs):

- A Period of Ineligibility of eighteen (18) 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);
- A period of two (2) months Provisional Suspension on the Horse, commencing as of the date of the Notification Letter (sent by the FEI on 8 March 2022);
- Disqualification from the whole Event and forfeiture of all medals, points, prize money, etc., won at the Event with the Horse;
- Fine of CHF 5,000;

14. The Sole Panel Member confirms that the above Accepted Consequences are in compliance with the EADRs and finds no grounds to object to the terms of the Accepted Consequences.

### ON THESE GROUNDS

1. The Sole Panel Member hereby ratifies the Accepted Consequences by the PR in the C22-0026 AMIN [**Case 2022/BS04 (2022/ATF02) DACTYLE D'AQUI**] 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 is not subject to appeal as the PR has waived this right.

5. This Consent Award shall be published in accordance with Article 14.3 of the EADRs.

DECISION TO BE FORWARDED TO:

a. The Parties:

- FEI
- Mr. Muhammad Ali Fazal AMIN

b. Any other:

- The UAE- NF and the PAK-NF

FOR THE TRIBUNAL



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Mr Phillip Cornegé (NZL)