

CONSENT AWARD

Dated 9 March 2023 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Mr. Cesar Torrente (COL).

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Ms Mijke Paulien Carolien ALBERSEN in his capacity as the Additional Person Responsible in the following case:

Case: C23-0005 ALBERSEN

FEI Case reference: Case 2023/FT03- Ms. Mijke Paulien Carolien ALBERSEN (APR)

Person Responsible/ID/NF: Babu Ram CHUNA RAM/10258293/IND

Trainer/ID/NF: Mijke Paulien Carolien ALBERSEN/10183137/NED

Horse/Passport: KAMILIYA/105AC69/UAE

Event/ID: CE11* 100 - Butheeb (UAE), 09-11.12.2022, 2022_CI_2019_E_S_01

Date of sample collection: 11.12.2022

Prohibited Substance(s): Phenylbutazone, Oxyphenbutazone

Bar Code Nos.: 5620368

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. Mijke Paulien Carolien ALBERSEN (FEI ID 10183137), the Additional Person Responsible (the "APR"), is a Trainer from the Netherlands and was in charge of the Horse, KAMILIYA (the "Horse") at the CEI1* 100 - Butheeb (UAE), 09-11.12.2022, 2022_CI_2019_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 Phenylbutazone and Oxyphenbutazone which are Controlled Medication Substances under the FEI's 2022 Equine Prohibited Substances List.
4. The FEI informed the APR of the positive result for this Controlled Medication Substances by way of a notification letter dated 16 January 2023 (the "Notification Letter") and charged her for violations of Article 2.1 (The Presence of a Controlled Medication Substance and/or its Metabolites or Markers in a Horse's Sample) and Article 2.2 (Use or Attempted Use of a Controlled Medication Substance or a Controlled Medication Method) of the Equine Controlled Medication Rules (the "ECM Rules").
5. In the Notification Letter, the APR was provided with an option to admit the ECM Rule violation and accept the proposed consequences of 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 ECM Rules, and a fine of 2'500 CHF.
6. On 3 February 2023, the APR submitted to the FEI a duly signed Acceptance of Consequences Form dated 2 February 2023 in which she waived her right of appeal and acknowledged that the Accepted Consequences would remain on her record for four (4) years pursuant to Article 10.9 of the ECM Rules.

III. Summary of the proceedings before the FEI Tribunal

7. On 6 February 2023, the FEI submitted to the FEI Tribunal the duly signed Acceptance of Consequences Form together with the Notification Letter and requested the FEI Tribunal to issue a consent award confirming the Accepted Consequences (the "Consent Award").

8. On 15 February 2023, 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 20 February 2023.
9. On 15 February 2023, the FEI informed the FEI Tribunal that it did not have any objections to the constitution of the hearing panel. The APR did not respond; therefore, her silence was inferred as her agreement to the constitution of the hearing panel.
10. Neither party requested an oral hearing.
11. On 3 March 2022, the APR voluntarily accepted a "Provisional Suspension" and the FEI confirmed that the APR had been provisionally suspended as of 3 March 2023.

IV. Jurisdiction

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

Statutes 24th edition, effective 17 November 2021 ("Statutes"), Arts. 1.5, 38 and 39.

General Regulations, 24th edition, 1 January 2020, Arts. updates effective 1 January 2022 ("GRs") Articles 118, 143.1, 159, 164, 165 and 167.

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

FEI's Equine Anti-Doping and Controlled Medication Rules, 3rd Edition, effective 1 January 2021 ("EADCM Rules"). The EADCM Rules are divided into the Equine Anti-Doping Rules (the "EAD Rules") and the ECM Rules.

V. Early Admission and Acceptance of Sanction

13. In accordance with Article 10.8.1 of the ECM Rules *"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

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

- A Period of Ineligibility of three (3) months commencing from the 3 March 2023 (the Provisional Suspension, already served shall be credited against the imposed Ineligibility Period);
- Fine of CHF 2,500.

15. The Tribunal confirms that the Accepted Consequences comply with the ECM Rules 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 APR in the case C23-0005 – [2023/FT03 KAMILIYA - Ms. Mijke Paulien Carolien Albersen -(APR)] and incorporates its terms into this Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties set out in 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 ECM Rules.

DECISION TO BE FORWARDED TO:

a. The Parties:

- FEI
- Ms Mijke Paulien Carolien Albersen - Trainer (APR)

b. Any other:

- The NED- NF
- The IND-NF
- The UAE-NF

FOR THE TRIBUNAL

A handwritten signature in blue ink, appearing to read 'Torrente', is centered on the page. The signature is stylized with a large loop at the top and a horizontal line across the middle.

Mr Cesar Torrente (COL)