

CONSENT AWARD

Dated 3 May 2023 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

Mr. Mohamed Ahmed Qasim Mohamed - Trainer (APR) in his capacity as the Additional Person Responsible in the following case:

Case: C23-0011 [REDACTED]

FEI Case reference: Case [REDACTED] - Mohamed Ahmed Qasim Mohamed (APR)

Person Responsible/ID/NF: [REDACTED]

Trainer/ID/NF: Mohamed Ahmed Qasim MOHAMED/10198818/BRN

Horse/Passport: [REDACTED]

Event/ID: CEI1* 100 - Sakhir, Bahrain International Endurance Village (BRN)_ 17-18.02.2023, 2023_CI_0756_E_S_03

Date of sample collection: 18.02.2023

Prohibited Substance(s): Phenylbutazone, Oxyphenbutazone

Bar Code Nos.: 5619825

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. Mohamed Ahmed Qasim Mohamed (FEI ID 10198818), the Additional Person Responsible (the "APR"), is a Trainer from Bahrain and was in charge of the Horse, [REDACTED] (the "Horse") at the CEI1* 100 - Sakhir, Bahrain International Endurance Village (BRN), 2023_CI_0756_E_S_03 (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 these Controlled Medication Substances by way of a notification letter dated 10 March 2023 (the "Notification Letter") and charged him for 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 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 20 March 2023, the APR submitted to the FEI a duly signed Acceptance of Consequences Form and accepted to be provisionally suspended by means of which he waived his right of appeal and acknowledged that the Accepted Consequences would remain on his 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 21 March 2023, the FEI submitted to the FEI Tribunal the duly signed Acceptance of Consequences Form together with the Notification Letter, voluntarily accepted a Provisional Suspension and requested the FEI Tribunal to issue a consent award confirming the Accepted Consequences (the "Consent Award").

8. On 30 March 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 4 April 2023.
9. On 31 March 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, his silence was inferred as his agreement 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 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

12. 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

13. 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 date of the Final Decision by the FEI Tribunal (the Provisional Suspension, already served shall be credited against the imposed Ineligibility Period);
- Fine of CHF 2,500.

14. 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 C23-0011 – [Case ██████████ - Mohamed Ahmed Qasim Mohamed (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
- Mr Mohamed Ahmed Qasim Mohamed (APR)

b. Any other:

- The BRN- NF

FOR THE TRIBUNAL



Mr Martin Gibbs (GBR)