

CONSENT AWARD

dated 4 May 2023 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Ms Harveen Thauli (CAN)

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Khalifa Saad Sharida MUBARAK in his capacity as the **Additional Person Responsible** in the following case:

Case: C23-0014 MUBARAK

FEI Case reference: 2023/BS02 (2023/ATF02), INTRUSO DEL REPARO

Person Responsible/ID/NF: Abraham ALYAHYA/10204085/KSA

Trainer/ID/NF: Khalifa Saad Sharida MUBARAK/10043686/BRN

Horse/Passport/NF: INTRUSO DEL REPARO/106GW63/BRN

Event/ID: CEI1* 100 - Sakhir, Bahrain International Endurance Village (BRN)

Event/Date/ID: 08-10.12.2022, 2022_CI_1436_E_S_01

Prohibited Substance(s): Boldenone

Bar Code Nos.: 5619208

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 for the FEI equestrian disciplines of dressage, jumping, eventing, driving, endurance, vaulting, and para-equestrian.
2. Mr Khalifa Saad Sharida MUBARAK (FEI ID 10043686), the Additional Person Responsible (the “APR”), is a trainer from Bahrain, and was the registered trainer for the horse, Intruso del Reparó (the “Horse”), which competed at the CEI1* 100 in Sakhir (BRN), between 8 and 10 October 2022 (the “Event”).

II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Boldenone, which is an anabolic steroid that increases muscle mass and modifies behaviour. Boldenone is a “Banned Substance” under the FEI’s Equine Prohibited Substances list.
4. The FEI informed the APR of the positive result in a notification letter dated 13 March 2023 (the “Notification Letter”). As a result of the positive finding, the APR was Provisionally Suspended as of 13 March 2023, in accordance with Art. 7.4.1 of the FEI Equine Anti-Doping Rules (the “EAD Rules”).
5. In the Notification Letter, the FEI provided the APR with an option to admit the EAD Rule violation, accept the sanctions and benefit from a six (6) month reduction of the otherwise applicable period of “Ineligibility” of two (2) years in accordance with Art. 10.8.1 of the EAD Rules.
6. On 3 April 2023, the APR submitted to the FEI a duly signed Acceptance of Consequences Form.

III. Summary of the proceeding before the FEI Tribunal

7. On 3 April 2023, the FEI submitted to the FEI Tribunal the duly signed Acceptance of Consequences Form together with the Notification Letter and requested that the FEI Tribunal issue a “Consent Award”, confirming the accepted consequences that would be imposed on the APR.
8. On 25 April 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 28 April 2023.

9. On 26 April 2023, the FEI informed the Tribunal that it 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 24th edition, effective 19 November 2019 ("Statutes"), Arts. 1.5, 38 and 39.

General Regulations, 24th edition, updates effective 1 January 2022, 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 EAD Rules, *"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 APR has explicitly admitted the rule violation and accepted the following consequences (in accordance with the Article 10.8.1 of the EAD Rules):

- a period of Ineligibility of eighteen (18) months commencing from the date of the Consent Award issued by the FEI Tribunal (taking into account the already served period of Provisional Suspension); and

- a two (2) month Provisional Suspension of the Horse commencing as of the date of the Notification letter; and
- a fine of CHF 5'000.

14. The sole panel member confirms that the above Accepted Consequences comply with the EAD Rules and finds no grounds to object to their terms.

ON THESE GROUNDS

1. The sole panel member hereby ratifies the Accepted Consequences in the case C23-0014 MUBARAK [2023/BS02 – INTRUSO DEL REPARO] and incorporates its terms into this Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties pursuant to the Accepted Consequences.
3. The Consent Award is pronounced without costs.
4. This Consent Award is final and is not subject to an appeal as the APR has waived this right.
5. This Consent Award shall be published in accordance with Article 14.3 of the EAD Rules.

DECISION TO BE FORWARDED TO:

a. The Parties:

- FEI
- Mr Khalifa Saad Sharida MUBARAK (APR)

b. Any other:

- The NF of the APR, the Bahraini Equestrian Federation

FOR THE TRIBUNAL



Ms Harveen Thauli (CAN)