

## CONSENT AWARD

dated 29 September 2023 and issued by the

## FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Ms Diane Pitts (USA)

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

**Mohd Jubal Ahmed Sayadur RAHMAN** in his capacity as the **Person Responsible** in the following case:

**Case: C23-0010 RAHMAN**

FEI Case reference: 2023/BS01, ZAIME

Horse/Passport: ZAIME/106SS76/QAT

Person Responsible/ID/NF: Mohd Jubal Ahmed Sayadur RAHMAN/10093895/QAT

Trainer/ID/NF: Jassim Hilal H ABUHADOUD/10030706/QAT

Event/ID: CEI1\*100 - Doha, Mesaieed (QAT), 11-12.11.22, 2022\_CI\_2009\_E\_S\_01

Date of sample collection: 12.11.2022

Prohibited Substance(s): 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol, Cobalt

Bar Code Nos.: 5611644

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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 for the FEI equestrian disciplines of dressage, jumping, eventing, driving, endurance, vaulting, and para-equestrian.
2. Mr Mohd Jubal Ahmed Sayadur RAHMAN (FEI ID 10093895), the Person Responsible (the “PR”), is an Endurance Rider from Qatar, who competed with the horse, Zaime (the “Horse”), at the CEI1\* 100 in Doha (QAT), between 11 and 12 November 2022 (the “Event”).

## II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol and Cobalt. 5 $\alpha$ -estrane-3 $\beta$  and 17 $\alpha$ -diol are metabolites of nandrolone, an anabolic steroid used to treat catabolic diseases and to enhance muscle development. They are classified as Banned Substances under the FEI Equine Prohibited Substances List. Cobalt is a chemical element used to increase the number of red blood cells to enhance endurance, and is classified as a Controlled Medication Substance under the FEI Equine Prohibited Substances List.
4. The FEI informed the PR of the positive result in a notification letter dated 13 March 2023 (the “**Notification Letter**”). As a result of the positive finding, the PR 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. On 20 March 2023, the PR challenged the Provisional Suspension and requested a hearing in front of the FEI Tribunal. A hearing was conducted on 3 May 2023. On 20 June 2023, the Preliminary Hearing Panel issued a Decision maintaining the Provisional Suspension imposed on the PR.
6. In the Notification Letter, the FEI provided the PR 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.

7. On 19 June 2023, the FEI sent the PR a Notice of Charge (the “Charge Letter”), whereby the PR was charged with an EAD Rule Violation, due to the positive finding of the Prohibited Substances 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol and Cobalt in the Horse’s sample.
8. On 9 July 2023, within the 20-days deadline, the QAT-NF submitted an Acceptance of Consequences Form in relation to the PR, but which was signed by the APR in the present case, Mr Jassim Hilal H ABUHADOUD. No Acceptance of Consequence Form signed by the PR was received.
9. On 10 July 2023, the FEI informed the QAT-NF that the wrong form had been submitted, and an additional deadline was granted to the PR and to the APR to submit a duly signed Acceptance of Consequences Form (the “AOC Form”). Despite a reminder, no AOC Form was received within the extended deadline.

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

10. On 15 August 2023, the FEI submitted to the FEI Tribunal their Response, with enclosures, and requested the Tribunal to nominate a Panel to adjudicate the present matter, as no position had been received by the PR in the context of the proceedings.
11. On 22 August 2023, before formal proceedings were opened in front of the FEI Tribunal, the FEI sent an additional email, enclosing a duly signed AOC Form from the PR and indicating that the reason the AOC Form was not submitted within the deadlines was due primarily to some misunderstandings between the FEI and the QAT-NF, coupled with the summer holiday period. In view of what it considered to be exceptional circumstances, the FEI was of the opinion that the AOC Form could be accepted, and submitted to the FEI Tribunal the duly signed AOC Form and requested that the FEI Tribunal issue a “Consent Award”, confirming the accepted consequences that would be imposed on the PR.
12. On 20 September 2023, the Tribunal acknowledged receipt of the FEI correspondences dated 15 and 22 August 2023, and informed the Parties of the appointment of a one-person hearing panel to adjudicate and approve this case, which would be, based on the described exceptional circumstances, considered as an AOC Case. The Parties were asked to provide any objections to the constitution of the hearing panel by 25 September 2023.

13. On 25 September 2023, the FEI informed the Tribunal that it did not have any objections to the constitution of the hearing panel.
14. No objection to the constitution of the hearing panel was received from the PR.
15. Neither party requested an oral hearing.

#### IV. Jurisdiction

16. 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, updates effective 1 January 2023, 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, 1 January 2021, updates effective 1 January 2023.

#### V. Early Admission and Acceptance of Sanction

17. 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

18. The PR has explicitly admitted the EAD 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 Final Decision by the FEI Tribunal (the Provisional Suspension already served shall be credited against the imposed Ineligibility Period); and
- A two (2) months period of Provisional Suspension of the Horse (as already imposed as per the Notification Letter of 13 March 2023);
- Disqualification from the whole Event and forfeiture of all medals, points, prize money, etc. won at the Event with the Horse; and
- Fine of CHF 5'000; and
- Automatic publication of sanction.

19. 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 C23-0010 RAHMAN [2023/BS01 – ZAIME] 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 PR 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:

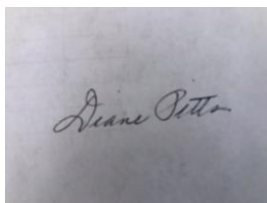
a. The Parties:

- FEI
- Mr Mohd Jubal Ahmed Sayadur RAHMAN (PR)

b. Any other:

- The NF of the PR, the Qatar Equestrian Federation

FOR THE TRIBUNAL

A rectangular image showing a handwritten signature in cursive script, which appears to read "Diane Pitts". The signature is written in dark ink on a light-colored background.

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Ms Diane Pitts (USA)