



DOSSIERARGO

A growing sense of unease is shaking the equestrian world, as demonstrated during the General Meeting in Tokyo.

**A disagreement** has occurred between the most active and important European federations and the FEI's Jumping Committee, regarding the latter's proposals to reduce the number of riders admitted to the Olympics from four to three (per federation) and to cancel the Table C competition at the World Equestrian Games.

The sense of unease was further aggravated by the debate surrounding CSI-Requirement and harmonisation, causing additional distress, especially regarding enrolment fees and extra costs which riders and owners would have to bear. Athletes also declared themselves to be unhappy (Geneva IJRC G.A December 2016).

In addition to these reasons, some national federations and the IJRC, have noticed several critical points, which have been analysed below. The IJRC decided to ask experts in sports policy, political issues as well as a lawyer to perform a comparative analysis with other IF (International Federations).

The aims are to find solutions and to **re-establish balance and harmony** in the international jumping world.

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# CHAPTER 01

## CSI Requirements and Harmonisation

# CSI Requirements and Harmonisation

## FEI's letter sent to National Federations (NF) and IJRC



The FEI Jumping Committee would be grateful if you could circulate the attached CSI/CSIO Requirements and entry fee proposal to your members for review, with a view to presenting an IJRC proposal for the worldwide harmonisation of these requirements to the FEI by 1 March 2017. The proposals received will be considered during the FEI Sports Forum on 10 April 2017, following which the Jumping Committee will draft a proposal based on the feedback from the Sports Forum. Further to the publication of the draft proposal on 6 July, stakeholders will have until 1 September to revert to the FEI with their comments. The Jumping Committee will then prepare a final proposal to be presented to the 2017 General Assembly within the framework of the revision of the Jumping Rules. For your convenience the timeline relating to the rule revision is outlined below:

- 1 March 2017: Deadline to provide proposal for worldwide CSI/CSIO Requirements
- 13 March 2017: Publication of documents relating to the topics at the Sports Forum
- 6 July 2017: Publication of the first draft of the modifications to the rules
- 1 September 2017: Stakeholders revert to the FEI with comments on the first draft
- 24 October 2017: Publication of the final draft of modifications to the rules
- 21 November 2017: Rules presented to the General Assembly for approval

## Scheme of FEI's proposal

The following is a proposal for the long term implementation of standardised entry fees worldwide.

### Long Term proposal

Long Term proposal			(1) MAX Fees per Athlete (% of PM) FOR 3 HORSES	(1) MAX Fees per Athlete (% of PM) FOR 3 HORSES	(2) MAX start fee per Horse (=max €)		
	2018	2019	2020	2021	2022 (= Max €)	2022 Start fee/horse	Total Prize Money (€)
1* World	350 + 50 mand. fee	350 + 50 mand. fee	3.00%	3.50%	4% (0- 1.630)	0,6% (150)	0- 40.699
1* North America	4% of PM/athlete for 3 horses	4% of PM/athlete for 3 horses	4.00%	4.00%	4% (0- 1.630)	0,6% (150)	
2* World	350 + 100 mand. fee	350 + 50 mand. fee	3.00%	3.00%	3% (1.221-3.675)	0,5% (150)	40.700 - 122.499
2* North America	4% of PM/athlete for 3 horses	4% of PM/athlete for 3 horses	3.50%	3.25%	3% (1.221-3.675)	0,5% (150)	
3* World	400 + 100 mand. fee	450 + 100 mand. fee	1.50%	1.75%	2% (2.450- 4.000)	0,3% (240)	122.500-204.399
3* North America	3% of PM/athlete for 3 horses	3% of PM/athlete for 3 horses	2.50%	2.25%	2% (2.450- 4.000)	0,3% (240)	
4* World	500 + 100 mand. fee	500 + 150 mand. fee	1.00%	1.15%	1,25% (2.555- 5.122)	0,2% (400)	204.400 - 409.799
4* North America	2% of PM/athlete for 3 horses	2% of PM/athlete for 3 horses	1.75%	1.50%	1,25% (2.555- 5.122)	0,2% (400)	
5* World	0	250	0.20%	0.25%	0,3% (1.211- MAX 3.000)	0,05% (205 - MAX 750)	409.800 -
5* North America	1% of PM/athlete for 3 horses	1% of PM/athlete for 3 horses	0.75%	0.45%	0,3% (1.211-MAX 3.000)	0,05% (205 - MAX 750)	
5* Western WC	410	410	475.00	500.00	600	0	
5* CSIO	500	500	550.00	600.00	600	0	
6* All	0	0	0.00%	0.00%	0	0	

#### Jumping Committee remarks:

**Tours or events where athletes can enter more horses:** the same amount per Horse as with 3 horses on a pro Rata basis.

There should be a free market, but the entry fee and mandatory fees together should become an important part of the **Event Classification System** (high part of the total %). The goal is to decrease the amount of regulation in the future (free market).

1/ Riders pay more for lower \* shows.

2/ Riders pay more for higher quality shows (free market).

**(1) Maximum fees (ALL FEES Included: Entry fee + Mandatory fees + Nomination fees or Start Fees)**

**Mandatory Fee:** Electricity, Manure, Office, nomination fee, etc. ... **Any fee that a rider must pay to participate**

**Entry Fee : INCLUDES stables and eventual Start fees**

**Start Fee:** Per horse per competition

**Optional fees:** Extra box, extra shavings, extra hay, ...etc. are EXCLUDED FROM THE MAXIMUM Entry fee

**Pass across fees:** EADCMP, ...NF Fee

**(2) MAXIMUM amount for Start Fee per HORSE = % ON THE PRIZE MONEY OF THE COMPETITION** for which the start fee is charged (up to maximum amount allowed).

**Nomination fee** can be asked from the moment the rider enters the show. For cancellations: 4 weeks before the event = 100% refund

3 weeks before the event = 50% refund; 2 weeks before the event = 0% refund

## Position of the IEAO/AJO concerning the CSI Requirements



International Equestrian Organisers Alliance | Alliance of Jumping Organisers



Kolom1	(1)MAX Fees per Athlete FOR 3 HORSES*		(1)MAX Fees per Athlete FOR 3 HORSES*		(2)per Horse (=max €)		Prize Money
	2016	2017	2018	2019	2020 (= Max €)	START FEE/ horse	
1* World	500 , 150	600 , 200	5,00%	6,00%	6% (0- 2.442)	0,6% (150)	0- 40.699
1* North America	4%	4%	5,00%	6,00%	6% (0- 2.442)	0,6% (150)	
2* World	750 , 200	1.000 , 250	3,00%	3,50%	4% (1.628-4.500)	0,5% (150)	40.700 - 122.499
2* North America	4%	4%	4%	4%	4% (1.628-4.500)	0,5% (150)	
3* World	500 , 150	600 , 200	2,00%	2,50%	3% (3.675- MAX 4.500)	0,3% (240)	122.500 - 204.399
3* North America	3%	3%	3%	3%	3% (3.675- MAX 4.500)	0,3% (240)	
4* World	500 , 150	600 , 250	1,50%	1,75%	2% (4.100- MAX 6.000)	0,2% (400)	204.400 - 409.799
4* North America	2%	2%	2%	2%	2% (4.100- MAX 6.000)	0,2% (400)	
5* World	0	250	0,50%	0,75%	1% (4.100- MAX 7.500)	,05% (205-750)	409.800 -
5* North America	1%	1%	1%	1%	1% (4.100- MAX 7.500)	,05% (205-750)	
5* Western WC	450	500	550,00	600,00	600	0	
5* CSIO	500	500	550,00	600,00	600	0	
6* All	0	0	0,00%	0,00%	0	0	

### JC View Considerations:

Free market, but entry fee and mandatory fees together, should become an important part of the

**Event Evaluation system** ( high part of the total % ) --> Goal is to decrease the amount of regulation in the future (free market)

1/ Riders pay more for lower \* shows

2/ Riders pay more for higher quality shows (Free market)

**(1) Maximum fee per horse (all fees included: entry fee + mandatory fees + nomination fees or start fees) - level events combined with higher level events**

\* Price for **2 horses** for 2\*/3\* events in combination with 5\* events

**Mandatory Fees:** Stabling, utilities, waste management, administration, nomination... i.e. any fee you must pay to participate

**Entry Fee :** Per horse per show, INCLUDED eventual Start fees.

**Start Fee:** per horse per competition/ class

**Optional fees:** Extra box, extra chavings, extra hay, etc are EXCLUDED MAXIMAL Entry fee  
Tack box, extra bedding, extra feed, etc. are EXCLUDED from Maximum fee consideration

**Pass though fees:** MCP and similar

**(2) Maximum amount for Start Fee per horse=% for the Class as applicable to a maximum**

**Nomination Fee:** Can be requested from the moment the rider enters.

For cancellations/withdrawals:

4 weeks before +100%

3 weeks before the show = 50% refund;

2 weeks before the show = 0% refund

**Tours or more horses:** exact the same amount per Horse pro Rata base as with 3 horses

identicle fee schedule per horse pro rata to 3 horse invitation

## Position of the IJRC concerning harmonisation

Regarding the request to harmonise the current CSI/CSIO requirements worldwide, as covered under Annex VI of the FEI Jumping Rules, please find the IJRC's thoughts, below.

### HARMONISATION

**In our view, harmonising two vastly different realities (Europe and USA) is not possible, for the following reasons:**

a. The fabric of European society is different from that of the USA: in Europe there is a breeding world, an agricultural and rural horse world;

b. In Europe, the middle classes practise and are involved in our sport: we have numerous great champions and talents who, at least for now, come from middle-income families. Additionally, we don't have as many sponsors or costumers who invest in and bear the costs as the USA Sponsors like the which one of the American riders. In Europe we have some rich people, but not a lot of billionaire that are ready to invest like in the States and to pay all the costs to take part to the shows. In Europe the most of the athletes pay their entry fees.

If the American riders do not have a positive view of the American System; as is too expensive, we will support NARG in its efforts to change and improve the system in North America.



c. Equestrian sport started in Europe, it took more than one hundred year to achieve this result. We need to protect our tradition, our middle class owners, our breeders and farmers that own young horses. We need to protect our coming up athletes and talents.

d. In Europe we need to create a link between Top sport, European development and breeding. With such increase of the cost we think we will create a big fracture.

## CSI REQUIREMENTS: HISTORY

**Sorry to take up more of your precious time. Please accept our apologies in advance. However, we need to take a few steps back.**

The CSI requirement is the fruit of negotiations between the organisers of the FEI/IJRC over seven years (as John Roche will confirm). Together we have worked extremely hard because in the 1990's, chaos reigned.

It was agreed that the entry fees would be 'all inclusive' (TVA, stable, parking, etc) and that no other kind of extra- fee would be permitted.

Fees were anchored to a packet of requirements, as is usual for prize money in Swiss Francs.

It was also agreed that 5\* contests should not require entry fees, since as in other sports, the top riders provide entertainment for members of the public who pay for tickets. For the same reason. 4\* GP riders have the right to have hotel costs paid by the OC.

Yet professional sportspeople in other fields receive engagement fees; they do not pay to take part in events.

It was agreed that young competitors should be protected with the 'law all inclusive' entry fee, as should the competitions for YH (Young Horses) since 50% of young horses in nations such as the Netherlands, Belgium and Germany were owned by trainers or loaned to upcoming riders.

The agreement also protected Junior and YR (Young Riders) competition events.

It was a period in which top riders received competition engagement fees of around 20,000 CHF or DM.

In 1999, it was decided that the IJRC would guarantee that no top rider would ask for engagement fees, but that no organisers, in return, would request Pay Cards. (Zurich meeting between IJRC, World Cup Organizers and FEI, 1999.) The club also agreed to guarantee the presence of six of the Top 10 riders at every stage of the World Cup (with the exception of Malin which unfortunately clashes with Christmas).

In 2011, given the high exchange rate for the Swiss Franc, the organisers requested that future PM should be anchored, instead, to the Euro.

It was eventually decided to fix a 'conversion rate' of 1.41, which it was accepted by IJRC against its wishes, as the correct conversion rates were different, creating a big disadvantage for the riders.

(May 2011: 1.2540;

January 2012: 1.2111;

January 2013: 1.2280)

In the past the Swiss Franc was weaker -- yet it was always the riders who paid the price.

(2006: 1.6059;

2007: 1.6571;

2008: 1.4873;

2009: 1.4844;)

## Extra FEES

Extra fees were not permitted under the CSI Requirement agreement. However, electricity costs at 100 euro per lorry were introduced a couple of years ago, along with manure costs at 40 Euro per horse, and, in some cases, parking costs of up to 250 Euro.

Two years ago the entry fees were increased from 350 Euro to 410 Euro, excluding VAT.

All these changes were made without the riders' consent.

While companies registered for VAT are able to reclaim the additional 20% tax, today European legislation only allows companies who have business within the equestrian world to recover it. For most young participants, for amateur and non-professional riders, this amounts to a further increase of 20% on top of the fee.

## INCREASE of the ENTRY FEE

The increase of the entry fee and of the costs, which are already expensive for Central and Southern Europe, will become unaffordable for the whole of Eastern Europe, where the sport is currently undergoing promising development

### Possible Future Scenarios in case of Harmonization

- The gap between top and “normal” riders will become too big.
- Increasing the costs means killing our sport. Young riders, young horses, small owners and breeders will all suffer exponentially;
- Some riders will be forced to no longer compete and the FEI will receive fewer registration fees;
- It will be too expensive to train young horses and upcoming riders (what about the youth policy?);

### Conclusions

- The proposal sent to us and the NFs (date December 2016), fails to match European needs.
- Organizers proposal: The organizers’ proposal to postpone the “Invitation system” by four years it is also unacceptable. This is because it is supported by the organizers of CSI 2 \* and 3 \*, which take place on the same days as a 5\*, which are only open to expensive wild cards.  
In such cases, it would be more constructive to leave a part of total market free for amateur sport, allowing those who wish to have fun to compete in low level competitions, impeccably organized in a 5 \* arena.  
The 2\* and 3 \* luxury classes, open only to those who can pay, must not have ranking points.
- The European Federation’s letter and proposal are of great interest, especially as regards the Nations Cup.

**We believe a substantial rethink of the problem is required and the IJRC is ready to engage in constructive collaboration in order to find a solution agreeable to all.**

## Example of CSI increase in a major NF | France

National members —→ 670.000

FEI Riders —→ 5.114

FEI Horses —→ 11.351

<b><u>Labels :</u></b>	<b>2017*</b>	<b>2016</b>
Nombre total de labels organisés	375	333
Nb moyen de labels / CSI	3,6	3,5
5*	12	10
4*	3	2
3*	22	15
2*	51	54
1*	14	11
Autres	3	3

\* au 23/03/2017

<b><u>Organisateurs :</u></b>	<b>2017</b>	<b>2016</b>
Nb d'organisateurs différents	67	61
Nombre moyen de concours par organisateur	-	1,6

### Example of CSI\* and CSI\*\* shows increase

CSI\* and CSI\*\* in Europe → 361  
(*March 2016-March 2017*)

CSI\* and CSI\*\* in Europe → 323  
(2012) (total)

\* source: FEI online calendar

## CHAPTER **02** Nations CUP



# *how to*

can the Nations Cup be  
made more attractive?

## *Efficiency*

and excellent  
organization

## *rider/horse*

The best Rider/horse  
combinations should be  
encouraged to take part  
in competitions.

## **Prize***Money*

## *more*

Ranking Points

## The IJRC intends to support the Nations Cup.

It is a series that is certainly worth defending.

The Nations Cup forms the essence of our sport, permitting Chef d'Equipe and federations to build teams for championships and the Olympic Games.

Today the circuit provides spacious, high-level show grounds, trial grounds that are in line with measures which allow good working conditions prior to events, high-standard obstacle materials and technical requirements, good programmes. These are not always found in other events or show jumping series.

The Nations Cups must be helped and defended.

Riders must find a way to participate using their best horses.

The FEI must continue to seek common sponsors, supported by communication and marketing.

Organizers must guarantee efficiency, continuity and improvement.

Unfortunately, the prize money is not in line with other 5\* events. However, teams are not required to pay substantial fees to enrol their members in the series.

It is the Nations Cup which permits show jumping to be an Olympic Sport

# CHAPTER 03

## Ranking Points



Longines Ranking Working Group is in charge of studying the best and fairest way to distribute ranking points.



**It is the intention of the IJRC (owner of the formula) to increase the Nations Cup Ranking points starting with the 2017 season.**



The IJRC was not consulted with regard to the distribution of the 2017 GCLT ranking points. The IJRC expressed a negative opinion in 2015.



Is it acceptable to pay in order to accumulate points counting towards Olympic Ranking?

# CHAPTER **04** Pay Card



*what*  
is a pay card?

#### DEFINITION BY FEI LEGAL DEPARTMENT:

**Pay Card: Any remuneration paid in exchange for an invitation to compete at a FEI Event.**

And in the General Regulations, it also states in art. 115: “(...) The percentage of Athletes personally invited by OCs shall be specified in the Sport Rules for the specific Disciplines. However, these **invitations from OCs** (foreign and/or home Athletes) must be under the same conditions as for other Athletes and **must in no way be directly or indirectly in connection with a financial contribution**. Pay Cards and appearance fees, even in the form of VIP tables and Event privileges, are strictly prohibited and will be sanctioned.”

# CHAPTER 05

## Athletes representative and voting system

## Agenda 2020

“The athletes are at the heart of the Olympic Games. Their voice is very important in the IOC”

*(IOC President Thomas Bach)*

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### **Recommendation 18: Strengthen support to athletes**

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#### **Strengthen support to athletes:**

1. The IOC to put the athletes' experience at the heart of the Olympic Games.
2. The IOC to further invest in supporting athletes on and off the field of play.



## DECLARATION OF THE IOC EXECUTIVE BOARD March 2017



### **12 PRINCIPLES FOR A MORE ROBUST AND INDEPENDENT GLOBAL ANTI-DOPING SYSTEM TO PROTECT CLEAN ATHLETES**

2. Since the sports organisations and the governments are both founding stakeholders on an equal basis, they must be represented equally on the WADA Foundation Board and Executive Committee. The role of athletes on the Foundation Board and Executive Committee must be strengthened. The representation of athletes must be by elected (not appointed as now) athlete representatives. The WADA boards should also include independent members.

## What happens in other Federations?

### Summary

32 International Federation are considered here. The most common practice in the Athlete representation is to include the Chair of the Athletes' Commission as a Member of one of the Federation Executive body (Council, Executive Commission, Board of Directors..): this is done by 21 out of 32 Federation (65.6%). Among these 21 Federations, we have different situation: broadly speaking

- **8 Federations** (FIS, FIG UCI, BWF, UIPM, ITU FIL, IBSF) have an Athlete Commission elected by their peers and, in turn, the elected members of the commission elect the Chairperson.
- **3 Federations** (World Archery, WTF and World Sailing) have an Athlete Commission elected by their peers, but the Chair of the Commission is NOT elected by Athletes (by the President in the first two cases, by the Board in the second case).
- **1 Federation** (IHF) has an Athlete Commission elected by their peers and the Chair is the one who wins the largest number of votes.
- **4 Federations** (ISSF, ITTF, FIE, ICF) have an Athlete Commission in which some members are elected by their peers while other members are appointed by the Executive Committee. For the first two Federations (ISSF and ITTF), the Chair is appointed by the Executive Committee; for the other two Federations (FIE and ICF) the Chair is elected by the members of the Athletes Commission.

- **5 Federations** (ITF, FISA, UWW, FIBA, IWF) have an Athlete Commission whose members are NOT elected by their peers; instead they are elected by the Board (ITF, FIBA, IWF), by the Bureau (UWW) or by the Council (FISA). The other 11 Federations do not mention in their Statutes the presence of Athlete Representative in the Federations' Executive body. Among these Federations, only one (FIFA) does not have an Athletes' Commission.

The other 11 Federations do not mention in their Statutes the presence of Athlete Representative in the Federations' Executive body. Among these Federations, only one (FIFA) does not have an Athletes' Commission. Regarding the other 10 Federations:

- **2 Federations** (ISU and IJF) have an Athlete Commission elected by their peers.
  - **5 Federations** (IBU, IGF, FIVB, AIBA, World Rugby) have an Athlete Commission NOT elected by their peers; instead their members and the Chair are 1 elected by the Board (IGF, FIVB), by the President (AIBA), by the Executive Committee (IBU) or by the Council (World Rugby)
  - **1 Federation** (WCF) have an Athlete Commission elected by their peers but the Chair is appointed by the Board.
  - **1 Federation** (IAAF) have an Athlete Commission in which some members are elected by their peers while other members are appointed by the Council.
  - For the IIHF there are not indication on how the Athletes Committee's members are appointed or elected.
- In the next pages the details for each Federation.

## 1 FIS (International Ski Federation)

The representative of the Athletes in the FIS Council is the Chairperson of the Athletes' Commission, which is elected by the members of the Athletes' Commission. The members of the Athletes' Commission are elected by the athletes who have participated in the FIS World Championships 2015 in the respective discipline every two years.

Source: Art. 22.8, 25.4 of FIS Statute; and FIS Athletes' Commission Guide.

## 2 ITF (International Tennis Federation)

The two Athlete Representative Board members, one male and one female, are appointed by the elected members of the Board of Directors at a meeting of the Board of Directors of ITF for a term of up to four years, as well as the Members of the Athlete Commission.

The Athlete must have been active as a tennis playing professional within 16 years of the date of appointment to the Board of Directors. Moreover, as the other members of the Board of Directors, the Athlete is a national of a country which has played in the Davis Cup Competition at least ten times; and has attained the age of 21 and enjoys civil and political rights.

Source: Art. 19(a) 21(b) , Appendix D of ITF Statute.

## 3 FIG (Federation Internationale de Gymnastique)

The President of the Athletes Commission becomes one of the members of the FIG Council. The Athletes' Commission consists of six members. Each member is a representative of a different competitive discipline and elected from among their fellow athletes (gymnasts). The President of the Athletes Commission is elected among and by the six members during the first meeting of the intermediary (even) year of the Olympic cycle. There are some eligibility criteria for the Members of the Athletes' Commission: minimum age 18 in the year of the election; previous participation at official FIG competitions (Olympic Games, World Championships or World Cup Final); retirement from official FIG competitions may be a maximum of five years before the year of the election and re-election once only; Athletes are eligible only if they have never been sanctioned by the FIG and / or their Federation.

Source: Art. 11.14.6, 22 of FIG Statute.

## 4 UCI (Union Cycliste Internationale)

The President of the Athletes' Commission becomes one of the member of the UCI Management Committee. The Athletes' Commission comprises 16 members, 2 (one male and one female) for each discipline. The President of the Commission is elected among the members during the Commission's first meeting. In case of a tie in the election for the President of the Commission after two rounds of votes, the UCI Executive Committee shall appoint the President of the Commission.

Members of the Commission are elected by their peers that take part in the relevant Elite World Championships. The Commission shall comprise active athletes, and/or athletes who have recently retired, who are fluent in French and/or English and are at least 18 years old.

Source: Art.1 and 22 of UCI Athletes' Commission Terms of Reference.

## 5 ISU (International Skating Union)

There is not mentioned in the ISU Statute the presence of Athlete Representative in the ISU Council. However, all the Members of the ISU Athletes Commission (5 elected athletes, one for each discipline) are ISU Office Holders and full members of the respective Technical Committee with a right to vote. The Athletes Commission members are elected by their peers. To be eligible for election, the Athletes Commission candidates must: have competed in (senior) ISU Events of the respective discipline within the previous 4 seasons before the season of election; be at least 18 years of age and not have been sanctioned for any violation of the ISU Anti-Doping Code and disciplinary and ethical offences. / Source Art. 21 of ISU Statute.

## 6 IBU (International Biathlon Union)

There are not Athletes Representative in the IBU Executive Board. There is an Athletes Committee, composed of two female and two male athletes who are appointed by the Executive Board upon proposals of those athletes. This Committee is intended to act as a link between the active athletes and the IBU bodies, and acts in full autonomy. The Athletes' Committee is called upon to take care of the interests of the active athletes. / Source: Art 5. (Part 1) of IBU Statute; and IBU official website.

## 7 IIHF (International Ice Hockey Federation )

There are not Athletes Representative in the IIHF Council. There is an Athletes Committee composed by 6 members, which chairman is one of the Council's members. There are not indication on how the Athletes Committee's members are appointed or elected. / Source Art. 34 of IIHF Statute; and IIHF official website.

## 8 FISA (Federation Internationale des Societes d'Aviron)

The Chair of the Athlete Commission becomes one of the members of the FISA Council and he/she is elected at the Ordinary Congress. Members of the Athletes Commission are appointed by the Council for a period of four years which may be renewed. / Source Art. 39 and 53 of FISA Statute.

## 9 BWF (Badminton World Federation)

The Chair of the Athletes Commission becomes one of the members of the BWF Council and he/she is appointed by the Athletes Commission according to a process approved by Council. Members of the Athletes Commission are elected by their peers, and no two elected members of the Athletes' Commission shall come from the same BWF Member Association. / Source: Art. 17.1 and 18.5 of BWF Statute and BWF official website.

## 10 WORLD ARCHERY FEDERATION

The Chairperson of the Athletes Committee sits on the World Archery Executive Board. The Athletes Committee shall be elected by the athletes among the nominations received from Member Associations, while the chairpersons shall be designated by the President. Besides the Chairperson, the Athletes Committee consist of 5 members, one from each category (Men Recurve, Women Recurve, Men Compound, Women Compound and one Para-archer). Only athletes participating in the World Championships are eligible to vote. / Source: Art. 1.6.7, 1.12.1, 1.16.2. and Appendix 8 of World Archery Federation Statute

## 11 WCF (World Curling Federation)

There is not mentioned in the WCF Statute the presence of Athlete Representative in the WCF Board. There is an Athletes Commission that serves as an independent and a consultative body, and acts as the collective voice of our Athletes. The Board shall appoint a Board member to chair the Athletes Commission. Members of the Athlete Commission are elected by defined athletes (who have competed in the curling or wheelchair curling events at the Olympic or Paralympic Winter Games, or at the World Championships in the last eight years). All three WCF geographical zones (Europe, Americas, Pacific-Asia) should be represented. / Source: Bye law 4 of WCF Statute; Athlete Commission Election Notice and WCF official website Statute

## 12 FIE (Federation Internationale d'Esgrime)

The President in office of the Athletes Commission is a member of the FIE Executive Committee with full rights and obligations. Members of the Athlete Commission elect its President that will represent the Athletes in the Executive Committee. All athletes who have been entered to compete in either one of the last two Olympic Games or at least one of the Open World Championships held over the last 5 years can be a candidate for the Athletes Commission. The Athlete Commission has 12 members: 6 of them are elected by athletes and, in case of a tie, the candidate who has the highest placing in the world Open ranking will have the preference; while the other 6 members are nominated by the Executive Committee among the list of athletes submitted by their national federations. / Source: Art. 4.5 and 5.2.5 of FIE Statute.

### 13 WTF (World Taekwondo Federation)

The President of the WTF Council is empowered to include one male and one female athlete council member who have retired from active competition within the last eight years.

There is also an Athletes Committee that represents athletes within the Taekwondo Movement. Their members are elected in accordance with a procedure determined by the Ad Hoc WTF Elections Committee which establish the candidature application requirements. Moreover, the Chairman of the Athletes Committee is also a member of the Technical & Development Committee, which reviews the organization and management of taekwondo competitions. Source Art. 6.6; 27.1(A) e (N) of WTF Statute

### 14 ICF (International Canoe Federation)

The Chair of the Athletes Committee become member of the ICF Board of Directors. The Chair of the Athletes' Committee is elected by their own members  
The Athletes Committee is composed by 6 members and all of them are retired athletes. 4 of them (2 representing Canoe Slalom and 2 representing Canoe Sprint) are elected by Athletes in their respective Word Championships. The remaining 2 Committee members are from other disciplines, proposed by their National Federation and elected by all members of the ICF Board at the Board of Directors meeting. Moreover, Members of the Athletes Committee automatically become part of the ICF Standing Committee in their respective disciplines, with a maximum of 1 member per discipline. In addition, the chair of the Athlete Committee is member of the Competition Commission, which coordinate competition matters.  
Source: Art.26, 27.4, 32.2, Bye-law 33(m) and ICF official website.



## 15 IGF (International Golf Federation)

There is not mentioned in the IGF Statute the presence of Athlete Representative in the IGF Board. There is an Athlete Committee, a consultative body that has been established to create a link between active athletes and the IGF. The Committee is appointed by the Board who appoints its chair. Among their 9 members, only 4 are professional athletes. The other members are: 4 representative of the main tour organizers and the IGF Executive Director.

Source: IGF official website.

## 16 IJF (International Judo Federation)

There is not mentioned in the IJF Statute the presence of Athlete Representative in the IJF Board. There is an Athlete Committee whose members are elected by all the participating in the World Championship.

Source: Art. 11.13 of IJF Statute and IJF official website.

## 17 UWW (United World Wrestling)

The President of the Athletes' Commission becomes one of the member of the UWW Bureau.

The members of the Athletes' Commissions are appointed by the Bureau upon proposal from the President of the UWW Bureau. The candidate willing to be member of a Commission shall be proposed by a National Federation.

Source: Art. 12.1 and 20 of UWW Statute.

## 18 FIVB (International Volleyball Federation)

There is not mentioned in the FIVB Statute the presence of Athlete Representative in the FIVB Executive Committee and Board. There is an Athlete Commission created in 2016 whose members are proposed by the President of the Executive Committee and for appointment by the Board of Administration, chosen from among, but not limited to, the candidatures presented by the National Federation.

Source: Art. 2.6.2; 2.9 of FIVB Statute and FIVB official website.

## 19 AIBA (International Boxing Association)

There is not mentioned in the AIBA Statute the presence of Athlete Representative in the AIBA Executive Committee. There is an Athletes & Youth Commission, which is an advisory body that may propose recommendations to the Executive Committee. The AIBA President appoint and dismiss the Chairperson and all the other members of the Athletes Commission. / Source: Art.39.2(F) 45

## 20 UIPM (International Union of Modern Pentathlon)

The chairperson of the Athletes' Committee is member by right of the Executive Board.

The Athletes' Committee is composed of 7 members of differing nationalities. Athletes from each Continental Confederation elect 1 athlete during the relevant continental championship occurring prior to the UIPM election congress. To be eligible an athlete must be internationally ranked in the last two seasons before the elections. The elected members elect among them a Chairperson for the Athletes' Committee.

Source: Art. 14.3 of UIPM Statute and Art.4.7 of the UIPM Rules on Internal Organisation.

## 21 Worldrugby

There is not mentioned in the AIBA Statute the presence of Athlete Representative in the AIBA Executive Committee. The Athlete Commission was created in n 2014 and it is not mentioned in the Worldrugby Constitution. According to the official website, members of the Athlete Commission are appointed by the Council members

Source: Bye law 9.15; official website of Worldrugby

## 22 ITTF (International Tennis Table Federation)

The Chair of the Athletes Commission becomes member of the ITTF Board and Executive Commission. The Commission is composed of 11 members who must be at least 16 years of age and never have been sanctioned for a doping offence:

- 5 athletes elected during theWorld Championships by all athletes taking part in the World Championships
- 1 athlete elected during the Para World Championships by all athletes taking part in the Para World Championships
- 3 athletes nominated by the ITTF Executive Committee
- 2 athletes nominated by the Athletes' Commission
- 1 member of the IOC Athletes' Commission from TT is automatically a member of the Commission.

The Chair of the Athletes Commission will be proposed to the Executive Committee, and endorsed by, the Commission itself. He/she could be an active or retired player.

Source: Art. 1.5 and the document "Terms of Reference Athletes' Commission

## 23 ISSF (International Shooting Sport Federation)

The Chair of the Athletes Commission becomes member of the Executive Committee with full voice and vote.

The ISSF Athletes Committee must be composed of 7 members, 4 of them elected by the athletes participating in the ISSF World Championships and 3 members appointed by the ISSF Executive Committee., in order to guarantee a balance between continents, genders and disciplines. The Chair of the Athletes Commission is appointed by the ISSF Executive Committee. To qualify as a candidate, an athlete must never have been found guilty of a doping offence and must have participated in either the last Olympic Games or in the previous or present World Championships.

Source: Art. 1.15 and Annex AC of ISSF Statute.

## 24 ITU (International Triathlon Union)

The 10 persons of the Athletes' Committee (5 men and 5 women, being at least from 3 continent, two of whom should be Paratriathletes) have voice in the Council and 2 of them can exercise their vote.

The Chair of the Athletes' Committee, which is elected by the members of the Athletes' Committee, becomes member of the Executive Board. Members of the Athletes' Committee are elected by their peers at the World Championship.

Source: Art. 15.3, 18.1, 20 of the ITU Statute.

## 25 World Sailing

The Chair of the Athletes' Commission becomes a member of the Board of Directors of the Federation. The Athletes' Commission is composed of athletes representing Olympic events, and is elected by the athletes themselves, while the Chair of the Athletes' Commission is nominated by the Board.

Source: Art. 64 and 69 of World Sailing Statute and its official website.

## 26 FIL (International Luge Federation)

The Chair of the FIL Athletes Commission becomes a member of the FIL Executive Board. Members of the Athletes Commission are elected by their peers which elect the Chair of the Commission.

Moreover, Athletes who participate in FIL competitions in artificial track luge can nominate one candidate for Athletes' Representative each for the Sport Commission Artificial Track and for the Technical Commission Artificial Track. The athletes who participate in FIL competitions in natural track luge can nominate two candidates for the Commission Natural Track.

The athletes' representative must, at the time of his/her nomination, have participated in at least three World Cup/Nations Cup/European Cup competitions or at least two FIL championships within the past 24 months.

Source: Art.4.5 and 4.12 of FIL Statute

## 27 FIFA (Federation Internationale de Football Association)

There is not neither a representation of athletes in the FIFA Executive Committee nor the Athletes Committee.

Source: FIFA Statute

## 28 FIBA (Federation Internationale de Basketball)

The Chair of the Players' Commission has consultative power in the Congress and is a member of the Central Board; but he/she has no role in the Executive Committee. The Chair and members of the Players' Commission are appointed by the central Board

Source: Art. 14.11,15.1 and 25 of the FIBA Statute.

## 29 IHF (International Handball Federation)

The Chairman of the Athletes' Commission becomes one of the member of the IHF Council, but not of the Executive Committee.

The Athletes' Commission is composed of five members (active players) with at least two members from each gender, elected by their peers.

The candidate who wins the largest number of votes cast will be the chairperson of the Athletes' Commission, that should be approved provisionally by the Council until the following IHF Congress.

Source: Art. 13.1, 15.1 and IHF official website.

## 30 IBSF (International Bobsleigh and Skeleton Federation)

The Chairperson of the Athletes' Advisory Committee becomes member of the Executive Committee. The Athletes' Advisory Committee consist of 5 Athletes. who have been licensed by the IBSF and have participated in the Olympics, or World Championships or World Cup Competitions: 1 athlete for each of the 4 discipline (active or retired athlete but having competed in IBSF Events within the preceding 5 years of the date of Election). The fifth member is a retired Athletes that becomes the Chair of the Athletes' Commission.

All the Members of the Athletes' Commission are elected by their peers participating at the Olympic Handball Tournament.

Source: Art. 9.2 and 12.6 of IBSF Statute.

### 31 IWF (International Weightlifting Federation).

The Chairperson of the Athletes' Commission, if not an Executive Board member, may be invited to the Executive Board meetings in a consultative capacity. Members of the Athletes' Commission and its Chairperson are appointed by the Executive Board. Members of the Athletes' Commission may be athletes still pursuing an active career or having finished their active careers not more than four years prior to the appointment. / Source: Art. 6 and Bye-law to 6.1.2

### 32 IAAF (International Association of Athletics Federation)

There is not mentioned in the IAAF Statute the presence of Athletes Representative in the IAAF Council or in the IAAF Executive Boards. There is an Athletes' Commission, made up of 18 members, 12 of whom are elected by their peers and six appointed by the IAAF. To be eligible for nomination by their own IAAF Member Federation as a candidate for the IAAF Athletes' Commission, athletes must have participated in at least one of the past two editions of the IAAF World Championships or in the most recent Olympic Games, or have been a competitor at this year's IAAF World Championships. Members of the Athletes' Commission elect the Chair of the commission. Source: IAAF official website.

## CHAPTER 06

## Sanctions and proportionality of the sanction



### The NARG's request | March 9, 2017

NARG is pleased to provide input in support of IJRC regarding new proposed protocols to clarify the blood rule in relation to marks on horse's flanks and blood in the mouth.

As always, we share the FEI and IJRC's desire to protect horse welfare. We are concerned however with how the FEI handles infractions both publically and privately. This is a delicate matter and we need to balance compliance with the rules and public perception in a manner that enables promotion of the sport to continue. We must not let Show Jumping go the way of Sea World and the Circus!

Let us start with the fact that this is a sport and that all equipment and training methods are employed with the intent to safely support and enhance performance. Spurs are used to enhance performance as well as the riding stick and the bit in a horse's mouth. None of these tools are inherently abusive if used properly. We are all aware however that any of the above can cause minor injury to the horse if used excessively or with excessive force.

It should be acknowledged that, in almost all situations at the FEI level of sport, these injuries are unintentional in nature. Given that we must believe in this guiding principle in order for us to continue in good faith to promote our sport then that is the basis from which the regulation and violations must be handled.

The governing body of our sport should use great caution in broadly labeling these accidents as “abuse” either publically or privately. Doing so is reckless and endangers the very survival of our sport. One of the primary obligations of the FEI is to ensure the future of FEI competition and as such, the organization should be concerned with the public perception of our sport and should have a goal of promoting the sport, while still safe-guarding animal welfare. Presenting the public with un-adjudicated “abusers” at an event where they were likely unaware of any violation is negligent and reckless.

We recommend a progressive approach to violations:

### **Blood from a Spur**

First sign of blood from a spur:

Mandatory use of a spur guard and permission to continue competing in the class and competition.

\*\* If Blood is discovered after excessive and abusive spurring in the warm up ring or class however and such activity is witnessed and determined by officials then the horse should be eliminated from the class due to “injury” of the horse and it being “unfortunately unable to compete due to injury”.

Second Violation:

Results in elimination from the class due to “injury” of the horse and it being “unfortunately unable to compete due to injury”. The horse is then ineligible to compete for the balance of the competition.

### **Blood from the Mouth**

First sign of blood from the mouth:

An inspection should occur to determine whether the blood likely derived from the bit or from the horse accidentally biting its cheek or tongue.

If the injury is determined to be an accident then no further action will be taken by the officials and the incident will not constitute a first violation.

If the injury is determined to be caused by the bit however then the rider will receive a warning and may continue in the class.

\*\* If Blood is discovered after excessive and abusive jerking on the horse’s mouth in the warm up ring or class and such activity is witnessed and determined by officials then the horse should be eliminated from the class due to “injury” and being “unfortunately unable to compete due to injury”.

### Second Violation:

The same inspection should occur as with the First Sign of Blood.

If the injury is determined to be accident then no further action will be taken by the officials and the incident will not constitute a second violation.

If the injury is determined to have been caused by the bit then the horse should be eliminated from the class due to “injury” and being “unfortunately unable to compete due to injury”. The horse is then ineligible to compete for the balance of the competition. Violations in consecutive shows of either blood rule results in mandatory elimination for the balance of the second competition due to “injury of the horse”.

NARG and IJRC agree that abuse can exist and should be strongly deterred with violators being punished. The key is not introducing another area of confusion or arbitrary decision-making by show stewards but rather, instituting a clear set of rules and punishments that deter abuse and are particularly harsh for repeat offenses.

The “educated” public must know that abuse is not acceptable but should also understand that mishaps can result in violations. The general public must only know that we do not allow abuse in the sport and that we are managing offenders with punishments that will deter unacceptable behavior. The perception must be reinforced that “abuse” is both rare and unacceptable.

Finally, NARG and IJRC welcome the opportunity to provide further input regarding the proposed regulations. We hope this issue can be addressed in a positive way that is both good for the sport and gains rider support. We are sure that the abuse we are all concerned about can be eliminated without having our sport take a step in the wrong direction.

## CHAPTER 07

## Blood rule and Legal considerations

## THE “BLOOD RULE” | An unfair rule to be changed

The FEI is a sport association under the Swiss Law. Chapter VIII of the General Regulations (GRs) is entitled «the Legal System» and provides «the legal powers and responsibilities of Officials and bodies appointed under Statutes, GRs and Sport Rules».

The FEI Legal System’s aim is that «competitions must be fair for all Athletes» (see art. 157 § 4 GRs). This judicial principle finds its basis in the Swiss Constitution, where it is stated that «Every person has the right to equal and fair treatment in judicial and administrative proceedings and to have their case decided within a reasonable time» (see art. 29 § 1).

The FEI Legal System is enforced through an administrative proceeding which provides that «all Athletes, Owners, Support Personnel and any other person taking part or benefiting from FEI activities accept this legal System and its dispute resolution mechanism (which include an Appeal to the Court of Arbitration for Sport as final and binding arbitration) as a condition precedent to participation in FEI activities and/or to receiving any benefit from FEI activities» (see art. 157 § 3 of GRs).

The practical consequence of this rule is that if a rider wants to participate in a FEI recognized show he or she should automatically accept the FEI Legal System as a «condition» to have his enrolment accepted.

The key characteristic of the FEI Legal System is the provision of «penalties and sanctions» which can be imposed against the riders (see art. 159 of the GRs). In the case of an alleged anti-doping violation, the sanction can be a period of ineligibility of the rider up to two years (see art. 10.2. of the EADCM Regulations).

The imposition of each penalty and sanction has a direct impact on the rider's legal status because he or she must accept limitations - just to make a few examples - of his or her right to participate in shows, to teach pupils or to hold a public office in the National Federation or in International Bodies.

If the legal effects are so severe for the rider's status, the application of these «penalties and sanctions» is acceptable - from a legal point of view - only if the person called upon to impose these measures - a Judge rather than an Official - has the discretionary power to choose the penalty or sanction which best fits the case under judgment.

The Judge or Official's discretionary power must guarantee that «individual Athletes and teams of Athletes from different National federations may compete against each other under fair and equal conditions with the welfare of Horse as paramount» (see. Art. 100 § of GRs).

The above quoted rule is very important because it states that the Judge/Official has to balance, case by case, two different interests, i.e. the «Horse welfare» must be protected with a view to guaranteeing «fair and equal conditions» during the competitions. The two criteria cannot be separated but they lead the Judge/Official in the correct application of his or her discretionary power. In the light of the Legal principles examined above, we immediately understand why the so called «blood rule» is in contradiction with the FEI Legal System itself.

Article 242 of the Jumping Rules provides that «Disqualification is mandatory» when «Horses (ARE) bleeding on the flank(s)» (see § 3.1). The FEI Chief Steward must report that a horse is bleeding on the flank (s) to the President of the Ground Jury and the latter has no option than to disqualify the rider.

If the disqualification is «mandatory» the Judge/Official is deprived of any discretionary power to investigate the reason for the bleeding because the rule makes no reference to different hypotheses for the bleeding.



In other words, the Official cannot check case by case if the bleeding is the result of abuse against the Horse. It is perfectly possible that the bleeding could be accidental, for instance - just to give a few examples - if the Horse has scratched his flank on the fence of the warm up arena or following a collision between two horses. the legal consequence is that riders find themselves automatically disqualified at least from the single class having done nothing wrong because the bleeding is not the result of abuse against the Horse.

In all these cases, a «mandatory disqualification» - provided by the strict application of the FEI's rules - would be excessive and disproportionate in view of the specific circumstances with No FAULT of the rider.

A «mandatory disqualification» violates «the principle of proportionality» quoted by CAS as «a fundamental principle of sports law» (see CAS 1999/A/246 Ward v. FEI, § 5.21) and «a general principle of law recognized by the Swiss legal system» which «has its roots in constitutional and administrative law» (see CAS 2005/C/976 & 986 FIFA & WADA).

In detail, the CAS has recognized that «the sanction must also comply with the principle of proportionality, in the sense that there must be a reasonable balance between the kind of the misconduct and the sanction. In administrative law, the principle of proportionality requires that (i) the individual sanction must be capable of achieving the envisaged goal, (ii) the individual sanction is necessary to reach the envisaged goal and (iii) the constraints which the affected person will suffer as a consequence of the sanction are justified by the overall interest in achieving the envisaged goal» (see CAS 2005/C/976 & 986 FIFA & WADA, § 138-139).

It is easy to stress that all the requirements provided by the CAS are lacking in relation to the so called «blood rule». The «envisaged goal» of the rule should be to avoid any abuse against the Horse but the «individual sanction of the mandatory disqualification» denies any power to the Official to establish, case by case, if the «bleeding» is effectively a consequence of an abuse committed by the rider. Furthermore, the so called «blood rule» contains a clear contradiction within the text.

The rule takes into consideration different hypotheses when the Horse is bleeding in the mouth providing that «in minor cases of blood in the mouth, such as where a Horse appears to have bitten its tongue or lips, Officials may authorize the rinsing or wiping of the mouth and allow the Athlete to continue» (see. Art. 3.3 of the Jumping Rules).

The contradiction is supported by the fact that there are no legal reasons to give Officials a discretionary power when a Horse is bleeding in the mouth and deny the same power when the Horse is bleeding on the flank(s).

It is quite interesting that the dressage Rules make a difference between «fresh blood» and «no fresh blood» (see art. 7.6) and that the Eventing Rules provide that «blood on Horse may be indicating of abuse and must be reviewed case by case by the Ground Jury» (see art. 526.4).

If we agree that the so called «blood rule» should be amended, an interesting proposal has recently been presented by the North America Rider Group (NARG) to the International Jumping Riders Club (IJRC). The NARG moves from the general consideration that spurs, the riding stick and the bit in a horse's mouth are all used to enhance performance and none of these tools are inherently abusive if used properly. Only if used excessively or with excessive force, can they cause minor injuries to the horse. The NARG recommends a progressive approach to violations distinguishing the case in which the blood is coming from a spur rather than from the mouth. In the first case, the sanction of the rider's elimination from the class due to «injury» of the horse should be limited to the hypothesis of an excessive and abusive spurring in the warm up ring or in the class and such activity must be witnessed and determined by Officials.

If blood comes from the mouth, no further action will be taken by the Officials after an inspection to determine whether the blood likely derived from the bit or from the horse accidentally biting its cheek or tongue.

If the injury is determined to be caused by the bit, however, then the rider will receive a warning and may continue in the class.

If, however, blood is discovered after excessive and abusive jerking on the horse's mouth in the warm up ring or class and such activity is witnessed and determined by officials, then the horse should be eliminated from the class due to "injury" and being "unfortunately unable to compete due to injury". In conclusion, to punish those who fail to respect the welfare of a horse is certainly right but the actual text of the so called «blood rule» is in contrast with general principles of Law which must be always respected.

# CHAPTER **08** Conclusions

In this document we have amply illustrated the reasons why the different proposals cannot be shared by athletes, particularly the CSI Requirement and Harmonisation. The IJRC believes that the positions of the athletes, as the central and irreplaceable component of the sport, must be taken into serious and careful consideration by the organs of the Federation. For its part, it assures a critical but constructive engagement of a better definition of the FEI to promote a balanced and effective management of equestrian sport.

**Below we summarize the positions and demands of the IJRC (later the athletes / riders)**

- The athletes strongly support the Nations Cup
- Athletes believe that we should give NCs more ranking points in order not to penalise those riders who choose to participate in the NC over other contests with higher cash prizes. A proper ranking list is crucial for the Olympic Games
- Athletes consider Pay Cards a tool against sporting merit and a serious obstacle to the good functioning of competitive activities
- Athletes hope and call for a fairer representation on federal bodies, with a revision of the voting method and selection of candidates, both for the technical commissions and for the Athletes Commission and its president.
- Athletes call for a fairer proportionality of sanctions and in particular a revision of the Blood Rule, with balanced and accurate communication to the media
- In this area procedures and methods to avoid the risk of contamination during events and consequent opening of doping procedures must be studied carefully

Athletes also hope that, as part of a forthcoming revision of the statutes, a clear and substantial separation of roles between the Federation's legislative, executive and judicial bodies is carefully evaluated, as well as the introduction of admission criteria that take into account the actual business of the Federation itself (number of athletes and horses, number of organized sporting events, performances and participation in Championships and Olympics).

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**THANKS TO**

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Christina Liebherr (President), Ludger Beerbaum (Vice President),  
Rodrigo Pessoa (Vice President), Eleonora Moroni Ottaviani  
(Director), Ben Maher, Cayetano Martinez de Irujo, François Mathy jr,  
Geir Gulliksen, Katharina Offel, Kent Farrington, Kevin Staut, Lauren  
Hough, Maikel van der Vleuten, Philippe Lejeune, Steve Guerdat,  
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