The arguments of the FEI were dismissed by the Court of Appeal. The Court of Appeal considered that the upholding of the BCA decision does not relieve GCL of the obligation to comply with the rules of the FEI relating to the protection of the welfare of horses (the Code of Ethics for the Welfare of Horses, Veterinary Regulations, the Equine Controlled Medication Regulations of the FEI) and the integrity of competition (the Anti-Doping Rules for Human Athletes and the Equine Anti-Doping and Controlled Medication Regulations). Moreover, parties in the proceedings themselves have committed to adhering to the regulations of the FEI relating to horse welfare and the integrity of competition during the Global Champions League and to submit to the controls of the FEI at their own expense. The Court of Appeal also observed that the Statutes and Regulations of the Global Champions League stipulated sanctions (penalties and disqualifications) to anyone found to have violated horse welfare or mistreated a horse (...) is liable to fines and other penalties, including disqualification from the event or exclusion from the League. The Court of Appeal also considered that the FEI failed to demonstrate how the organizing of the GCL would adversely impact “protection of horse welfare and of the integrity of the sport” and or would create “a risk in respect of the showcasing of international competitions”. These negative effects on horse welfare and integrity of the sport seem to be from our perspective rather non-existent. If the FEI is really concerned about these issues and would like to mitigate this alleged risks the FEI could propose to carry out controls during the GCL events to ensure compliance of a respective event with the Code of Ethics for the Welfare of Horses, Veterinary Regulations, the Equine Controlled Medication Regulations of the FEI. The Court of Appeal, as an outsider to the equestrian sport correctly, evaluated the FEI arguments. They are namely non-arguments, especially when one realizes who the driving forces are behind the GCL.
GOING FORWARD

The BCA Decision is not of general application. It concerns only the GCL. Though, it may be a precedent in the equestrian world leading to new leagues and tours being organized outside of the FEI. Evidently, the FEI is currently enjoying a predominate role in the equestrian world fulfilling many roles at the same time. It’s a governing body, it is an organizer and a marketer of equestrian events. Facing the BCA decision the FEI probably realises that its own financial interest is at stake. In economics the lack of competition may give a monopolist, like the FEI, less incentive to invest in new ideas. Being a monopolist is in the end rather a comfy position but it stops innovation and gives rise to an eventual set back. This economic rule seems to work in the FEI vs GCL dispute. Many people devoted to the equestrian sport believe the FEI should have welcomed more competition in the equestrian world and announced cooperation with the GCL. Instead the FEI declares to do everything that is in its power to overrule the BCA decision. The FEI chooses to protect her own privileges rather than focus on promoting and development of the equestrianism in the world. Hopefully, the FEI will accept that the world around her is changing.

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