

## BY E-MAIL

Mr. Wayne M. Channon  
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Lausanne, 8 November 2011



at the heart of horse sport

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### **RE: Exclusion of IDRC members**

Dear Mr. Channon:

This responds to your email of 2 November 2011. I thank you for your explanation and the information you provided. However, the exclusion of two IDRC members solely because they are standing as candidates supported by their National Federations against the IDRC candidate cannot be accepted as it is contrary to the IDRC Statutes as written and published on the IDRC website and to FEI rules.

First, as you know, the IDRC Statutes currently on file with the FEI and on the IDRC website as of the date of this letter establish only two criteria for membership: (1) participation in a CDI; and (2) payment of membership fees. Both Luis Lucio and Maria Ines have participated in a CDI and have paid their membership fees. Further, your Statutes also provide in significant part at Article 6.1.2. that "A Member may be excluded from membership by the General Assembly, subject to the possibility of a prior hearing of the member with the Executive Board." Neither Luis nor Maria were given the possibility of a hearing with the Executive Board. As a result, their removal was invalid under IDRC Statutes themselves and for that reason alone cannot be accepted by the FEI.

Second, I understand that at the same General Assembly in which this attempt at removal took place the Statutes were supposedly changed (as per your email) to allow for their removal. The FEI cannot accept the application of such "revised" Statutes because: (i) they have not been provided to the FEI for prior review; (ii) there was no membership consultation prior to voting on the "revised" Statutes; and (iii) such removal without an opportunity to be heard is contrary to the principles underlying FEI rules, Swiss law and best practices accepted by sports federations worldwide. It is also of grave concern that these Statutes were amended and then applied **in the same General Assembly**. This is especially true since the IDRC Statutes (Article 9) provide that only the Executive Board or 1/5 of the members can propose a review, the new Statutes must be

approved by a 2/3 majority of the votes of the present members, and **"the date on which these amendments are to come into effect must be recorded in the minutes:"** The fact that there is an effective date provision in the IDRC's own Statutes indicates that there was an intention to protect against the amendment and application of new Statutes at the same General Assembly. Notably, the excerpt of the minutes that you sent me does not indicate the date on which the new amendments were intended to come into effect. Given that, the FEI cannot accept that even if such revisions were allowable, they were immediately effective.

Third, both the manner in which the revised Statutes were presented and the intention for which they were amended run counter to FEI rules. This is significant because the IDRC Statutes specifically state that one of its core aims is to "ensure that FEI Rules are respected." Not only does the manner in which the IDRC Statutes were purportedly amended violate Article 2.1 of the FEI Statutes which establishes that "the FEI is based on the principle of equality and mutual respect," but the very reason for the revision was to avoid Article 6.5.2(iii) of the Internal Regulations of the FEI. Article 6.5.2(iii) of the Internal Regulations of the FEI unequivocally establishes that the Athlete representative on the FEI Dressage Committee must be a member of the IDRC (but not necessarily proposed by it). It is not only shocking, but also in violation of the privileges of Associate Membership that the IDRC, an Associate Member of the FEI, would amend its Statutes for the sole purpose of avoiding the application of a clear FEI rule that was voted into effect by the FEI General Assembly.

Given the IDRC's recent actions, the FEI should evaluate whether its Associate Membership status should be reconsidered. Therefore, can you please provide me with the following as soon as possible: (1) the Official Minutes of the IDRC 30 October 2011 General Assembly; (2) evidence of where the IDRC Statutes were registered and under what authority, and (3) any other document or information that the IDRC would like for the FEI to consider.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ingmar De Vos', with a large, stylized initial 'I'.

Ingmar De Vos  
Secretary General

Cc:

Lisa F. Lazarus, General Counsel, FEI Legal Department