

**2017 CPR INTERNATIONAL MEDIATION COMPETITION**



**OLYMPIC GAMES CASE<sup>1</sup>**

Hipica, a country with a rich horseback riding culture and a very strong tradition in equestrian sports, has won the largest number of medals since equestrianism's debut at the 1980 Olympic Games in Greece and it has had an outstanding performance, especially in show jumping. Although millions of people expect a team from Hipica to participate, two months before the beginning of the Olympic Games in Rio de Janeiro,

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on August 5, 2016, Hipica's national delegation is still unsure if it will participate in the Games.

Members of the delegation are unsure if they will participate because of the uncertainty surrounding the sanitary conditions of animal transportation from the airport to the competition venue and the effects these conditions might have on their horses. Not only is it necessary to guarantee that the horses will be handled and transported separately from other species of animals, but it is also important to ensure: proper regulation of the temperature within vehicles used for transportation, adequate dimensions of partitions separating each animal, proper conditions for food storage and many other items.

The Brazilian public health surveillance authority has issued an inconclusive report about the sanitary conditions of the animal transportation facilities and vehicles, which has contributed to the spread of rumors. However, members of the Olympic Committee say that there will not be any sanitary problems since they put so much effort into organizing the event, including communicating with members of the Committee of countries that have hosted the previous three Summer Olympic Games.

The news concerning sanitary conditions spread quickly and Hipica does not wish to endanger their Olympic horses, but neither does it wish to withdraw from the competition, which it customarily wins, especially because it is also an important moment for the country's image and it could have an impact on tourism. Hipica is, usually, one of the first countries to confirm participation in the Games, but it thought it would be necessary to be more cautious this year.

Uncertainty was even stronger after the media divulged that equestrian sports may no longer be part of the Brazilian Olympic Games or, alternatively, may take place in another country. The Delegation of Hipica has concerns about this possibility, and sponsors are also worried about the potentially disastrous effects it could have on the image of equestrian sports. This information was responsible for a decrease in the

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number of sponsors, and the International Olympic Committee has tried to squelch this story by publicly dismissing it as an “unfounded rumor.”

After the release of information concerning the possibility that equestrian sports may no longer be included at the Brazilian Olympic Games, Hipica is worried about the impact that it could have on the field of competitors, since such information could discourage other countries participating or from maintaining their training regimes. The possibility of equestrian sport events taking place in another country would not be a better option, since this would require organizing these competitions at the end of the Games and potentially giving the impression that equestrian sports are less important than others.

The International Olympic Committee is anxious for all countries to partake in the competition and would like to prevent a *domino* effect of withdrawals from other countries if Hipica initiates such a trend with its own withdrawal. However, there is a rumor that after the members of the delegation of Australia (the second most important country in equestrian sports) had a conversation with the delegation of Hipica, the Australians are also reconsidering their participation.

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**WRITTEN STATEMENT –**

**INSTRUCTIONS FOR CLAIMANT**

**THE INTERNATIONAL OLYMPIC COMMITTEE**

The Olympic Games are happening soon and the International Olympic Committee has worked hard to ensure that everything in the event will run perfectly. Concerning the other sports, all countries have already confirmed that they will attend the Games and the number of sponsors is even more impressive than originally expected, but equestrianism is still an issue.

Considering the importance of Hipica's participation and the difficulties that you have had in communicating with members of its committee, you have the idea of commencing a mediation pursuant to the CPR International Mediation Procedure in order to better address the issues surrounding this difficult situation. Since mediation is a voluntary process, the goal of which is to help the parties find a consensus, rather than maintain an adversarial approach you think it would be helpful to better understand what is important for Hipica in order to facilitate and ensure their participation in the Games. You also think it is important to the process to share your goals and expectations with regard to the event.

The confidentiality of the process is another aspect of mediation that led you to choose it as a possible means to better solve the issues at hand. This consideration is especially relevant because the media has consistently spread rumors leading the public to believe that horse races and equestrian activities might not take place at the Games, and these rumors are precisely the kind of press exposure that the Committee would like to avoid.

There is no reason to believe that the interested parties will not participate in the mediation. In view of this, and pursuant to Section 5 of the CPR International Mediation Procedure (available [here](#)), you are invited to submit a Written Statement to the

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Mediator in preparation for the mediation. Section 5 of the Procedure provides, *inter alia*, the following:

“At least 10 business days before the first joint mediation meeting, unless otherwise agreed, each party will submit to the mediator a written statement summarizing the background and present status of the dispute, including any settlement efforts that have occurred, and such other material and information as the mediator requests or the party deems helpful to familiarize the mediator with the dispute. It is desirable for the submission to include an analysis of the party's real interests and needs and of its litigation risks.”

In addition, the mediator has requested that you think about and outline the real interests of Hipica, including any interests that might be common to both parties.