

LA GIURISDIZIONE NEI SETTORI DELL'IPPICA E DELL'EQUITAZIONE

di *Stefania Cappa**

ABSTRACT: The paper describes the two distinct disciplinary proceedings dealing with horse races and equestrian competitions. Both disciplines see the ability of riders driving or riding horses but they depend from two diverse organisations. The equestrian sports are part of the FISE or Federazione Italiana Sport Equestri while the horse races are governed by organs of the Agriculture Ministry as responsibility of promoting the Italian horse races.

The FISE disciplinary bodies are responsible for the dispute settlement for the equestrian sports but the doping cases can be settled by the ordinary jurisdictions. The relevant disciplinary bodies of the Italian Agriculture Ministry deal with the infringement cases and doping cases reported by the responsible of the races' competitions. Naturally, the two different proceedings provide for disciting appeal against the first instance disciplinary decisions. For the horse races, the defendants are entitled to appeal before the administrative justice while the equestrian sports operators can appeal before the FISE disciplinary bodies and lastly before the CONI Sport Supreme Court. Differences appear also for the doping cases both for the riders and for the horses.

Keywords: equitazione – ippica – diritto sportivo – diritto amministrativo – diritto ordinario – doping umano – doping equino – reato penale – equestrian sports – horse races – sports and administrative law – ordinary law – human being and horses doping – criminal law.

SOMMARIO: 1. La questione di fondo: l'individuazione della giurisdizione – 2. La giustizia endofederale e la giustizia sportiva MIPAAF – 3. Le regole del doping equino ed umano – 4. Le sanzioni penali – 5. Alcune criticità – 6. Conclusioni

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