

CONCLUSION IN JÓA SKÚLA-CASE AGAINST LH

The Appeal Court of The National Olympic and Sports Association of Iceland has come to the conclusion that the board LH and the LH national team committee were not allowed to suspend the national team member Jóhann R. Skúlason permanently from the Iceland national team, on October 31 2021. The court's decision is based on the assumption that the suspension was not allowed on the basis of an article in law of sports in Iceland and the law of The National Olympic and Sports Association of Iceland that was referred to in the statement of the board and the national team committee when he was suspended.

No legal basis to suspend the rider permanently

The conclusion does not imply that the rider had the right to be a part of the Icelandic national team in equestrian sports at the time the decision was made, nor that he has such a right in the future, as the decision to select riders in the national team is always in the hands of the team leaders each time. The conclusion implies only that there was no legal basis to suspend the rider permanently and should not exclude the rider from having the possibility to be selected in the future.

Having a convicted sexual offender in a national team is against LH's values

Following the judgment, the board of LH wants to underline the following:

When suspending Jóhann R. Skúlason from the Iceland national team on October 31st 2021, a reference was made to the said article, which is referred to in the judgment, but also the that the suspension was based on other things as well.

In the statement of the board of LH and the national team committee in 31st oct. 2021 it says:

"The LH board firmly believes that it is unacceptable that those, who have been guilty of and/or received a sentence for a serious sexual offense, are a part of the national team and act as representatives of LH and on behalf of Iceland, whether in Iceland or abroad. It would damage the image of LH, Iceland and equestrian sport as a whole, it is also contrary to the values that LH stands for, but the association takes a clear stance against all violence."

It has not been claimed by the board of LH or the national team committee that the suspension is permanent or irrevocable.

The national team leaders have full right to select or decline any riders each time

The judgment determines that the power to select riders for the national team is in the hands of the national team leader and the national team committee at each time, not the courts of The National Olympic and Sports Association of Iceland.

The judgment also agrees that those who are responsible for selecting riders in the national team have considerable freedom to make decisions, so that the intervention of the courts would have unforeseen consequences for the sports movement.