



## **IBSA POLICY ON THE NATIONALITY OF ATHLETES**

### **1. Policy Statement:**

Any competitor participating at the IBSA World Championships & Games in any IBSA Sport, or in competitions for those sports that are governed by IBSA as International Federation (IF), must be a national of the country of the Federation which is entering such competitor.

In specific and/or exceptional circumstances this rule may be interpreted or reconsidered by IBSA as outlined in section 3 below.

### **2. Application:**

This IBSA Policy applies to athletes participating in any IBSA-approved competition e.g. IBSA World Games; IBSA World Championships; IBSA Continental Championships etc. as well as to any athlete competition partner (e.g. guides, pilots, coxswains) for those sports where such assistance is allowed and where the partner also receives a medal (all being referred to as 'competitors').

The term 'country' wherever used in these rules shall mean any country, state, territory or part of a territory which in its absolute discretion is accepted by IBSA as constituting the area of jurisdiction of a recognised IBSA member Organization.

The appropriate evidence that a competitor is a national of any country will generally be that he or she holds an official passport issued by the respective country. The concepts of 'nationality' and 'residence' or 'domicile' are separate and distinct. Evidence of legal residence or domicile will not be accepted as evidence of 'nationality' unless otherwise permitted by any of the terms of this policy.

### **3. Principles & Definitions**

3.1 Specific and Exceptional circumstances for participation in IBSA World Championships & Games and other IBSA-approved Competitions.

Where applicable, IBSA shall have regard to the specific circumstances described at 3.1.1 – 3.1.3 below.

3.1.1 Competitors with two or more nationalities: A competitor who under this policy is a national of two or more countries at the same time may represent either one of

them, as he/she may elect. However, after having represented one of the countries that he/she would be eligible for under this policy in either IBSA World Competitions or in Continental or Regional Games or in World or Regional Championships recognised by the relevant IF he/she may not represent another country (unless he/she meets the conditions set forth in paragraph 3.1.2 below).

3.1.2 Competitors changing or acquiring a new nationality: This section applies to a competitor who has represented one country in the IBSA World Championships & Games or in other IBSA-approved Competitions, such as Continental or Regional Games, or in World or Regional Championships recognised by the relevant IF (being a country for which that competitor is deemed eligible under this policy) and who subsequently changes his/her nationality or acquires a new nationality, or who holds two or more IBSA recognised nationalities simultaneously and wishes to change the country he/she represents to one of his/her other existing nationalities. In such circumstances, the competitor may participate in IBSA-approved competitions, representing his/her new country, provided that a waiting period of at least three (3) years has passed since the competitor last represented his/her former country. This waiting period may be reduced or eliminated by IBSA, with the agreement of the respective IBSA Member Federation of the competitor's former country and his new country. IBSA will take a decision to reduce the 'waiting period' based on the merits of each application, on a case-by-case basis.

3.1.3 Statelessness: IBSA will have regard to the plight of stateless persons (as that phrase is understood in international law and more specifically defined in the UN Convention on the Reduction of Statelessness, the 1951 UN Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees). IBSA will determine the eligibility requirements of any athlete deemed to be a stateless person.

3.1.4 Exceptional circumstances: Where a competitor objects to the nationality attributed to him or her under the above rules and only where genuine exceptional circumstances exist, or in circumstances not fully covered by the above rules, a competitor may apply to IBSA for a ruling on his or her nationality. On such an application, IBSA may take all decisions of a general or individual nature with regard to issues resulting from nationality, citizenship, domicile or residence of any competitor, including the duration of any waiting period or any other requirements or conditions. Any such decision shall be made in consultation with the respective IF governing the sport.

3.2 Nationality requirements for participation in sports governed by an IF (not IBSA).

3.2.1 IBSA recognized multi-sport competitions: In Regional Games or in any other multi-sport competition recognized by IBSA, the respective IF nationality rules apply for competitors in those sports that are not governed by IBSA, unless the provisions of section 4 apply.

## **4. Procedures**

4.1 Any application for a consideration under 'specific or exceptional circumstances' shall be submitted to IBSA by the respective IBSA Member Federation that wishes to enter the competitor into competition. The application should be made at least six months in advance of the relevant competition, and shall be accompanied by all relevant evidence and/or by any other documentation as required by IBSA. This may include, but is not limited to, evidence of support from the IBSA Member Federation

of the country of origin, and where relevant, by evidence of support from the respective IF governing the sport.

4.2 The IBSA Executive Board normally delegates authority to the IBSA Executive Director to appoint a committee to decide and resolve all matters relating to the determination of the country that a competitor may represent in IBSA competitions.

4.3 The IBSA Executive Director may consult with the IBSA Legal Advisors (and IPC Legal Advisors, where appropriate) with regard to specific requirements relating to nationality, citizenship, domicile or residence and may issue further details of procedure and set timelines to ensure and monitor the implementation of this Policy.