

## **Chapter 3. Regulation 25: Athlete Nationality Status Regulation**

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Approval authority: World Abilitysport Governing Board

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Related document/s:

### **1. Policy statement**

- 1.1. Any competitor participating in the Paralympic Games and sport governed by World Abilitysport must be a national of the World Abilitysport member country and be entered by the member country into such competitions.
- 1.2. In specific and/or exceptional circumstances this rule may be interpreted or reconsidered by World Abilitysport as outlined in section 3 below.

### **2. Application**

2.1. These regulations apply to competitors participating in World Abilitysport competitions as well as to any athletes' competition partner (e.g. in Para Dance Sport) where the partner also receives a medal (all being referred to as 'competitors').

2.2. The term 'country' wherever used in this regulation shall mean any country, state, territory or part of a territory which, in its absolute discretion is accepted by the International Paralympic Committee and World Abilitysport.

2.3. 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 these regulations.

### **3. Principles and definitions**

- 3.1. Specific and exceptional circumstances for participation.

These are:

3.1.1. Competitors with two or more nationalities: a competitor who under these regulations is a national of two or more countries at the same time may represent either one of them, as they elect.

However, after having represented one of the countries that they would be eligible for under these regulations in World Abilitysport competitions or continental or regional games or world or regional championships recognised by World Abilitysport they may not represent another country (unless he/she meets the conditions set forth in 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 Paralympic Games, in continental or

regional games, or in world or regional championships recognised by World Abilitysport and who subsequently changes their nationality or acquires a new nationality, or who holds two or more World Abilitysport recognised nationalities at the same time and wishes to change the country they represent to one of their other existing nationalities.

In such circumstances the World Abilitysport member that wishes to enter the competitor into competition, needs to file an application requesting a nationality change. On completion, the competitor may participate in the Paralympic Games representing their new country provided that a waiting period of at least three (3) years has passed since the competitor last represented his/her former country.

For participation in World Abilitysport competitions (other than the Paralympic Games) the waiting period is one (1) year. These waiting periods may be reduced or eliminated by World Abilitysport, with the agreement of the respective World Abilitysport member of the competitor's former country and their new country. World Abilitysport 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:** World Abilitysport 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). World Abilitysport will determine the eligibility requirements of any athlete deemed to be a stateless person.

### **3.2 Nationality requirements for participation in sports governed by an IF (not World Abilitysport)**

In World Abilitysport multi-sport competitions (World Abilitysport Games), the respective IF nationality rules apply for competitors in those sports that are not governed by World Abilitysport, unless the provisions of section 4 apply.

## **4. Nationality requirement for participation in certain multi-sport competitions**

**4.1.** Certain multi-sport competitions that are recognised by World Abilitysport may have specific national eligibility rules (such as for the Commonwealth Fencing Events). For these competitions, competitors may compete for countries or territories for which they are not a national under these regulations but this will have no effect on the competitors' nationality eligibility for World Abilitysport competitions.

**4.2.** The results of a competitor who competes for another country or territory pursuant to 4.1 above will have their results recorded for records and ranking purposes when competing in an individual event, but not when competing as part of a team.

## **5. Procedures**

**5.1.** Any application for a consideration under 'specific or exceptional circumstances' shall be submitted to World Abilitysport by the respective member organisation who wishes to enter the competitor into competition. The application shall be accompanied

by all relevant evidence and/or by any other documentation as required by World Abilitysport. This may include but is not limited to the evidence of support from the member organisation of the country of origin.

5.2. The World Abilitysport Governing Board normally delegates the authority to the World Abilitysport Chief Executive Officer to decide and resolve all matters relating to the determination of the country that a competitor may represent in World Abilitysport competitions.

5.3. World Abilitysport may issue further details of procedure and set timelines to ensure and monitor the implementation of these regulations.

## **6. Special status of certain organisations**

6.1. World Abilitysport has regard to the recognition of member states of the United Nations when admitting organisations to membership of World Abilitysport. However, the World Abilitysport Governing Board has agreed to recognise certain organisations for territories that are not sovereign states and are not members of the UN1. In these cases, the concept of 'nationality' may not follow the general principle set out above and the World Abilitysport Governing Board will have absolute discretion to determine the nationality eligibility requirements of athletes claiming to represent these organisations.