



An open letter to interested stakeholders
regarding the IWBF's non-compliance with
the 2015 IPC Athlete Classification Code

3 September 2020

Classification in wheelchair basketball

Dear interested parties,

In recent weeks and months there has been much discussion and debate regarding the decision of the International Paralympic Committee (IPC) to find the International Wheelchair Basketball Federation (IWBF) non-compliant with the 2015 IPC Athlete Classification Code.

IPC President Andrew Parsons and Chelsey Gotell, Chairperson of the IPC Athletes' Council, with the full support of the IPC Governing Board, have drafted this open letter to all interested stakeholders for the purpose of (a) providing greater clarity as to why the IPC took action, (b) providing an explanation of why resolution of this issue could not wait until after the Tokyo 2020 Paralympic Games, and (c) to answer some frequently asked questions.

Brief timeline of how this situation came about

To start, the timeline below gives a brief overview of how we reached this point:

- In June 2013, the IPC launched a 22-month-long consultation exercise with all Paralympic stakeholders to suggest changes or additions to the 2007 IPC Classification Code. Anyone from National Paralympic Committees to International Federations, Para athletes to sports scientists, were invited to have their say on changes they would like to see made to the Code.
- After three rounds of consultation, 3,750 individual pieces of feedback from nearly 100 stakeholders were received and considered before a final draft of the 2015 IPC Athlete Classification Code and International Standards (including Eligible Impairments) was produced.
- The 2015 IPC Athlete Classification Code was then presented to the 2015 IPC General Assembly. The IPC membership overwhelmingly approved the

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documents with 90 per cent of votes in favour and just six per cent against. Four per cent of members abstained from voting.

- Following its approval, the 2015 Code and International Standards then came into effect from 1 January 2017 with compliance being required by all International Federations by 1 January 2018.
- In 2017, the IPC asked all International Federations to complete a self-assessment audit of their compliance with the Code ahead of the 1 January 2018 deadline and provided support throughout the process. The IWBF was the only International Federation not to meet the deadline, and only responded following multiple requests from the IPC.
- In September 2018, the IWBF was found to be non-compliant with the Code.
- To support the IWBF in achieving Code compliance, the IPC continued to offer assistance and outlined what measures needed to be taken by the IWBF ahead of Tokyo 2020.
- Despite the IPC's willingness to support, the IWBF failed to co-operate or make the necessary changes to achieve compliance.
- Due to the lack of progress by the IWBF, the IPC took a final decision in January 2020. Among other things, ahead of Tokyo 2020, and as part of a range of measures the IWBF needed and still needs to take to be compliant with the Code, the IPC asked the IWBF to verify that each 4.0 and 4.5 player set to compete at Tokyo 2020 has an eligible impairment.
- Eight existing wheelchair basketball players were subsequently found by the IWBF not to have an eligible impairment to compete in Paralympic sport.
- The IWBF also found one existing player not eligible under its own rules.
- Despite several years of discussions, the IWBF first requested a "transitional" arrangement to allow non-eligible players to participate in Tokyo 2020 in January 2020. The request was contained within two words on a single PowerPoint slide and was presented to the IPC Governing Board without any clear consideration, rationale, impact assessment, implementation plan or text for the provision itself, and with no apparent member consultation. This request also came after the deadline for submission of the IWBF's proposed action plan (which deadline had itself already been extended at the IWBF's request). The request was rejected by the Board for the reasons we explained in detail on 6 July 2020 which [you can read here](#).

Why is the IWBF non-compliant?

Among other things, the IWBF has a philosophy and approach to classification that is fundamentally different to the 2015 IPC Athlete Classification Code. In particular, the IWBF currently defines eligible impairments differently to the mandatory list of eligible impairments agreed on by the IPC General Assembly and reflected in the Code.

In addition, the IWBF has yet to develop its minimum impairment criteria, as required by the Code. Substantial work is also required by the IWBF to align the IWBF classification rules with the Code, and to roll-out the changes on an operational level.

More generally, it is the responsibility of each International Federation to draft its own sport-specific classification rules, in compliance with the Code. The IPC is responsible for monitoring compliance. In that respect, the IPC also provides support and guidance, and a set of template model rules that International Federations can use, if desired. Ultimately, however, it is up to each International Federation to develop Code-compliant rules that are appropriately tailored to the needs of its sport, and this must be driven by the relevant International Federation.

Were athletes consulted on the rules?

From the timeline, you can see that all Para athletes and other stakeholders were invited to have their input into the 2015 IPC Athlete Classification Code and more than 3,750 individual pieces of feedback were received and acted upon.

Between June 2013 and April 2015, as part of the consultation process, the IPC issued invitations to all 200 of its member organisations to provide feedback on three separate occasions.

Some IPC members reached out to their athlete community, via athlete councils or committees to garner views, before providing feedback to the IPC. We are unaware if the IWBF engaged its athlete community for feedback, but we are aware that at the time of consultation no formal athlete representation model existed within its organisation (further details of which we will expand on later).

The IPC's athlete-centred decision

The IPC's rules clearly state that any sport that wishes to be part of the Paralympic Games programme must abide by the IPC's rules. This includes compliance with the IPC Anti-Doping Code and the 2015 IPC Athlete Classification Code.

Non-compliance with either Code is of critical concern to the IPC because it could threaten the integrity of competition and the reputation of the Paralympic Movement.

Since the 2015 IPC Athlete Classification Code was approved in 2015, the IPC has been working with all International Federations with sports in the summer and winter Paralympic Games programme (26 sports in total) to ensure compliance with the Code by the deadline of 1 January 2018.

Despite our best efforts and continued offers of support, the IWBF has not aligned with the 2015 IPC Athlete Classification Code and appears to have no genuine desire to do so.

No sport is above the rules set by the IPC membership, and in January 2020, having given the IWBF every opportunity to become compliant and resolve this situation, the IPC needed to act.

The 14-strong IPC Governing Board - half of which is made up of former Para athletes - acted with the athlete community's best interests at heart. The athlete viewpoint was well represented throughout all discussions, as was the well-being of athletes impacted by any potential decision and the rights of all eligible wheelchair basketball players.

One possible option for the IPC was to exclude wheelchair basketball from the Tokyo 2020 Paralympic Games or suspend the IWBF's membership of the IPC. However, the IPC Governing Board felt that, in the circumstances, this was not necessary nor proportionate, and would have impacted multiple National Paralympic Committees and more than 250 athletes for the Games.

Therefore, ahead of Tokyo 2020, as part of a range of measures, the IPC asked the IWBF to verify that each 4.0 and 4.5 player set to compete at Tokyo 2020 has an eligible impairment. The IPC's aim with this measure was, amongst other things, to protect the integrity of competition and safeguard the rights of all eligible wheelchair basketball players and all other Para athletes. The IPC also wanted to avoid a repeat of the Sydney 2000 Paralympic Games when it was subsequently revealed that several non-eligible players had formed part of Spain's men's gold medal winning team in Basketball ID (for athletes with an intellectual impairment). The result was global news, huge reputational damage to the Paralympic Movement and the exclusion of intellectually impaired athletes from the Games until London 2012 following the introduction of a robust classification system and new eligibility criteria.

Had the IPC not acted, then 20 years after the scandal of the Sydney 2000 Paralympic Games, we could have faced a similar scenario whereby an unknown number of athletes with non-eligible impairments could have competed in the Paralympic Games. The difference this time would have been that unlike Sydney 2000, the non-eligible athletes would have competed with the full knowledge of the respective International Federation. This was of significant concern to us, and we felt that we could not just ignore the issue and sleepwalk into a classification crisis.

As part of the IWBF's exercise to verify eligibility, eight existing wheelchair basketball players were found not to have an eligible impairment to compete in Paralympic sport. The IWBF also deemed one existing player not eligible under its own rules. The cases of three players remain outstanding.

The IPC also removed wheelchair basketball from the Paris 2024 Paralympic Games and the sport will only be reinstated if the IWBF fully complies with the 2015 IPC Athlete Classification Code by 31 August 2021.

Why was the issue not public until January 2020?

The IPC has been working on resolving this matter with the IWBF for several years now and ordinarily does not comment on Code compliance matters outside of the formal process set out under the Code.

The IWBF is an autonomous member of the IPC. Wheelchair basketball national federations are not legal members of the IPC. Therefore, we did not want to overstep the mark and communicate directly to them on this matter, it was for the IWBF to do and not the IPC.

What has the IPC Athletes' Council done regarding this situation?

One key objective of the IPC Athletes' Council in recent years has been for each International Federation and National Paralympic Committee to establish athlete representation models. Such a model helps engage the athlete community and provides a channel for athletes to feedback their thoughts on any matters arising.

The IPC Athletes' Council has been concerned at the lack of athlete voice within the IWBF for some time now. In 2018, the IPC Athletes' Council's then-Vice Chairperson Elvira Stinissen and the IPC Athletes Management Manager Primrose Mhunduru attended the IWBF World Championships to meet with the IWBF leadership. The purpose was to offer support and explain the importance of the IWBF having an athlete voice within its organisation and a connection to the IPC Athletes' Council. At the time, the IWBF was the only International Federation in the winter or summer Paralympic Games programme not to have an athlete representation model. This was only resolved in May 2020 when four athletes were nominated to the IWBF's first ever Athlete Steering Committee.

This year, the IPC Athletes' Council hosted two global athlete calls inviting representatives from National Paralympic Committees and International Federations to participate. The calls have acted as an opportunity for athlete representatives to receive updates from the IPC and IPC Athletes' Council and for athletes to ask questions on specific issues. The IWBF has not put forward a single athlete to take part in any of these sessions despite multiple invitations from the IPC and IPC Athletes' Council. The only wheelchair basketball representation on the calls was from Para athletes representing their National Paralympic Committees.

Time to abide by the rules approved by our members

To close this letter, we note that the IPC Governing Board was elected by the IPC membership in November 2017 to take decisions and enforce the rules of the Paralympic Movement which have been determined and approved by the members themselves. What we are doing here is asking the IWBF to comply with rules that have been around for years and rules which other International Federations are complying with.

We would also like to stress that any athlete that plays sport wants other athletes to play and abide by the rules of the sport. The IPC requires the same of its International Federations. We want International Federations to abide by the rules that have been approved overwhelmingly by the IPC membership. In this case, the rules are the 2015 IPC Athlete Classification Code, a Code that was approved following years of consultation with the Paralympic Movement, including the athlete community. No athlete or sport should be an exception to the rules.

The IPC has always been very clear with the IWBF on what it needs to do to comply with the 2015 Athlete Classification Code. We continue to offer the full support of the IPC management team and IPC Classification Committee. However, we do also wish to note the significant amount of time and resources that this matter has consumed, which has prevented the IPC from being able to dedicate time to assisting other International Federations and National Paralympic Committees in this area.

The whole IPC Governing Board and IPC Athletes' Council sympathises greatly with the players recently found non-eligible and acknowledge the impact this has had on teams preparing for Tokyo. It should also be noted that athletes being found non-eligible is not unique to this IWBF situation. Unfortunately in the Paralympic Movement despite each sport's best efforts to avoid the unpleasant situation, it is always possible for athletes (in any sport) to be ruled non eligible or move sport class prior to a Games, even though such athletes may have participated in qualification events.

Finally, it should be noted that the rules of the 2015 IPC Athlete Classification Code came into effect on 1 January 2017, the start of the Paralympic cycle. Had the IWBF applied the rules accordingly, these decisions regarding player non-eligibility would not have been taken so close to the Tokyo 2020 Paralympic Games.

We hope the IWBF continues to make progress in its efforts to become fully compliant with the 2015 IPC Athlete Classification Code so that the sport and its players can be part of the Paris 2024 Paralympic Games.

Kind regards



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Chelsey Gotell
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