



SUMMARY OF THE PANEL DECISION

NPC ARMENIA AND NPC AZERBAIJAN

7 JUNE 2021

DECISION OF THE IPC LEGAL AND ETHICS COMMITTEE

NPC ARMENIA V NPC AZERBAIJAN

The Complainant and Respondent are the National Paralympic Committees of Armenia and Azerbaijan respectively.

The Complainant submitted that the Respondent was in breach of the Code as a result of its subscription to and dissemination of an allegedly political statement published 'on behalf of the Azerbaijani sport community' ('Statement').

The Statement, dated 6 October 2020, expressed support for the Azerbaijani Armed Forces in connection with the 2020 conflict between Armenia and Azerbaijan. It listed ninety Azerbaijani sports organisations as its signatories, including the Respondent. The Statement was drafted collaboratively by the signatories and approved in its final form by the Respondent. The full contents of the Statement are not repeated in this summary Decision.

The Statement was emailed to all National Paralympic Committees, including the Complainant, and was distributed to local media;

The fact that the Statement was political in nature was not challenged.

The Hearing Panel finds that, in respect of Article 1.11 of the IPC Code of Ethics (as follows), the Complaint has been proven on the balance of probabilities.

1.11 Refrain from using the Paralympic Games and the Paralympic Movement to promote any political agenda, other than the advancement of sports for persons with an impairment and democracy, empowerment, equality, and the protection of human rights.

It is clear to the Hearing Panel on the evidence before it that the Statement was political in nature – in particular due to the loaded descriptors of Armenia as the '*aggressor*' and '*occupant*', and the overt declarations of support for the Azerbaijani side of the conflict.

This is compounded by the breadth of the signatories and the heightened political and military context in which the Statement was made. By putting its name to a political statement and disseminating the same to all National Paralympic Committees, the Respondent has used the Paralympic Movement to promote an agenda other than those provided for in Article 1.11.

It is noted that, notwithstanding its denial of any breach of the Code, the Respondent stated during the Hearing that it regretted the negative impact caused by the Statement and acknowledged the need to avoid repetition of such conduct.

The Hearing Panel finds, having regard to all the relevant circumstances, that the appropriate outcome is issuance of a warning pursuant to Clause 13.7 of the Regulations:

The Respondent is hereby warned that any further conduct which breaches Article 1.11, including but not limited to the dissemination of political messaging, will not be tolerated and may lead to the imposition of any of the sanctions available to the IPC Ethics Committee under Clause 13.4 of the Regulations, namely:

- 13.4.1 Withdrawal of the right to enter athletes in Paralympic Games and other IPC competitions;
- 13.4.2 Suspension for up to four years;
- 13.4.3 Withdrawal of recognition (termination of membership in compliance with provisions of the IPC Constitution); or
- 13.4.4 Withdrawal of the right to organise IPC meetings and/or events.

The Hearing Panel acknowledges the desire of the Complainant for a public statement emphasising the seriousness of the conduct complained of, and a warning against repetition by the Respondent or by any National Paralympic Committee. To this end, the Decision of the Hearing Panel will be made publicly available on the website of the IPC pursuant to Clause 2.1 of the Regulations.

On behalf of the Committee, the Hearing Panel wish to state unequivocally that using the Paralympic Movement or the Paralympic Games to promote political agendas is not and will not be tolerated at any time. Such conduct is prohibited by Article 1.11 of the IPC Code of Ethics, and is subject to the limited exceptions therein. Future breaches by the Respondent or any member of the Paralympic Family may result in strict sanctions as set out in Clause 13.4 of the Regulations and reproduced at paragraph 9.3 above.