



FIFA®

Commentary on the Rules Governing Eligibility to Play for Representative Teams

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INTRODUCTION

International sport, in accordance with global political norms, has traditionally classified its participants by nationality. This has raised several interesting legal issues.

Validity of representative team competition

The validity of (national) representative team competition – in the context of European law has been consistently upheld.

In *Walrave*, the European Court of Justice (**ECJ**) held that the prohibition on discrimination based on nationality contained in articles 7, 48, and 59 of the Treaty establishing the European Economic Community “does not affect the composition of sports teams, in particular national teams, the formation of which is a question of purely sporting interest, and as such has nothing to do with economic activity.”¹

In *Donà*, the ECJ upheld *Walrave* and found that the laws concerning freedom of movement of persons and of provision of services “do not present the adoption of rules or of a practice excluding foreign players from participation in certain matches for reasons which are not of an economic nature, which relate to the particular nature and context of such match and are thus of sporting interest only, such as, for example, matches between national teams from different countries.”²

In *Bosman*, the ECJ confirmed the previous findings in *Walrave* and *Donà* in relation to the validity of (national) representative team competition.³

Regulating sporting nationality

While recognising the indisputable right of a state to determine its own rules as to nationality,⁴ the Court of Arbitration for Sport (**CAS**) has consistently confirmed the authority of international sports governing bodies to regulate “sporting nationality”, noting “two different legal orders, one of public law, the other of private law, which do not overlap and do not come into conflict”.⁵

This was effectively summarised in a 1998 advisory award (free translation from French):

*“A person may have two or more legal nationalities, but every athlete can only have one sporting nationality... When the athlete has made his choice as to his sporting nationality, the possible benefits of dual nationality will disappear in sports. Consequently, there is no reason to treat athletes unequally in sports depending on whether an athlete has one or more legal nationalities”.*⁶

1. Case 36/74 *Walrave et al v Union Cycliste Internationale et al.*

2. Case 13/76, *Donà v Mantero.*

3. Case 415/93, *Union Royale Belge Des Sociétés De Football Association et al v Bosman et al.*

4. CAS 94/132 *Puerto Rico Amateur Baseball Federation (PRABF) / USA Baseball (USAB).*

5. TAS 92/80 B. v. *Fédération Internationale de Basketball (FIBA).*

6. CAS 98/215 *International Baseball Association (IBA).*

CAS has held that the only valid mechanism to regulate sporting nationality is by utilising objective, identifiable criteria given that *“it is obviously delicate to define, evaluate and prove the emotional, sentimental, and cultural ties an athlete feels she/he has with a given country, because to a large degree these are subjective matters”*.⁷

FIFA rules governing eligibility

Despite being modelled to follow the international political order, the membership of international sports federations is not strictly limited to sovereign nations. At the time of writing, FIFA has a membership of 211 football associations, compared to the United Nations, which has a membership of 193 sovereign states. For football purposes, these additional territories are legitimately considered “sovereign sporting states”.⁸

Since (at least) 1990, the rules governing eligibility to participate for (national) representative teams in international football have been found in the FIFA Regulations Governing the Application of the Statutes (**RGAS**).

At first instance, the rules simply provided that a player was eligible to participate for the representative teams of a football association, if they held the nationality of the territory upon which the relevant football association was domiciled. Once a player had participated for the representative team of that football association in an official competition (at any level), they were tied to the “sporting nationality” associated with that football association for the duration of their career in representative team football. The only exception was for a player whose nationality was changed involuntarily.

Between 2004 and 2008, rules were introduced, *inter alia*, which permitted players to change their sporting nationality (if certain objective criteria were met), to regulate players with a shared “common nationality” (to several associations), and to regulate players who had acquired a new nationality.⁹

On 18 September 2020, the FIFA Congress adopted the first wholesale modernisation of the rules governing eligibility since the FIFA Congress held in May 2008. This reform followed a comprehensive working group process involving delegates from several member associations (**MAs**) and FIFPRO. The working group thoroughly analysed the existing regulatory framework, took into consideration submissions from MAs, and noted practices that had developed over the course of more than 20 years of jurisprudence.

7. CAS 2007/A/1377 Melanie Rinaldi v. Fédération Internationale de Natation. (FINA).

8. CAS 94/132 op. cit.

9. See e.g. FIFA circular no. 901 dated 19 March 2004; FIFA circular no. 1093 dated 21 June 2007; FIFA circular no. 1147 dated 18 June 2008.

In adopting reforms, FIFA developed the following core principles that underpin its eligibility rules:

- *"no nationality, no eligibility"*. Eligibility must be based on an objective measurement (i.e. the nationality held by the player);
- equal treatment of all MAs;
- the existence of a genuine link between the player and the MA they (intend to) represent;
- avoiding cases of excessive severity or hardship;
- prevention of abuse (i.e. *"nationality shopping"*); and
- protecting the sporting integrity of international competition.

This commentary is designed to provide a comprehensive guide for all stakeholders regarding the rules governing eligibility to participate for representative teams in international football adopted by the FIFA Congress on 18 September 2020.

ARTICLE 5

PRINCIPLES



ARTICLE 5

ART. 5 PRINCIPLES

1. *Any person holding a permanent nationality that is not dependent on residence in a certain country is eligible to play for the representative teams of the association of that country.*
2. *There is a distinction between holding a nationality and being eligible to obtain a nationality. A player holds a nationality, if, through the operation of a national law, they have:*
 - a) *automatically received a nationality (e.g. from birth) without being required to undertake any further administrative requirements (e.g. abandoning a separate nationality); or*
 - b) *acquired a nationality by undertaking a naturalisation process.*
3. *With the exception of the conditions specified in article 9 below, any player who has already participated in a match (either in full or in part) in an official competition of any category or any type of football for one association may not play an international match for a representative team of another association.*
4. *For the purposes of arts 6 to 9 below, the phrase “lived on the territory of the relevant association” shall mean a period of physical presence on the territory of that association. The period shall be for a defined period of time (in years) in accordance with the relevant provision.*
 - a) *The period of physical presence is not interrupted by:*
 - i) *short absences abroad for personal reasons;*
 - ii) *holidays abroad during the football off-season;*
 - iii) *medical treatment or rehabilitation abroad following injury or illness; or*
 - iv) *travel abroad as a result of football employment.*

b) The period of physical presence is interrupted (and time requirement resets) where:

- i) a player is transferred to a club affiliated to a different association; or*
- ii) a player is absent from a territory for any reason other than those set out in par. a) above.*

5. Notwithstanding art. 5 par. 4 a), unless exceptional circumstances exist, a player must be physically present on the territory of an association for at least 183 days during a 12 month period to be considered to have "lived on the territory" of that association for that year.

6. For the purposes of arts 6 to 9 below, the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber shall govern any requests for eligibility or change of association.

COMMENTARY

Article 5 paragraphs 1 and 2

1. Article 5 paragraph 1 provides the basis upon which a player may assert eligibility to participate for the representative teams of an MA.
2. Eligibility is conditioned upon two (2) threshold matters:
 - 2.1 the player "*holding*" a nationality; and
 - 2.2 that nationality being a "*permanent nationality that is not dependent on residence in a certain country*".
3. Article 5 paragraph 2 was introduced in the September 2020 reform to clarify the meaning of "*holding a nationality*", following several requests from MAs over the years.

Meaning of "*nationality*"

4. The RGAS have historically referred to "*nationality*" in the context of eligibility to participate for representative teams. This has occasionally caused confusion with MAs where national laws differentiate between the terms "*nationality*" and "*citizenship*".
5. In public international law, the legal bond between an individual and the state uses the phrase "*nationality*". The International Court of Justice has described "*nationality*" as a:

"legal bond having at its basis a social fact of attachment, a genuine connection of existence, interests and sentiments, together with the existence of reciprocal rights and duties. It may be said to constitute the juridical expression of the fact that the individual upon whom it is conferred either directly by the law or as a result of an act of the authorities, is in fact more closely connected with the population of the state conferring nationality than with that of any other state".¹⁰

6. One of the many mechanisms available to a state to legitimise the nationality of an individual is to grant citizenship. CAS has commented as follows:

"There is clearly room in international law, and in the municipal law of some countries, to draw a distinction between "citizenship" and "nationality". It can be expressed in the proposition that all citizens are nationals but not all nationals are necessarily citizens. That is to say, there may be a point in a person's relationship with a particular country where a person may become a national of that country notwithstanding he or she is not a citizen".¹¹

10. Nottebohm case (second phase), judgement of 6 April 1955: I.C.J. reports 1955, p. 23.

11. CAS OG 00/003 Arturo Miranda / International Olympic Committee (IOC).

7. In this respect, FIFA competition regulations consistently state that proof of “nationality” is only provided through the holding of a “*permanent international passport*”. By way of example, article 19 paragraph 3 of the Regulations for the FIFA World Cup Qatar 2022 Preliminary Competition provides:

“The only document considered to be valid proof of a player’s identity and nationality shall be a permanent international passport that explicitly, and in Latin characters, states the player’s first name(s) and surname(s), as well as his day, month and year of birth. Identity cards or other local supporting official documents shall not be accepted as a valid means of identification...”

Meaning of “holding a nationality”

8. The first threshold matter relates to the meaning of “holding a nationality”.
9. Following the September 2020 reform, a clear distinction is made between “holding a nationality” and “being eligible to obtain a nationality”. There are two general scenarios where an individual may “hold a nationality” through the operation of a national law.
10. The first scenario is where nationality is obtained “*automatically...without being required to undertake any further administrative requirements*”. This is made up of two elements.
- 10.1 The first element requires that nationality be obtained “*automatically*”. This will generally occur when a player is born, subject to the relevant national law, in line with the principle of *jus solis* (nationality is linked to the place of birth) or *jus sanguinis* (nationality is linked to the nationality held by one or both parents), or a combination of both.
- 10.2 The second element requires that the automatic grant of nationality does not oblige the player to “*undertake any further administrative requirements*”.
- 10.2.1 Where the relevant national law demands certain formalities connected to childbirth be completed prior to the automatic grant of nationality (e.g. registration of birth; nationality request due to being born abroad), these are not considered “*further administrative requirements*”.
- 10.2.2 Where the relevant national law provides a substantial precondition to be met prior to the automatic grant of nationality (e.g. to abandon another nationality; a substantial waiting period following childbirth), this will be considered a “*further administrative requirement*”.
- 10.2.3 In such cases, prior to the substantial precondition being met, the player is considered “*eligible to obtain a nationality*” as opposed to “*holding a nationality*”. For the avoidance of doubt eligibility to obtain a nationality does not make a player eligible to participate for representative teams of the MA concerned.

11. The second scenario is where nationality is *“acquired...by undertaking a naturalisation process”*. The phrase *“naturalisation process”* is interpreted broadly to mean any case aside from an automatic grant where nationality is acquired through the operation of a national law.
12. This may include, without limitation, acquisition of nationality through:
 - 12.1 marriage;
 - 12.2 the decision of a government official, body, or monarch;
 - 12.3 a defined period of physical residence;
 - 12.4 a defined amount of financial investment;
 - 12.5 the fulfilment of substantial preconditions where a player is eligible to obtain a nationality.

For this second scenario, article 7 of the RGAS applies when considering the eligibility of a player to participate for the representative teams concerned.

Meaning of “permanent nationality that is not dependent on residence in a certain country”

13. The second threshold matter relates to a particular scenario discussed in FIFA circular no. 1093 dated 21 June 2007 and specifically regulated by the FIFA Congress in May 2008.
14. In 2007, FIFA discovered that a particular country had granted nationality to players which was valid *“only for as long as they remain resident in the country and (sic) lose that status if they leave the country permanently.”*¹²
15. This was a clear and obvious practice which jeopardised the integrity of representative team football. As such, FIFA moved to specifically regulate the type of *“nationality”* held by a player.
16. The *“nationality”* held by a player must be both:
 - 16.1 *“permanent”*, in that it is not automatically lost or invalidated following a decision by the player to change his domicile; and
 - 16.2 not conditional on the basis of maintaining a domicile in a certain country.

12. FIFA circular no. 1093 dated 21 June 2007.

Article 5 paragraph 3

17. Article 5 paragraph 3 provides the basis for which a player is tied to a “sporting nationality” associated with an MA for the duration of their representative team career.
18. A player is tied to a “sporting nationality” where they have:
 - 18.1 participated in a match (in full or part); and
 - 18.2 that match was in an official competition, regardless of age category or type of football.
19. “*Participation*” in a match requires a player to be fielded for any period of time.
 - 19.1 A player is “*fielded*” in a match where they have physically played in the match, even for a matter of seconds, whether as a starter, or as a substitute for another player.
 - 19.2 A player who was not fielded in a match, despite being named on the substitute bench, thus did not “*participate*” in the match.
 - 19.3 Similarly, a player who has been called up to a representative team squad, but is not listed on the match start list as either a starter or substitute, did not “*participate*” in the relevant match.
20. The phrase “*official competition*” is defined in the FIFA Statutes as “*a competition for representative teams organised by FIFA or any confederation*”.¹³
 - 20.1 Friendly matches are therefore not matches in an official competition.
 - 20.2 Similarly, matches played as part of a representative team competition not organised by FIFA or a confederation (e.g. a regional association), are therefore not matches in an official competition.
21. “*Type of football*” (or “*kind of football*” as it is also referred to in the RGAS) means the three forms of football regulated by FIFA: association football, futsal, or beach soccer.
 - 21.1 A player who is fielded by an MA in a match in an official competition in one type of football (e.g. futsal) is tied to the “sporting nationality” of that MA for all types of football (i.e. association football and/or beach soccer).

13. FIFA Statutes, Definitions (no. 17).

- 21.2 A player cannot simultaneously be tied to the “sporting nationality” of one MA for one type of football, and another MA for another type of football.
22. A player may only change “sporting nationality” and the MA for whose representative teams they participate if they satisfy one of the exceptions provided in article 9.
- 22.1 An MA which intends to field a player in an international match on the basis of article 5 (where applicable, read together with article 6 or 7) has a responsibility to verify the eligibility of that player in advance. An MA is thus responsible for only fielding eligible players in an international match.¹⁴
- 22.2 Article 22 of the FIFA Disciplinary Code provides that an MA which fields an ineligible player (including on the basis of non-compliance with the eligibility rules in the RGAS) may be sanctioned by the FIFA Disciplinary Committee. This has been upheld in several CAS decisions.¹⁵
- 22.3 A player who has represented an MA in an official competition is ineligible to represent another MA until they receive a (favourable) change of association decision pursuant to article 9. This is *regardless* of whether their first match for their new MA is in an official or non-official competition,¹⁶ or in a different kind of football.

Article 5 paragraphs 4 and 5

23. Article 5 paragraphs 4 and 5 provide a definition of the phrase “*lived on the territory of the relevant association*” which is used in articles 6, 7, and 8. The definition was introduced in the September 2020 reform to clarify a heavily debated provision within the RGAS.
24. A player who invokes article 6, 7, or 8 to assert eligibility to participate for the representative teams of an MA may rely on a “residence link” to the relevant territory. The definition now clarifies what that “residence link” means, and sets several cumulative criteria to be met.
25. The first criterion is that “*lived on the territory of the relevant association*” refers to “*a period of physical presence on the territory of that association*”.
- 25.1 A player must be (or have been) physically present within the territory of the relevant MA to be considered to have “*lived on the territory*”.

14. CAS 2012/A/2742 Qatar FA v. FIFA, Oman FA & AFC.

15. See CAS 2012/A/3013 Sudan Football Association v. FIFA; CAS 2013/A/3360 Federação Cabo-verdiana de Futebol v. FIFA; CAS 2017/A/5001 Federación Boliviana de Fútbol v. FIFA; CAS 2017/A/5002 Federación Boliviana de Fútbol v. FIFA.

16. See: <https://www.fifa.com/who-we-are/news/greece-sanctioned-for-fielding-ineligible-player-in-friendly-2792710>.

- 25.2 A player who was only formally registered or domiciled (e.g. for fiscal purposes) in a territory without being physically present cannot be considered to have *“lived on the territory”*.
26. The second criterion is that the *“period of physical presence”* shall be for a *“defined period of time (in years)”*.
- 26.1 The *“residence link”* criteria in articles 6, 7, and 8 set a minimum number of years that a player must have been physically present on the territory of the relevant MA.
- 26.2 By way of example, if a player asserts that they began their *“period of physical presence”* on 29 March 2014, they will complete the *“defined period of time (in years)”* for the first year on 28 March 2015, for the second year on 28 March 2016, and so on.
- 26.3 A player does not need to continue to be physically present on the territory of the MA concerned at the time an assessment (by FIFA or the relevant MA) is made regarding the *“defined period of time (in years)”*. Rather, a player must have simply met the requirement prior to their first international match for the relevant MA.
27. The third criterion stipulates those occurrences which cause a player to qualify for the *“defined period”*. This is undertaken by examining the reasons why a player has interrupted their continuous period of *“physical presence”*. The reasons will determine whether the player, despite the interruption, has developed and maintained a genuine link to the country or territory of the MA, in line with the core principles underpinning the rules.
28. In this respect, the rules provide for:
- 28.1 permitted absences from the territory of an MA; and
- 28.2 non-permitted absences from the territory of an MA, which cause the *“defined period”* to reset itself.
29. The permitted absences relate to standard reasons for a player to leave the country or territory of an MA. They do not impact on the player’s genuine link to the country or territory:
- 29.1 *“short absences abroad for personal reasons”*: this includes, without limitation, weddings, funerals, childbirth, necessary administrative acts with state authorities, or short holidays abroad during the football season. Whether an absence is considered *“short”* will take into consideration, in particular, the length of time of the football off-season. This will be assessed on a case-by-case basis;

- 29.2 *"holidays abroad during the football off-season"*: the start and end date of the relevant football season is determined with reference to the data inserted in the FIFA Transfer Matching System by the relevant MA;
- 29.3 *"medical treatment or rehabilitation abroad following injury or illness"*: this recognises that players and clubs may seek improved medical treatment which is only available abroad, or it is in the best interests of the physical and mental health of a player to rehabilitate from a serious injury or illness abroad; and
- 29.4 *"travel abroad as a result of football employment"*: this includes travel for football trials, training camps, matches, or competitions, whether for a club or representative team.
30. Notwithstanding the permitted absences, the *"physical presence"* of a player is required in the country or territory of an MA for at least 183 days during a 12 month period for the player to have *"lived on the territory"* of the MA for that year of the *"defined period"*.
- 30.1 If a player undertakes a permitted absence, the *"defined period"* (as required by articles 6, 7, and 8) is not considered interrupted.
- 30.2 The period of 183 days reflects the definition of residence found in several national immigration (or similar) laws.
- 30.3 The only permitted deviation from the 183 day period is where *"exceptional circumstances"* exist. These are situations which do not depend on the will of the player (e.g. natural disasters, a global pandemic, matters of force majeure). This will be assessed on a case-by-case basis.
31. The non-permitted absences relate to reasons where a player departing from the country or territory of an MA can demonstrate that there is no genuine link to the country or territory.
- 31.1 If a player undertakes a non-permitted absence, the *"defined period"* (as required by articles 6, 7, and 8) is considered interrupted and it resets.
- 31.2 The player must therefore start a new *"defined period"* from the date at which they return from their non-permitted absence to the country or territory of the relevant MA.

Article 5 paragraph 6

32. Article 5 paragraph 6 provides the legal basis for the application process to:

32.1 *"request for eligibility"* (cf. article 7 paragraph 1 (d)(ii); article 8 paragraph 2). These are cases where FIFA has deemed that an MA shall not be permitted to self-assess the eligibility of a player prior to fielding them in a representative team match;

32.2 *"change of association"* (cf. article 9). These are cases where a player has already been fielded by an MA in an *"official competition"* and is thus tied to the *"sporting nationality"* associated with that MA. In certain specific circumstances, a player may be entitled to change *"sporting nationality"*.

33. Applications must be made in accordance with the relevant sections of the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber (**Procedural Rules**).

ARTICLE 6

NATIONALITY
ENTITLING PLAYERS
TO REPRESENT
MORE THAN ONE
ASSOCIATION



ARTICLE 6

ART. 6 NATIONALITY ENTITLING PLAYERS TO REPRESENT MORE THAN ONE ASSOCIATION

1. *A player, who, under the terms of art. 5, is eligible to represent more than one association on account of his nationality, may play in an international match for one of these associations only if, in addition to holding the relevant nationality, he fulfils at least one of the following conditions:*
 - a) *He was born on the territory of the relevant association;*
 - b) *His biological mother or biological father was born on the territory of the relevant association;*
 - c) *His grandmother or grandfather was born on the territory of the relevant association;*
 - d) *He has lived on the territory of the relevant association for at least five years.*
2. *Regardless of par. 1 above, associations sharing a common nationality may make an agreement under which item d) of par. 1 of this article is deleted completely or amended to specify a longer time limit. Such agreements shall be lodged with and approved by the Council.*
3. *The associations which share a common nationality shall be identified and updated as appropriate by the FIFA general secretariat in a circular.*

COMMENTARY

Article 6 paragraph 1

34. Article 6 paragraph 1 regulates the eligibility of a player to participate for the representative teams of an MA where they hold a so-called “common nationality” (also known as “shared nationality”).

34.1 As described in the introduction, due to the prevailing international order several MAs represent a territory as opposed to a country.

34.2 Given that proof of eligibility is linked to nationality, and only countries formally grant nationality, a player may thus hold a single nationality that could be utilised to assert eligibility to represent multiple MAs.

35. A player who is subject to article 6 is eligible to participate for the representative teams of a specific MA only if they:

35.1 “*hold the [common] nationality*”; and

35.2 meet at least one of the “genuine link” conditions provided in article 6 paragraph 1 (a) to (d).

36. Being “*born on the territory of the relevant association*” refers to the physical territory in which the relevant association governs all types of football.

36.1 In this respect, even where national law may consider an individual to have been born in a certain country on the basis of the location of their birth, the critical issue is which MA governs all kinds of football in that particular location, at the modern-day time when the relevant act (i.e. player being fielded, or submission of a request for eligibility or change of association) occurs.

36.2 By way of example:

36.2.1 an individual, who has never participated for a representative team in an official competition, was born in city A;

36.2.2 at the time of their birth, city A formed part of country or territory X, where MA X governs all types of football;

36.2.3 currently, city A now forms part of country or territory Y, where MA Y governs all types of football;

36.2.4 the individual would only be able to rely upon their birth in city A to participate for the representative teams of MA Y.

37. The reference to *“biological mother or biological father”*, as opposed to simply *“mother or father”* is deliberate. This is a protective measure against abusive *“nationality shopping”*, preventing an adult or talented teenage footballer being legally adopted by an individual in a new country or territory to facilitate a change in *“sporting nationality”*.
- 37.1 Where a player wishes to rely on the location of birth of their adoptive parent, a request for eligibility (or change of association if the player has already represented an MA in an official competition) should be submitted in accordance with the Procedural Rules.
- 37.2 The Players’ Status Committee (**PSC**) will assess whether an adoptive parent may substitute for a biological parent, noting factors (without limitation) such as: the age when the player was adopted; the age when the player moved countries (if applicable); whether the player’s biological parents are still alive, and whether the player has a *“genuine link”* to the relevant MA.
- 37.3 In its most recent case, the PSC decided that an adoptive parent could substitute for a biological parent where: the player was adopted and moved country at three (3) months old; and, the player’s biological parents were deceased.
38. The reference to *“lived on the territory of the relevant association”* is now defined by article 5 paragraphs 4 and 5.
- 38.1 Following the September 2020 reform, the *“defined period of time (in years)”* is now five (5) years.
- 38.2 This better demonstrates a *“genuine link”* between the player and the territory of the MA, and, with one exception, harmonises article 6 paragraph 1 (d) with its equivalents in article 7.
- 38.3 Unlike article 7, the defined period of time in article 6 paragraph 1 (d) is not dependent on the age at which the player began their physical presence.

Article 6 paragraph 2

39. Article 6 paragraph 2 permits MAs that share a *“common nationality”* to make an agreement under which article 6 paragraph 1 (d) is *“deleted completely or amended to specify a longer time limit”* for their particular case.
40. Any such agreement will impact solely those MAs that are subject to the agreement. Such agreements shall be lodged with and approved by the FIFA Council, to ensure that they are screened for abusive conduct.

Article 6 paragraph 3

41. The following MAs share a nationality in the context of article 6:
- 41.1 American nationality: American Samoa; Guam; Puerto Rico; USA; US Virgin Islands;
 - 41.2 British nationality: Anguilla; Bermuda; British Virgin Islands; Cayman Islands; England; Gibraltar; Montserrat; Northern Ireland; Scotland; Turks and Caicos Islands; Wales;
 - 41.3 Chinese nationality: China PR; Hong Kong; Macau;
 - 41.4 Danish nationality: Denmark; Faroe Islands;
 - 41.5 French nationality: France; Tahiti; New Caledonia;
 - 41.6 Dutch nationality: Aruba; Netherlands; Curaçao;
 - 41.7 New Zealand nationality: New Zealand; Cook Islands.
42. Several football associations that are members of confederations, but are not MAs of FIFA, also share a nationality in the context of article 6 of the RGAS. These include:
- 42.1 Northern Mariana Islands, an AFC member whose players hold American nationality;
 - 42.2 Guadalupe, a Concacaf member whose players hold French nationality;
 - 42.3 French Guyana, a Concacaf member whose players hold French nationality.
43. For confederation competitions where such football associations participate, given that it is mandatory for the RGAS to be applied (without amendment or addition), eligibility must be assessed on the basis of article 6, read together with article 5.3.
- 43.1 A player who has previously participated for an MA of FIFA in an official competition is ineligible to participate in an "*official competition*" for a football association which is not an MA of FIFA. This has been confirmed by CAS.¹⁷
 - 43.2 In any event, a football association which is not an MA of FIFA is unable to lodge a request for change of association on behalf of the player before the PSC.
 - 43.3 However, a player who has previously participated for a football association which is not an MA of FIFA in an "*official competition*" organised by a confederation remains eligible to participate for a football association which is an MA of FIFA in an "*official competition*" organised by FIFA, subject to the player satisfying the relevant provisions of the RGAS.

17. TAS 2017/A/5290 Florent Malouda c. CONCACAF.

ARTICLE 7

ACQUISITION OF A
NEW NATIONALITY



ARTICLE 7

ART. 7 ACQUISITION OF A NEW NATIONALITY

1. *Any player who refers to art. 5 par. 1 to assume a new nationality and who has not played international football in accordance with art. 5 par. 3 shall be eligible to play for the representative teams of the new association only if he fulfils one of the following conditions:*

- a) *He was born on the territory of the relevant association;*
- b) *His biological mother or biological father was born on the territory of the relevant association;*
- c) *His grandmother or grandfather was born on the territory of the relevant association;*
- d) *He has lived on the territory of the relevant association:*
 - i) *for players that began living on the territory before the age of 10: at least three years;*
 - ii) *for players that began living on the territory between the age of 10 and 18: at least five years;*
 - iii) *for players that began living on the territory from the age of 18: at least five years.*

2. *A player who seeks to rely upon par. d ii) must:*

- a) *demonstrate that the move to the territory of the association was not for the purpose of participating for its representative teams; and*
- b) *submit, via the relevant association, a request for eligibility to the Players' Status Committee.*

COMMENTARY

Article 7 paragraphs 1 and 2

44. Article 7 paragraph 1 regulates the eligibility of a player to participate for the representative teams of an MA where they have:
- 44.1 acquired a new nationality during the course of their life (i.e. they were not automatically granted such nationality at birth); and
 - 44.2. not been fielded by an MA in an “*official competition*” in any age category or any kind of football.
45. Besides holding the nationality of the territory or country of the MA concerned, a player who is subject to article 7 is eligible to participate for the representative teams of that MA only if they meet at least one of the “*genuine link*” conditions provided in article 7 paragraph 1 (a) to (d).
46. Article 7 paragraph 1 (a) to (c) reflect their equivalent provisions in article 6.
47. Article 7 paragraph 1 (d) was amended in the September 2020 reform to codify existing jurisprudence of the PSC. This jurisprudence aimed at preventing cases of excessive hardship, when it was evident that a minor had not relocated to a new country and acquired a new nationality with the sole intention of participating for the representative teams of the MA of that country.
48. The reference to “*lived on the territory of the relevant association*” is now defined by article 5 paragraphs 4 and 5. In this respect, for players who “*began living on the territory*”:
- 48.1 before the age of ten: the “*defined period of time (in years)*” is of at least three (3) years of “*physical presence*”. Given the youth of the player, it is presumed that their relocation was not for the sole intention of participating for the representative teams of an MA. The existence of a “*genuine link*” between the player and the territory of an MA remains protected, in that “*official competition*” commences at age-group level only from under 16s;
 - 48.2 between the age of ten and 18: in accordance with the existing jurisprudence, the “*defined period of time (in years)*” is of at least five (5) years of “*physical presence*”. In addition:

- 48.2.1 the player must demonstrate that the move to the territory of the MA was not for the purpose of participating for its representative teams; and
 - 48.2.2 in order to prevent abuse, the relevant MA must submit a request for eligibility to the PSC on behalf of the player pursuant to the Procedural Rules, prior to the player being permitted to participate for its representative teams;
- 48.3 from the age of 18: the “*defined period of time (in years)*” is of at least five (5) years of “*physical presence*”. This remains unchanged since 2008.

ARTICLE 8

STATELESS
INDIVIDUALS



ARTICLE 8

ART. 8 STATELESS INDIVIDUALS

1. *A player that:*

- a) *does not hold any nationality; and*
- b) *due to the national law of the country of their domicile, will never be granted the nationality of such country*

may be declared eligible to play for the representative teams of the association concerned provided that:

- c) *he has lived on the territory of the relevant association for at least five years; and*
- d) *he can demonstrate that the move to the territory of the association was not for the purpose of participating for its representative teams.*

2. *A player who seeks to rely upon par. 1 must submit, via the relevant association, a request for eligibility to the Players' Status Committee.*

COMMENTARY

General remarks

49. Article 8 was introduced in the September 2020 reform to provide stateless persons the opportunity to participate in representative team football.
50. The concept of statelessness is long-recognised in public international law. A “stateless person” is someone who is “*not recognised as a national by any state under the operation of its law*”.¹⁸
51. It is the only exception to the general principle of “no nationality; no eligibility”, and corrects an excessive hardship without compromising the sporting integrity of international competition.

Article 8 paragraph 1

52. Article 8 paragraph 1 regulates the eligibility of a player to participate for the representative teams of an MA where they are considered “stateless”.
53. In order to be declared eligible to participate for the representative teams of an MA, a stateless person must demonstrate that:
- 53.1 they do not “*hold any nationality*”;
 - 53.2 they will never be eligible to acquire the “*nationality*” of the “*country of their domicile*” on the basis of the relevant national law;
 - 53.3 they “*lived on the territory of the relevant association*” for at least five years. The reference to “*lived on the territory of the relevant association*” is now defined by article 5 paragraphs 4 and 5. This period of time is not dependent on the age at which the player began the “*physical presence*”;
 - 53.4 their move to the territory of the MA was not for the purpose of participating for its representative teams.

Article 8 paragraph 2

54. In order to prevent abuse, the relevant MA must submit a request for eligibility to the PSC on behalf of the player pursuant to the Procedural Rules, prior to the player being permitted to participate for its representative teams.

18. 1954 Convention relating to the Status of Stateless Persons.

ARTICLE 9

CHANGE OF ASSOCIATION



ARTICLE 9

ART. 9 CHANGE OF ASSOCIATION

1. *A player may, only once, request to change the association for which he is eligible to play to the association of another country of which he holds the nationality.*

2. *A request to change association may be granted only in the following circumstances:*
 - a) *the player:*
 - i) *was fielded in a match in an official competition at any level (with the exception of "A" international level) in any kind of football for his current association; and*
 - ii) *at the time of being fielded for his first match in an official competition in any kind of football for his current association, he already held the nationality of the association which he wishes to represent.*

 - b) *the player:*
 - i) *was fielded in a match in an official competition at any level (with the exception of "A" international level) in any kind of football for his current association;*
 - ii) *at the time of being fielded for his first match in an official competition in any kind of football for his current association, he did not hold the nationality of the association which he wishes to represent;*
 - iii) *at the time of being fielded for his last match in an official competition in any kind of football for his current association, he had not turned 21 years old; and*
 - iv) *meets any of the requirements provided in article 6 or article 7.*

c) *the player:*

- i) *was fielded in a match in an official competition at "A" international level in any kind of football for his current association;*
- ii) *at the time of being fielded for his first match in an official competition (at any level) in any kind of football for his current association, he held the nationality of the association which he wishes to represent;*
- iii) *at the time of being fielded for his last match in an official competition in any kind of football for his current association, he had not turned 21 years old;*
- iv) *was fielded in no more than three matches at "A" international level in any kind of football for his current association, whether in an official competition or non-official competition;*
- v) *at least three years have passed since being fielded for his last match at "A" international level in any kind of football for his current association, whether in an official competition or non-official competition; and*
- vi) *has never participated in any kind of football at "A" international level in the final tournament of the FIFA World Cup or a final tournament of a confederation competition.*

d) *the player:*

- i) *wishes to represent an association that was admitted to FIFA membership after he was fielded in his first match in an official competition (at any level) in any kind of football for his current association;*
- ii) *was never fielded in a match in an official competition (at any level) in any kind of football for his current association after the association which he wishes to represent was admitted to FIFA membership;*
- iii) *at the time of being fielded for his first match in an official competition (at any level) in any kind of football for his current association:*
 - a. *held the nationality of the association which he wishes to represent; or*
 - b. *obtained the nationality of the association which he wishes to represent as soon as reasonably practicable after the country was recognised by the majority of the members of the United Nations;*

- iv) *meets any of the requirements provided in article 6 or article 7.*
 - e) *the player:*
 - i) *was fielded in a match in an official competition at "A" international level in any kind of football for his current association;*
 - ii) *permanently loses his nationality without his consent or against his will due to a decision by a government authority; and*
 - iii) *holds the nationality of the association that he wishes to represent.*
3. *A player is not permitted to play for his new association in any competition in which he has already played for his previous association.*
4. *A player who seeks to rely upon par. 2 must submit, via the relevant association, a request for change of association to the Players' Status Committee.*
5. *A player that was:*
 - a) *granted a change of association; and*
 - b) *was not fielded in a match in any (official or unofficial) competition in any kind of football by the new association,**may request a change of association back to his former association provided he continues to hold the nationality of such association.*
6. *A player who seeks to rely upon par 5. must submit, via the relevant association, a request for change of association to the Players' Status Committee.*
7. *A player that has filed a request in accordance with this article is not eligible to participate for any representative team until the request has been decided upon.*

COMMENTARY

General remarks

55. Article 9 regulates the ability of a player to change “sporting nationality” in football after they have participated (at least in part of a match) in an “*official competition*” for the representative team of an MA in any age category or kind of football.
56. The September 2020 reform addressed several situations deemed to be of excessive severity or hardship that had been identified by MAs or in practice, and codified jurisprudence of the PSC. Four (4) new exceptions to permit a change of association were introduced.

Article 9 paragraph 1

57. A player may only once request a change of association decision from the PSC. The only exception is provided in article 9 paragraph 5.
58. A change of association decision may be appealed before the CAS, in accordance with article 58 of the FIFA Statutes.¹⁹
59. A request for change of association is only necessary if the player is already tied to a “sporting nationality” associated with an MA as per article 5 paragraph 3. Consequently, a player who is eligible to participate for multiple MAs on the basis of article 5 (where applicable, read together with article 6 or 7) does not require a change of association decision if they have only been fielded by an MA in a match in a non-official competition.

Article 9 paragraph 2

60. Article 9 paragraph 2 provides the five (5) cases where a player may change “sporting nationality”. These are exhaustive. In all cases, the conditions are cumulative unless otherwise specified.

19. See e.g. CAS 2010/A/2071 Irish Football Association v. Football Association of Ireland, Daniel Kearns and FIFA; TAS 2018/A/5634 Munir El Haddadi & Fédération Royale Marocaine de Football c. FIFA & Real Federación Española de Fútbol.

Article 9 paragraph 2 (a)

61. This reflects the previous article 8 paragraph 1 of the RGAS. A change of association may be granted where the player:
- 61.1 was fielded in an official competition by their current MA at any level except "A" international level in any kind of football; and
 - 61.2 already held the nationality of the new MA before they were fielded in an official competition in any kind of football by their current MA.
62. A player is "*fielded*" in a match where they have physically played in the match, even for a matter of seconds, whether as a starter, or as a substitute for another player.
63. The phrase "*official competition*" is defined in the FIFA Statutes as "*a competition for representative teams organised by FIFA or any confederation*".
64. "*'A' international level*" refers to the highest level of representative team football, colloquially known as the "*senior national team*".²⁰
65. "*Kind of football*" refers to association football, futsal, or beach soccer.
66. The player must have held dual or multiple nationalities (i.e. at least those of their current MA and new MA) or a "*common nationality*" at the time they were first fielded by their current MA in an "*official competition*".

Article 9 paragraph 2 (b)

67. This limited regulatory exception addresses an excessive hardship relating to unequal treatment of MAs as a result of differences between national laws. MAs domiciled in countries which do not permit dual or multiple nationality were previously unable to select talented footballers developed within their diaspora that had already been fielded by another MA in an age-category "*official competition*", but never at "A" international level.
68. A change of association may be granted where the player:
- 68.1 was fielded in an official competition by their current MA at any level except "A" international level in any kind of football;
 - 68.2 did not hold the nationality of the new MA before they were fielded in an official competition in any kind of football by their current MA;

20. FIFA Regulations Governing International Matches, Definitions (no. 5).

- 68.3 at the time of their last match in an official competition for their current MA in any kind of football, they had not turned 21 years old; and
- 68.4 meets at least one (1) “genuine link” requirement in article 6 or article 7.
- 69. A player is “*fielded*” in a match where they have physically played in the match, even for a matter of seconds, whether as a starter, or as a substitute for another player.
- 70. The phrase “*official competition*” is defined in the FIFA Statutes as “*a competition for representative teams organised by FIFA or any confederation*”.
- 71. “*‘A’ international level*” refers to the highest level of representative team football, colloquially known as the “*senior national team*”.
- 72. “*Kind of football*” refers to association football, futsal, or beach soccer.
- 73. Considering the principle of legal certainty, the age requirement (“*he had not turned 21 years old*”) shall not apply to players who played their last match in an official competition in any kind of football for their current association prior to 18 September 2020, the date that the September 2020 amendments entered into force.
- 74. In this respect, players who participated in an official competition (in any kind of football) for their current association in these circumstances could not have reasonably expected, based on the former wording of the RGAS, that such participation would prevent them from changing association in the future in the event that FIFA decided to relax its eligibility rules. The following table contains some basic examples of this approach:

Change of association request from association A to association B submitted after 18 September 2020	Age requirement	Outcome
<p>Born on 1 January 1997 on the territory of the country of association B;</p> <p>Obtained the nationality of the country of association B on 1 January 2020;</p> <p>Fielded at youth level in official competitions for association A, the first match on 3 January 2015 (age: 18) and the last on 20 June 2018 (age: 21);</p> <p>Never played at “A” international level for association A.</p>	<p>NO</p> <p><i>Last match in an official competition with association A was played prior to 18 September 2020.</i></p>	<p>Change of association possible</p> <p>Age requirement not required + all other (cumulative) requirements met.</p>

Change of association request from association A to association B submitted after 18 September 2020	Age requirement	Outcome
<p>Born on 1 January 1997 on the territory of the country of association B;</p> <p>Obtained the nationality of the country of association B on 1 January 2020;</p> <p>Fielded at youth level in official competitions for association A, the first match on 3 January 2015 (age: 18) and the last on 20 September 2020 (age: 23);</p> <p>Never played at “A” international level for association A.</p>	<p>YES</p> <p><i>Last match in an official competition with association A was played after 18 September 2020.</i></p>	<p>Change of association not possible</p> <p>Age requirement not met as the player is 21 years or older on the date of their last match for association A.</p>
<p>Born on 1 January 2000 on the territory of the country of association B;</p> <p>Obtained the nationality of the country of association B on 1 January 2020;</p> <p>Fielded at youth level in official competitions for association A, the first match on 3 January 2015 (age: 15) and the last on 20 February 2020 (age: 20);</p> <p>Never played at “A” international level for association A.</p>	<p>NO</p> <p><i>Last match in an official competition with association A was played prior to 18 September 2020.</i></p>	<p>Change of association possible</p> <p>Age requirement not required + all other cumulative requirements met.</p>
<p>Born on 1 January 2000 on the territory of the country of association B;</p> <p>Obtained the nationality of the country of association B on 1 January 2020;</p> <p>Fielded at youth level in official competitions for association A, the first match on 3 January 2015 (age: 15) and the last on 20 November 2020 (age: 20);</p> <p>Never played at “A” international level for association A.</p>	<p>YES</p> <p><i>Last match in an official competition with association A was played after 18 September 2020.</i></p>	<p>Change of association possible</p> <p>All cumulative requirements met, including age requirement as the player was younger than 21 on the date of their last match for association A.</p>

75. The obligation to meet a “genuine link” requirement in article 6 or article 7 respects the general principle underpinning the rules.

Article 9 paragraph 2 (c)

76. This limited regulatory exception addresses an excessive hardship where a player who holds dual or multiple nationality or a “common nationality” is fielded by an MA in an official competition of any kind of football at “A” international level for a limited number of matches or even limited number of minutes in a single match. Under the previous iteration of the rules, the player was tied to that “sporting nationality” for the duration of their representative team career.

77. A change of association may be granted where the player:
- 77.1 was fielded in an official competition by their current MA at "A" international level in any kind of football;
 - 77.2 already held the nationality of the new MA before they were fielded in an official competition at any level in any kind of football by their current MA;
 - 77.3 at the time of their last match in an official competition for their current MA in any kind of football, had not turned 21 years old;
 - 77.4 was fielded in no more than three (3) matches (in an official or non-official competition) by their current MA at "A" international level in any kind of football;
 - 77.5 at least three (3) years have passed since their last match (in an official or non-official competition) for their current MA at "A" international level in any kind of football; and
 - 77.6 never participated for their current MA in any kind of football at "A" international level in the final tournament of the FIFA World Cup or a final tournament of a confederation competition.
78. A player is "*fielded*" in a match where they have physically played in the match, even for a matter of seconds, whether as a starter, or as a substitute for another player.
79. The phrase "*official competition*" is defined in the FIFA Statutes as "*a competition for representative teams organised by FIFA or any confederation*".
80. "*'A' international level*" refers to the highest level of representative team football, colloquially known as the "*senior national team*".
81. "*Kind of football*" refers to association football, futsal, or beach soccer.
82. The player must have held dual or multiple nationalities (i.e. at least those of their current MA and new MA) or a "*common nationality*" at the time they were first fielded by their current MA in an "*official competition*", regardless of whether this first match was at age-group or "A" international level.

83. “Final tournament of a confederation competition” refers to the premier competition for a particular kind of football. By way of example, the competitions in association football at the time of writing are:

Confederation	Women’s football	Men’s football
AFC	AFC Women’s Asian Cup	AFC Asian Cup
CAF	Africa Women Cup of Nations	Africa Cup of Nations
Concacaf	Concacaf Women’s Championship	Concacaf Gold Cup
CONMEBOL	Copa America Femenina	Copa America
OFC	OFC Women’s Nations Cup	OFC Nation’s Cup
UEFA	UEFA European Women’s Championship	UEFA European Championship

84. Considering the principle of legal certainty, the age requirement (“he had not turned 21 years old”) shall not apply to players who played their last match in an official competition in any kind of football for their current association prior to 18 September 2020, the date that the September 2020 amendments entered into force.
85. In this respect, players who participated in an official competition (in any kind of football) for their current association in these circumstances could not have reasonably expected, based on the former wording of the RGAS, that such participation would prevent them from changing association in the future in the event that FIFA decided to relax its eligibility rules. This transitory measure only applies to the age criteria in paragraph (c). The following table contains some basic examples of this approach:

Change of association request from association A to association B submitted after 18 September 2020	Age requirement	Outcome
<p>Born on 1 January 1993;</p> <p>Obtained the nationality of the country of association B on 1 January 2007;</p> <p>Fielded at youth level in official competitions for association A on several occasions: for the first time on 3 January 2010 (age: 17) and for the last time on 5 November 2013 (age: 20);</p> <p>Fielded in one match at “A” international level in a World Cup qualifier for association A on 20 June 2017 (age: 24);</p> <p>Never participated in any kind of football at “A” international level in the final tournament of the FIFA World Cup or a final tournament of a confederation competition.</p> <p><i>Request submitted in November 2020</i></p>	<p>NO</p> <p><i>Last match in an official competition with association A was played prior to 18 September 2020.</i></p>	<p>Change of association possible</p> <p>Age requirement not required + all other (cumulative) requirements met.</p>

Change of association request from association A to association B submitted after 18 September 2020	Age requirement	Outcome
<p>Born on 1 January 1999;</p> <p>Obtained the nationality of the country of association B on 1 January 2007;</p> <p>Fielded at youth level in official competitions for association A on several occasions: for the first time on 3 January 2015 (age: 16) and for the last time on 5 July 2019 (age: 20);</p> <p>Fielded in two matches at "A" international level in World Cup qualifiers for association A on 4 December 2019 (age: 20) and on 1 October 2020 (age: 21);</p> <p>Never participated in any kind of football at "A" international level in the final tournament of the FIFA World Cup or a final tournament of a confederation competition.</p> <p><i>Request submitted in November 2023</i></p>	<p>YES</p> <p><i>Last match in an official competition with association A was played after 18 September 2020.</i></p>	<p>Change of association <u>not possible</u></p> <p>Age requirement not met as the player was 21 years or older on the date of their last match in an official competition for association A.</p>
<p>Born on 1 January 1997;</p> <p>Obtained the nationality of the country of association B on 1 January 2007;</p> <p>Fielded at youth level in official competitions for association A on several occasions: for the first time on 3 January 2015 (age: 18) and for the last time on 18 October 2018 (age: 21);</p> <p>Fielded in two matches at "A" international level in a World Cup qualifier for association A on 4 December 2016 (age: 19) and on 1 March 2017 (age: 20)</p> <p>Never participated in any kind of football at "A" international level in the final tournament of the FIFA World Cup or a final tournament of a confederation competition.</p> <p><i>Request submitted in November 2020</i></p>	<p>NO</p> <p><i>Last match in an official competition with association A was played prior to 18 September 2020.</i></p>	<p>Change of association <u>possible</u></p> <p>Age requirement not required + all other cumulative requirements met.</p>
<p>Born on 1 January 2000;</p> <p>Obtained the nationality of the country of association B on 1 January 2007;</p> <p>Fielded at youth level in official competitions for association A on several occasions: for the first time on 3 January 2015 (age: 15) and for the last time on 5 July 2019 (age: 19);</p> <p>Fielded in two matches at "A" international level in World Cup qualifiers for association A on 4 December 2019 (age: 19) and on 1 October 2020 (age: 20);</p> <p>Never participated in any kind of football at "A" international level in the final tournament of the FIFA World Cup or a final tournament of a confederation competition.</p> <p><i>Request submitted in November 2023</i></p>	<p>YES</p> <p><i>Last match in an official competition with association A was played after 18 September 2020.</i></p>	<p>Change of association <u>possible</u></p> <p>All cumulative requirements met, including age requirement as the player was younger than 21 on the date of their last match in an official competition for association A.</p>

86. The age requirement, waiting period, limitation on matches, and limit on participation at the highest level of “A” international football, all ensure that the sporting integrity of international competition is adequately protected.

Article 9 paragraph 2 (d)

87. This possibility for a player to change association codifies the existing jurisprudence of the PSC. Prior to the September 2020 reform, the PSC would consider it a case of excessive hardship to not permit players in such circumstances to change “sporting nationality”, given that they never had the opportunity to choose between their current MA and the newly-admitted MA, at the time they first participated in representative team football.

88. A change of association may be granted where the player:

88.1 the player was fielded in an official competition by their current MA at any level in any kind of football;

88.2 the player’s new MA was admitted to FIFA membership after they were fielded by their current MA in their first match in an official competition;

88.3 the player was never fielded by their current MA in an official competition at any level in any kind of football after their new MA was admitted to FIFA membership;

88.4 at the time of the player’s first match in an “*official competition*” at any level for their current MA in any kind of football, they:

88.4.1 already held the nationality of the new MA; or

88.4.2 obtained the nationality of the new MA as soon as reasonably practicable after its country was recognised by the majority of members of the United Nations; and

88.5 the player meets at least one (1) “genuine link” requirement in article 6 or article 7.

89. A player is “*fielded*” in a match where they have physically played in the match, even for a matter of seconds, whether as a starter, or as a substitute for another player.

90. The phrase “*official competition*” is defined in the FIFA Statutes as “*a competition for representative teams organised by FIFA or any confederation*”.

91. “*Kind of football*” refers to association football, futsal, or beach soccer.

92. The player must:
- 92.1 have held dual or multiple nationalities (i.e. at least those of their current MA and new MA) or a “common nationality” at the time they were first fielded by their current MA in an official competition; or
 - 92.2 alternatively, demonstrate that they obtained the nationality of their new MA as soon as reasonably practicable after the country was recognised by the majority of members of the United Nations. This will be assessed on a case-by-case basis.
93. The obligation to meet a “genuine link” requirement in article 6 or article 7 respects this general principle underpinning the rules.

Article 9 paragraph 2 (e)

94. This reflects the previous article 8 paragraph 2 of the RGAS. A change of association may be granted where the player:
- 94.1 was fielded in an official competition by their current MA at “A” international level in any kind of football;
 - 94.2 permanently loses the nationality of their current MA without their consent or against their will due to a decision by a government authority; and
 - 94.3 holds the nationality of their new MA.
95. A player is “*fielded*” in a match where they have physically played in the match, even for a matter of seconds, whether as a starter, or as a substitute for another player.
96. The phrase “*official competition*” is defined in the FIFA Statutes as “*a competition for representative teams organised by FIFA or any confederation*”.
97. “*‘A’ international level*” refers to the highest level of representative team football, colloquially known as the “senior national team”.
98. “*Kind of football*” refers to association football, futsal, or beach soccer.
99. The question of whether a player permanently loses their nationality without their consent or against their will due to a decision by a government authority (e.g. a change in national law or a decision by an immigration authority on the basis of a character assessment) is one of fact and will be assessed on a case-by-case basis.

100. However, the renouncement or abandonment of a nationality by a player in order to acquire another nationality is not considered to have been undertaken “*without their consent or against their will*”.

Article 9 paragraph 3

101. Article 9 paragraph 3 reflects the previous article 8 paragraph 1 (b) of the RGAS.

102. A player who receives a favourable change of association decision is ineligible to participate for their new MA in any competition (qualifiers or finals) in which they already represented their current MA. This protects the sporting integrity of international competition.

103. By way of example: if a player participates for an MA in the qualifying tournament for “confederation U-20 championship 2020”, they are ineligible to participate for another MA in the final tournament (after receiving a favourable change of association decision).

104. However, (subject to their age and competition rules) the player may participate for their new MA in the qualifying or final tournament for “confederation U-20 championship 2022”, which is considered a different competition.

Article 9 paragraph 4

105. For a player who wishes to change “sporting nationality” pursuant to article 9 paragraph 2, the relevant MA must submit a request for change of association on behalf of the player to the PSC pursuant to the Procedural Rules, prior to the player being permitted to participate for its representative teams.

Article 9 paragraph 5

106. Article 9 paragraph 5 introduces a limited regulatory exception to the restriction of being granted a change of association once only. A player who receives a favourable change of association decision but is subsequently never fielded by their new MA faces an excessive hardship.

107. A player will be permitted to reverse a change of association decision where they:

107.1 were previously granted a change of association by the PSC; and

107.2 were never fielded in a match (in an official or non-official competition) by the new MA in any kind of football; and

107.3 continues to hold the nationality of their former MA.

108. A player is “*fielded*” in a match where they have physically played in the match, even for a matter of seconds, whether as a starter, or as a substitute for another player.
109. The phrase “*official competition*” is defined in the FIFA Statutes as “*a competition for representative teams organised by FIFA or any confederation*”.
110. “*Kind of football*” refers to association football, futsal, or beach soccer.
111. There is no waiting period to request the reversal of a change of association decision.
112. The word “*continues*” requires the player to have held the nationality of their former MA for the whole period while their “*sporting nationality*” was linked to their new MA. In general, if a player has abandoned the nationality of their former MA during this period, the “*genuine link*” between the player and their former MA is considered to have been lost.
113. The reversal of a change-of-association decision is only permitted once, to prevent abuse and protect the sporting integrity of international competition.

Article 9 paragraph 6

114. For a player who wishes to reverse a change-of-association decision pursuant to article 9 paragraph 5, the relevant MA must submit a request for change of association to the PSC on behalf of the player pursuant to the Procedural Rules, prior to the player being permitted to participate for its representative teams.

Article 9 paragraph 7

115. Article 9 paragraph 7 reflects the previous article 8 paragraph 3 of the RGAS.
116. A player for whom a change-of-association request has been lodged is not permitted to participate in international football until the PSC (or CAS, where relevant) has decided the matter. This protects the sporting integrity of international competition.

RESOURCES



RESOURCES

FIFA Regulations

- FIFA Statutes, [2020 ed.]
- FIFA Regulations Governing International Matches [2014 ed.]

Court of Arbitration for Sport

- TAS 92/80 B. v. Fédération Internationale de Basketball (FIBA)
- CAS 94/132 Puerto Rico Amateur Baseball Federation (PRABF) / USA Baseball (USAB)
- CAS 98/215 International Baseball Association (IBA)
- CAS OG 00/003 Arturo Miranda / International Olympic Committee (IOC)
- CAS 2007/A/1377 Melanie Rinaldi v. Fédération Internationale de Natation. (FINA)
- CAS 2010/A/2071 Irish Football Association v. Football Association of Ireland, Daniel Kearns and FIFA
- CAS 2012/A/2742 Qatar FA v. FIFA, Oman FA & AFC
- CAS 2012/A/3013 Sudan Football Association v. FIFA
- CAS 2013/A/3360 Federação Cabo-verdiana de Futebol v. FIFA
- CAS 2017/A/5001 Federación Boliviana de Fútbol v. FIFA
- CAS 2017/A/5002 Federación Boliviana de Fútbol v. FIFA
- TAS 2017/A/5290 Florent Malouda c. CONCACAF
- TAS 2018/A/5634 Munir El Haddadi & Fédération Royale Marocaine de Football c. FIFA & Real Federación Española de Fútbol
- TAS 2020/A/7444 Munir El Haddadi & FRMF v. FIFA & RFEF

CONTACT

FIFA is fully committed to assisting MAs and football stakeholders regarding the content of this document and/or any regulatory matters regarding eligibility to participate for representative teams in international football.

As such, please feel free to contact us at any time at: legal@fifa.org.

For questions regarding the procedure to request eligibility or a change of association, please refer first to the recently published Guide to Submitting a Request for Eligibility or Change of Association, which is available at legal.fifa.com.