Trans, gender diverse and intersex inclusion in sports is a human right

statement & call to action, sports and physical activity, intersex, lgbti, resilience against anti-gender ideology

Together with many organisations and individuals committed to gender equality, human rights, and social justice, welcome the latest report from UN Special Rapporteur in the field of cultural rights, Alexandra Xanthaki, which emphasises the right of all people to participate in sports, including trans, gender diverse, and intersex people.

In a time when discrimination and gatekeeping in sports are on the rise, we strongly affirm that sports should be safe, fair, and equitable for everyone, whether they are elite athletes, people participating at the community level, or anywhere in between. Excluding people from sports based on their gender identity or sex characteristics is unacceptable. It fuels harmful narratives, such as rigid ideas around womanhood, femininity, and how women should look, act and behave, that affect us all.

Sport is a space of empowerment, joy, community, and friendship. Trans, gender diverse, and intersex people deserve the same opportunities to thrive in sports as their cisgender peers. It's time to end discrimination in sports and build a more inclusive future for all.

Read and sign the joint statement below.

Trans, gender diverse and intersex inclusion in sports is a human right

We, the undersigned organizations and individuals committed to gender equality, human rights, social justice, and LGBTIQ+ rights, welcome the report on the right to participate in sports by Alexandra Xanthaki, the United Nations Special Rapporteur in the field of Cultural Rights.

From the elite athlete level to the community level, where the majority of participation in sports lies, we affirm that all people, including trans, gender diverse and intersex persons, must be able to realize their human right to participate in sports as an essential element of engaging in cultural life. We call for inclusive approaches that foreground the positive role that sports play in society and ensure that all people, regardless of their gender identity and sex characteristics, can participate in sports safely and equitably.

In a world in which we see increased opposition to the human rights of trans, gender diverse and intersex persons, the realm of sport has become a particular focus for attack. Equal inclusion of all in sports continues to be undermined by the rise of movements that oppose the universality of human rights and advance retrogressive interpretations of norms and standards. We are compelled to write this statement to draw attention to the rampant discrimination against trans, gender diverse and intersex people in sports, including under the guise of protecting cisgender women and girls. We reject the co-option of human rights mechanisms to position the protection and fulfillment of the rights of trans, gender diverse, intersex, and cisgender women and girls in sports as conflicting and incompatible and affirm that these rights and struggles are inextricably interlinked.

Many human rights bodies have clarified that the prohibition of sex-based discrimination is enshrined in core international human rights treaties and includes gender-based discrimination. As the Special Rapporteur in the field

of Cultural Rights has highlighted in her 2024 report to the General Assembly, since 2010, the Committee on the Elimination of Discrimination Against Women clarified that "discrimination against women refers to both sex and gender. International law protects all women, including intersex and trans women; that protection includes their right to participate in sport."[1] The Special Rapporteur also warns that efforts to exclude trans, gender diverse and intersex women from women's sports and categorize them as "male" are "unacceptable" and "may be regarded as hate speech." [2]

However, the misinformation on the participation of trans, gender diverse, and intersex people in sports and the hate directed at trans, gender diverse and intersex athletes are at concerning levels.

Rhetoric and misinformation about trans, gender diverse and intersex women and girls have real-life consequences. They perpetuate harmful stereotypes and a fixed and binary understanding of gender and sex, increasing the risk of violence against trans, gender diverse and intersex women and girls within and outside sports. The most recent example was observed during the 2024 Paris Olympics, where two athletes who competed in women's boxing, Imane Khelif and Lin Yu-ting, were heavily scrutinized and relentlessly targeted using hateful rhetoric that speculated about their sex characteristics and mischaracterized their gender. This hate speech was fueled by a highly discriminatory and violent practice in competitive sports: the invasive and harmful practice of "sex testing," an examination of genitalia, chromosomes, and hormone levels of women and girl athletes to try to "prove" or "verify" their sex.[3]

In general, athletes whose sex characteristics, gender identity or sexual orientation do not comply with normative expectations face severe obstacles to participation in sports, as they routinely experience harassment and abuse, no matter the level of sport they participate in.[4] Surveys of LGBTIQ+ people in sports in Europe have shown that an overwhelming majority believe that homophobia and transphobia are a problem in sports and have witnessed the use of such language in sports settings.

The violence experienced by trans, gender diverse and intersex athletes can be considered the extreme manifestation of a general pervasive and systemic violence and discrimination against women and girls in sports that require our attention, including both sexual and non-sexual violence and abuse perpetrated by coaches, trainers, sponsors, and others. Ensuring the health, safety, privacy, bodily autonomy and integrity of all women and girls in sports is crucial, including trans, gender diverse and intersex athletes. The misrepresentation of trans, gender diverse and intersex women as a threat to women's rights and safety carries the high risk of diverting attention from these critical issues and hinders women who experience this kind of violence from access to justice. This not only undermines the gravity of the violence experienced by women and girls in sports but also reinforces patriarchal and colonial legacies. Historically, colonial patriarchal structures have used the concept of a strict binary sex distinction to assert white supremacy, relegating Black, Indigenous, and people of color (BIPOC), and especially Black women, to a lesser category of womanhood. The category of 'woman' has always been racialized, with white women expected to uphold the boundaries of sex difference to maintain the illusion of binary gender. These boundaries are upheld by violently enforcing them upon the bodies of any person who is seen as 'non-conforming.' As a result, athletes who have been disproportionately targeted to undergo sex testing and consequently forbidden to compete in the women's category often come from the Global South and are women of color. The policing, in particular of intersex women's bodies and the dismissal of women deemed 'too masculine' under the guise of fairness, has a chilling effect on all women's participation in sports.

Several human rights mechanisms, including various Special Procedures, have emphasized the serious concerns with the exclusion of trans, gender diverse and intersex athletes from sports based on arbitrary classifications and eligibility rules based on testosterone levels, which are overly broadly constructed, and have drawn attention to intrusive and rights-violating practices like sex testing.[5] Simultaneously, they have repeatedly emphasized intersectionality as an essential tool to understand and address complex forms of marginalization, discrimination and inequalities among different groups to avoid false dichotomies between rights.[6] An intersectional analysis makes it evident, as UNESCO and UN Women also note, that "all women and girl athletes are susceptible to

violence, but LGBTIQ+ athletes, athletes with disabilities, and athletes from disadvantaged racial, ethnic, migration, and/or socioeconomic backgrounds are at particular risk."[7] UN Special Rapporteurs have called for the removal of policies that require women athletes, including trans, gender diverse and intersex athletes, from undergoing unnecessary medical procedures to participate in sports and have called for reviewing the rules in relation to the participation of trans, gender diverse and intersex athletes in sports to ensure compliance with human rights standards.[8]

Sport has the power to transform lives, and all women and girls deserve the right to participate in sports free from abuse, violence, and discrimination, and ensuring the respect of their health, safety and dignity. Sports empower trans, gender diverse and intersex people, offer a sense of community, build essential social skills, and help dispel entrenched notions about the capacities and limits of the body.

We call for inclusive approaches that foreground the positive role that sports play in society and ensure that all people, regardless of their gender identity and sex characteristics, can participate in sports safely and equitably. We caution against implementing one-size-fits-all approaches like open categories that risk segregating trans, gender diverse and intersex athletes over case-by-case approaches that seek to balance fairness and inclusion. Efforts to ensure full inclusion in sports must not risk depriving trans, gender diverse and intersex athletes of the same opportunities that their cisgender peers enjoy, including "the best part of sport — learning from and growing with a diverse group of teammates."[9]

sign the statement

Read the statement in additional languages

- French
- Russian
- Serbo-Croatian
- Spanish

Signatories

Initiating Signatories

- Global Action for Trans Equality (GATE)
- TGEU
- OII Europe
- ILGA World
- Outright International
- Human Rights Campaign
- Center for Sport and Human Rights
- Count Me In! Consortium

Organizations

- IGLYO
- EL*C – EuroCentralAsian Lesbian* Community
- Queer Olympix
- MozaiQ LGBT Association (Romania)
- “ver.di” labour union Germany
- ILGA-Europe
- Activ’Elles04
- ARCÓPOLI
- Pride Sports
- Blue Diamond Society
- Bisi Alimi Foundation
- Akaliyat Association
- Sports Media LGBT+
- Association DIH – Equal Under the Rainbow
- GIN SSOGIE
- Equality California
- OUTnewcomers
- Football v Homophobia
- Anonymous Organization
- FNV Rainbow Network
- Pride Netwerk NL
- Observatori Contra l’LGTBI-fòbia
- Espacio Tolomocho
- Healthy Life NGO
- Queerstion Media
- Gruppo Trans APS (Italy)
- Diversidad Perú
- Movimiento SOMOS – Venezuela
- Observatorio de Derechos LGBTIQ+ de Venezuela
- Colectivo Seres, A.C.
- Corporación Femm
- Zagreb Pride
- Centro LGBTIQ+ de Mérida – Venezuela
- Anonymous Organization
- NGO Diversa Patagonia, Chile
- Tonga Leitis Association
- Red LESLAC – Red de Organizaciones de Lesbianas y Bisexuales de Latinoamérica y el Caribe
- Veeduría Ciudadana de la Política Pública Nacional LGBTIQ de Colombia
- Equal Namibia
- EQUAL GROUND, Sri Lanka
- FOCUS DROITS ET ACCES
- Lesbian Intersex Trans and other Extensions
- Egale Canada
- Transgender red umbrella (TGRU.ORG)
- Community Care Collective
- Spectrum
- GIRLxGIRL
- Unicorns LGBTQIA+ Netball Club
- WEKA ORGANISATION
- Cardiff Dragons FC
- The Women’s Football Collective
- Fierté Canada Pride

- LEAP Sports Scotland
- MPact Global
- Diversidad Dominicana (DIVERDOM)
- Round o.z.
- Nexus Solidarity Initiative
- Intersex Iceland
- Anonymous Organization
- Asociatia TransCore (Romania)
- European Gay & Lesbian Sports Federation
- Cymric Netball Clwb
- AMIGAY aps
- Cardiff 62s FC
- Foundation for Freedom / Etnoliga
- Anonymous Organization
- Arcigay Modena “Matthew Shepard”
- Be Gay Do Climbs
- Intersex Venezuela
- Canadian Union of Public Employees (CUPE) Ontario
- Syndicat des Métallos
- “DiverCity” Social-Cultural, Human Rights Defender NGO
- The Army of Survivors
- XY Spectrum
- Working For Our Wellbeing
- Tooro action for vulnerability and human rights uganda
- Diversidad Democrática
- Fundacion Arcoiris por el respeto a la diversidad sexual
- Orgullo Ecatepec
- San Aelredo AC
- Nassawiyat Morocco-?????? ??????
- Consortium for Intersectional Justice
- Colectivo Diversa CODIVER
- Comunidad Cultural de Tijuana LGBTI A.C.
- Sinaloa Incluyente A.C.
- Transfeminist Initiative TransAkcija
- Bicicleta de la diversidad
- MUKI
- Hondureños contra el SIDA
- Diva Cassandra International
- SHARKES LGBTIQ+
- Sexual Violence Prevention Association (SVPA)
- GLAAD
- FORGE, Inc.
- Organization- Ladlad Caraga Inc.
- Open Heart Community based organization for Health Empowerment and Sustainable Development
- Sharkes
- ODRI – Office against Discrimination, Racism and Intolerance
- Unid@s por la Diversidad en el Valle de Tecomán a.c
- Inclusive Rainbow Voices LGBTIQA+ People with Disability
- Rainbow Nation Brussels
- ASEAN SOGIE CAUCUS
- Incluziune pe Bune
- One Future Collective

- Transfamily Incorporated
- The Fruit Basket
- Outrage Magazine
- Bahaghari Center for SOGIE Research, Education and Advocacy, Inc.
- Centro de Apoyo a las Identidades Trans. Rocio Suárez
- Sharkes deporte LGBTQ
- University of Leeds
- International Planned Parenthood Federation
- Philippine Anti-Discrimination Alliance of Youth Leaders (PANTAY) Inc.
- Pride In Touch
- Intersex Philippines
- Fondazione Genere Identità Cultura
- Osservatorio Nazionale Identità di Genere- ONIG
- RFSL
- Community Welfare and Development Fund
- Vision GRAM-International
- Associazione Frida Kahlo Palermo a.p.s.ed e.t.s
- Rete Trans* Nazionale di Arcigay
- Arcigay – Associazione LGBTQIA+ Italiana
- Arcigay Salento
- Gender DynamiX
- Comunidad para la Diversidad, los Derechos y la Ciudadanía de Aguascalientes (México), CODDEC
- ÜniKuir
- Geten, Center for LGBTIQA People's Rights
- Minority Azerbaijan
- Manchester Laces
- 7tepe7renk
- Arcigay Catania
- Arcigay Cremona La Rocca
- Gaynet – Formazione e Comunicazione sui temi LGBTQIA+
- Mbambe Foundation Charity
- Minority Veterans of America
- Lanka Fundamental Rights Organization
- Federation of Sexual and Gender Minorities Nepal
- MANODIVERSA
- Accountability International
- Women's Windows
- Asociación AHORA DÓNDE-Le Refuge
- Broken Rainbow-japan
- The LGBT life e.V.
- Equality access to health and rights initiative (EAHRI)
- Solace Initiative
- NOOR
- Sudur Paschim Samaj, Nepal
- Anonymous Organization
- Association Big Mama
- Pinkriot Arcigay Pisa
- JusticeMakers Bangladesh in France (JMBF)
- Trans Affirmative Action Guild
- Oogachaga (Singapore)
- Trans-Fitness
- Fundacion para Estudio e investigacion de la MUjer

- Anonymous Organization
- Equality Amplified Ltd
- Petricor Aventuras
- Derechos Humanos y Diversidad Asociacion Civil
- Oceania Pride
- Babaylanes Inc.
- International Women's Development Agency (IWDA)
- LGBT CENTRE MONGOLIA
- Shongshoptok
- Women Deliver
- Anonymous Organization
- TransLucent.Org.UK
- ARELAS, FAMILIAS MENORES E MOCIDADE TRANS DE GALICIA
- LGBTI+ Gozo
- PROUT AT WORK-Foundation
- Acceptess-T
- TACEF
- Right Side HRD NGO
- SWO
- Transgender Network Switzerland
- Regional Advocacy for Women's Sustainable Advancement Alliance for African and Arab States
- TransParente, Consultoria e Educação
- Sipineq+
- Foundation Resource Center Bilitis
- Sahasi Kadam Nepal
- Lake Region Womxn Health and Equal Rights
- Fem Alliance Uganda
- movingsport
- Seitenwechsel, Sportclub for WomenLesbianTransInter and Girls e.V.
- TRANS FUTURE DRC/ASBL.
- ENGSO EWS Committee
- Summit We Care For The Needy Foundation Kisumu
- WDP
- Interfaith Diversity Network of West Africa
- Trans Wellness Project
- Iniciativa Inakost (Slovakia)
- AIHMS-GLOBAL
- VIKASH-SAMUKHYA
- European Sex Workers' Rights Alliance (ESWA)
- VIMÖ / OII Austria
- The Regional Coalition for Women Human Rights Defenders in South West Asia and North Africa (WHRDMENA)
- Sexual and Reproduction Justice Coalition
- Laboratorio de la Diversidad A.C.
- Intersex South Africa
- Namibia Diverse Women's Association (NDWA)
- Omphalos LGBTI
- Orgoglio Bisessuale
- Alianza Lambda of Venezuela NGO
- Estonian Trans Alliance
- IPPF Américas y El Caribe
- SFBSP-BURUNDI

- TDJ-BURUNDI
- COFEM
- Club Esportiu LGTBI+ Samarucs València
- Gila Project for Trans Empowerment
- Fucsi Oopsie
- Human Rights Defenders Network-Sierra Leone
- Equality Rights Africa Organization(ERAO)
- Amnesty International

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- Kris Dharmasaroja
- Daniela Petracca
- Massimo Croce
- Daniele Bonaiuti
- Tizzi Lorenza

- Camila Nav
- Peter Perkowski
- Davide Lena
- Sheriff Mothopeng
- Daniela Tomasino, Palermo Pride
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- Bibe Kalalu
- IBRAHIMU NGELENGELE S/ TRANS FUTURE DRC/ASBL.
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- Basetsana
- Dr Claire Jenkins
- Robin Brady
- Bert Elya-Noah Rozowski
- Ned Brauer
- Phiri Chipili
- Thato Lauren van Rensburg
- Jami Zulu
- Karabo
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- Diego Angelo Cricelli
- Thalia Taioli
- Vuyo Mbutho
- Erica Formosino
- Sema Semih
- Chris dBP
- Saga Mackenzie
- Anonymous Individual
- Ruben Francisco Romero Lozano
- Many Jovial – @THE FRUIT BASKET
- Jackson Ryan
- Isabella Jaspering
- Sheriff
- Nadya
- Mohammad Moosa Azmi
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- Stefano Bucaioni
- Vincent Vallon
- Jonathan Ospina-Betancurt
- Dr. Ernst Silbermayr
- Nayara Felix
- Anonymous Individual
- Ntirapeba Esperance
- Jeankeshi
- Sara Barbo
- Dusenga
- Marta Paris

- Giollo
- Julia Monro (trans* Activist from Germany)
- Eddie Styne from Transhuman, Kenya
- Nausicaa
- Elisabetta Marzi
- Fezile
- Rob

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1. https://documents.un.org/doc/undoc/gen/n24/235/12/pdf/n2423512.pdf, par. 74. “Although the Convention only refers to sex-based discrimination, interpreting article 1 together with articles 2 (f) and 5 (a) indicates that the Convention covers gender-based discrimination against women. … The application of the Convention to gender-based discrimination is made clear by the definition of discrimination contained in article 1.” Committee on the Elimination of Discrimination Against Women, General Recommendation No. 28 (2010). Moreover, in 2017, the CEDAW Committee issued its General recommendation No. 35 on gender-based violence against women, updating General Recommendation No. 19, explaining that “the concept of ‘violence against women’, as defined in general recommendation No. 19 and other international instruments and documents, has places an emphasis on the fact that such violence is gender based. Accordingly, in the present recommendation, the term ‘gender-based violence against women’ is used as a more precise term that makes explicit the gendered causes and impacts of the violence.” CEDAW/C/GC/35 (2017), para. 9. ??
2. “The expert reiterated the right of any person to their gender identity and to be respected in their dignity, as enshrined in articles 6 and 7 of the Universal Declaration of Human Rights. Denying adult women their right to gender self-identification, including by insisting on calling them “male”, is unacceptable and may be regarded as hate speech.” ??
3. OII-Europe statement condemning hate speech against two athletes competing in the 2024 Summer Olympics in Paris: https://www.oiieurope.org/condemns-hate-speech-against-two-athletes-olympics/ ??
4. Some examples are: Ednanci Silva, an intersex former judo athlete, World Champion medalist, and two-time Pan American champion. In 1995, she was banned from competing after competitors signed a letter requesting her exclusion. To compete in the 1996 Olympic Games, she was forced to remove her testicle and uterus. Tiffany Abreu, the first trans woman to play in Brazil’s National League, started her gender transition in 2012. Despite following International Volleyball Federation rules, Tiffany has received backlash from the press and other volleyball players; and has been falsely accused of having an unfair advantage. Erika Coimbra, a cisgender former volleyball player, was excluded from competing at the Sydney Olympic Games in 2000 upon discovering that she was born with Morris syndrome, a rare genetic disorder characterized by androgen resistance. ??
5. The Special Rapporteur on Cultural Rights highlights that numerous factors influence athletic performance and different sports require different physical abilities, and that indiscriminate bans excluding women based on presumed physical advantage do not comply with current standards of international human rights law; see report linked above, par. 76. ??
6. In the specific context of sports, the UN Special Rapporteur in the field of cultural rights has drawn attention to the perceptions about the sporting abilities of racialized and Indigenous women that are influenced by racial and gender stereotypes about women’s bodies and notions of femininity. ??
7. https://www.unwomen.org/sites/default/files/2023-07/3343_unwomen_unesco_vawg_handbook_6a_single page.pdf, p. 46. ??
8. https://www.ohchr.org/sites/default/files/documents/issues/sexualorientation/iesogi/2023-10-31-stm-sogi-policy-en.pdf. ??

9. For more information, see: Athlete Ally Responds to USAPL's Harmful "Third Category." ??