

TRANSSEXUAL PEOPLE

ELIGIBILITY TO COMPETE IN
INTERNATIONAL COMPETITION



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This resource supports the *Guidance for NGBs on Transsexual People and Competitive Sport September 2013*. It has been developed by the home country Sports Council Equality Group (SCEG) to assist those involved in administering sport to identify and take the necessary action to remove barriers to transsexual people playing competitive sport.

It forms part of a series of supporting resources which are available on the Equality in Sport website www.equalityinsport.org

Sports Council Equality Group



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ELIGIBILITY OF TRANSSEXUAL PEOPLE TO COMPETE IN INTERNATIONAL COMPETITION

Each NGB will need to develop a clear policy and procedures on the eligibility of transsexual people to represent a home nation or GB in international competition or be entered by an NGB into international competition.

The policy should be developed to be in line with the relevant international federation's policy. If an international federation does not have a policy then the NGB may wish to implement the International Olympic Committee (IOC) policy – *Statement of the Stockholm consensus on sex reassignment¹ in sport May 2004* or develop its own policy based on the NGB's domestic policy. If the relevant international federation or the IOC has already ascertained someone's sex then the NGB would not need to repeat this process.

In addition to implementing a policy NGBs will need to develop procedures to determine this eligibility.

¹ The phrase 'sex reassignment' used by the IOC has the same meaning as 'gender reassignment' used in the UK.

INTERNATIONAL FEDERATIONS

International competitions are run under the auspices of an international federation or a country and any transsexual person seeking eligibility to represent a home nation or GB in international competitions or be entered by an NGB into international competitions will need to demonstrate compliance with the relevant policy.

Many international federations have adopted the IOC guidance with regard to transsexual athletes and their status in international competitions. A number of others have not done this but it is reasonable to assume that they would fall in line with IOC guidance should the need arise. Some current examples are shown below.

International Hockey Federation (FIH)


The FIH has a responsibility (among many others) to ensure a level playing field for players and sets out regulations for member associations to abide by including those in relation to participation in FIH competitions. In 2006 it adopted the IOC policy on sex reassignment.

International Association of Athletics Federations (IAAF)

The IAAF has a regulation concerning women's competitions - *IAAF regulations governing eligibility of athletes who have undergone sex reassignment to compete in women's competition May 1st 2011*. It is based on the IOC statement on sex reassignment.

Badminton World Federation (BWF)

The Badminton World Federation does not have any policies or procedures with regard to transsexual people playing badminton; in the absence of such policies or procedures BADMINTON England has adopted the IOC policy.



International Olympic Committee (IOC) and International Paralympic Committee (IPC)

The IOC and IPC are responsible for the conditions under which athletes can compete in high performance sport – the Olympics and Paralympics, including conditions for transsexual people to participate.

The IPC does not have a stated policy on transsexual people and sport, NGBs are advised to seek guidance from the respective international federation with regards to disabled transsexual people and international disabled competition.

IOC STATEMENT OF THE STOCKHOLM CONSENSUS ON SEX REASSIGNMENT IN SPORT MAY 2004²

The IOC position on athletes who have changed their gender status is very clear as explained in their *Statement of the Stockholm consensus on sex reassignment in sport May 2004*.

The group confirms the previous recommendation that any “individuals undergoing sex reassignment of male to female before puberty should be regarded as girls and women” (female). This also applies to individuals undergoing female to male reassignment, who should be regarded as boys and men (male).

The group recommends that individuals undergoing sex reassignment from male to female after puberty (and vice versa) be eligible for participation in female or male competitions, respectively, under the following conditions:

- *Surgical anatomical changes have been completed, including external genitalia changes and gonadectomy*
- *Legal recognition of their assigned sex has been conferred by the appropriate official authorities*
- *Hormone therapy appropriate for the assigned sex has been administered in a verifiable manner and for a sufficient length of time to minimise gender-related advantages in sport competitions.*

In the opinion of the group, eligibility should begin no sooner than two years after gonadectomy.

It is understood that a confidential case-by-case evaluation will occur.

In the event that the gender of a competing athlete is questioned, the medical delegate (or equivalent) of the relevant sporting body shall have the authority to take all appropriate measures for the determination of the gender of a competitor.

May 2004

IOC EXPLANATORY NOTE TO THE RECOMMENDATION ON SEX REASSIGNMENT AND SPORTS

In the past there have been rare cases of athletes who have competed under one gender and later in life undergone sex reassignment. Occasionally, such an athlete has gone on competing under the new gender. Such cases seem to have been dealt with individually by the responsible sports federations without any clear rules. They have, however, been extremely rare and do not seem to have created a significant problem for sport in general.

With the arrival of improved methods for the identification of trans individuals, and improved possibilities to rectify any sexual ambiguity, the number of individuals undergoing sex reassignment has increased. The increase has become particularly significant after the introduction of legislation with respect to sex reassignment in many countries.

The increasing number of cases of sex reassignment has also come to affect sport. Although individuals who undergo sex reassignment usually have personal problems that make sports competition an unlikely activity for them, there are some for whom participation in sport is important. Thus, the question has been raised whether specific requirements for their participation in sport can be introduced, and what any such requirements should be.

The first international sports organisation to address the issue was the IAAF in 1990. An expert seminar unanimously recommended that any person who has undergone sex reassignment before puberty should be accepted in sport under the assigned gender. Individuals who have undergone sex reassignment after puberty were considered to represent a more complex problem, since they have been under the influence of hormones under their former gender during their puberty. In particular, a male puberty would mean an influence of testosterone, which could, in theory, be of importance even after a reassignment to female gender. It was, therefore, recommended that any such case be evaluated on an individual basis by competent experts before a decision be taken by the

relevant sports authority. These recommendations have served as guiding principles also by the IOC when questions have been asked.

In recent years it has become apparent that the recommendation to make a case-by-case evaluation of athletes who have undergone sex reassignment after puberty is insufficient. The IOC has been asked to explain what such an evaluation should include. What requirements should be fulfilled before the athlete is allowed to compete under the new gender?

The present recommendation is the result of an updating of the IAAF guidelines by a panel of experts and to which clear requirements have been added with respect to eligibility for competition under the new gender following sex reassignment after puberty. The most debated aspects have been: (A) For how long will the hormone influence of the earlier puberty be of importance? (B) Will the testosterone influence on the muscular strength during male puberty ever disappear? (C) For how long should the treatment with female hormones last in order to be considered sufficient? (D) How can one make sure that the required treatment with female hormone does really take place? All those questions were addressed by the panel, which also sought advice from further outside experts, before the enclosed recommendations were agreed upon.

IOC Medical Commission Chairman Arne Ljungqvist, May 2004

NGB procedures to determine eligibility for transsexual people to represent a home country or GB in international competition or be entered into international competition

The transsexual person may have dealt with the international federation and gone through its procedures for eligibility; in this case the NGB would need to ascertain from the international federation that the transsexual person has received permission to compete.

The transsexual person may prefer to liaise with their NGB rather than the international federation in which case the NGB will need to establish a set of clear procedures to implement its policy with regard to transsexual people playing international competitive sport. These will need to include the following:

- All enquiries should be passed to a nominated person at the NGB who has sufficient seniority and knowledge of the issue to manage it appropriately.
- All documentation revealing information about a person's past or present sex reassignment status must be managed in accordance with the NGB's policies with regard to the management of sensitive and confidential information and in line with the Data Protection Act 1998 and, where relevant the Gender Recognition Act 2004.
- Anyone involved should understand the confidentiality obligations that are associated with handling such a matter.
- The nominated person at the NGB should undertake all communication with the individual concerned only sharing information with international competition organisers in order to allow them to verify the status of the transsexual person.

- The transsexual person (and their legal guardian if under the age of 18) will be asked to provide records or other materials from their GP and/or Consultant (and any other information as the NGB requires from time to time), including, as a minimum:
 - i. Evidence of acquired sex under applicable law (e.g. sex recognition certificate or other form of legal recognition of acquired sex);
 - ii. Details of any sex reassignment procedure undertaken including date of orchiectomy or other surgical procedure);
 - iii. Details of any post re-assignment treatment (name of treatment, dosage and periodicity).
- The NGB should also be permitted to refer back to the GP and/or Consultant to clarify or verify any details. This will ensure that the transsexual person is managing the information that is shared with the NGB and will assist in ensuring the individual's right to privacy.
- In order to determine compliance with this policy the NGB's nominated representative and/or the Chief Executive and a medical representative appointed by the NGB will consider the evidence on a case-by case basis.

A person shall not be entitled to represent their home country or GB in international competitions in their affirmed gender until such time as they have provided evidence that the criteria set out by the IOC have been met to the NGB's satisfaction.