

Abstract

Transgender athletes and their inclusion in elite sports. Are sports policies inclusive and fair for all?

Francisco Saavedra ^{1,2,3*}

¹ Department of Sport Sciences, Exercise and Health, University of Trás-os-Montes and Alto Douro, UTAD, Vila Real, Portugal

² Research Center of Sports, Health and Human Development, CIDESD, Vila Real, Portugal

³ International Human Motricity Network, IHMN, Nova Iorque, Estados Unidos da América

*E-mail: fjfsaave@utad.pt

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Recently, there has been much debate about the inclusion of transgender athletes in elite competitions. The transgender population in Europe and the world is increasing and with it also the number of transgender athletes. Thus, the definition of sports policies must establish opportunities for conciliation, inclusion, and justice to avoid future conflicts. The participation of transgender people in sports has become a current and sensitive topic. If, on the one hand, there is a desire for inclusion and to assume diversity as something positive, encouraging participation, on the other hand, we had the risk of harming, even destroying, the competitiveness of women in high-level sports, something that must be protected. In this opinion article, the environmental and social barriers to the sports participation of transgender athletes, as well as the biological differences related to performance, are analysed. The technical framework on equity, inclusion, and non-discrimination based on gender identification and sexual variations should allow for a safe and welcoming environment for all, consistent with the principles enshrined in the Olympic Charter. As it is the competence of each sport and its governing body to determine how an athlete may be at a disproportionate advantage against their peers, considering the nature of each sport, the eligibility criteria for each specific sport shall ensure and be a guarantee of equity, particularly in high-level organised sport in the women's category. All people have the right to practice sports without suffering

discrimination and in a way that respects their health, safety, and dignity. At the same time, the credibility of competitive sports – particularly elite organised sporting competitions – depends on a level playing field, whereby no athlete will have an unfair and disproportionate advantage over their peers. The world's population is constantly changing and it is imperative that elite sports reflect these changes. This is especially relevant for the transgender athlete community, as they must be included in sporting competitions in a fair and inclusive way. It is clear that more research is needed to determine what advantages transgender athletes, particularly transgender women, might have in competitive sports. A part of something broader in social terms. Inclusion yes, but with discretion. Everyone has the right to their gender identity. Nevertheless, they do not have the right to have social advantages, in this case, in high-performance sports, just because they assume it. This needs to be done before making definitive policy statements about the inclusion or exclusion of transgender athletes.

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