

Commission on the Status of Women CIMUN

Topic 1: The question of ensuring trans women's right to participate in
competitive sports

Amélie Schulz and Arnas Bieliauskas



Introduction

The right of trans women to participate in competitive sports has long been a controversial subject, with many of the steps taken to resolve the issue failing to gain acceptance. Some have resisted the participation of trans women in women's sports on the grounds that they have an unfair physical advantage over cisgender women, and thus contribute to an uneven playing field. However, others reject these claims, and believe that the opportunity for trans women to compete professionally in women's sports is a basic human right. This research report will provide an overview of the main perspectives on this topic and the key individuals/organisations involved, and proceed to explore some possible courses of action to promote a search for solutions to the issue.

Key Terms

Transgender (trans): an umbrella term for persons whose gender identity or expression (masculine, feminine, other) is different from their sex (male, female) at birth¹.

Cisgender (cis): a person whose gender identity corresponds with the sex the person had or was identified as having at birth².

Background Information

Much of the debate surrounding trans women's right to participate in competitive sports has revolved around the impact of biological differences between human males and females on athletic performance. Those in opposition to trans women competing in women's categories argue that differences in muscle/fat/skeletal distribution and testosterone levels between males and females give trans women an unfair advantage over cisgender women.

Testosterone is a male sex hormone (androgen) that plays an important role in development. Notably, it has a significant impact on the growth of the skeletal and muscular systems, and affects the size and strength of muscles and bones³. This is demonstrated by the fact that males have, on average, 12 kilograms more skeletal muscle mass than females, which contributes to males having around 40% greater upper-body strength and 33% greater lower-body strength⁴. Hormone therapy involving testosterone suppression has therefore been proposed and utilized as a measure to mitigate the better athletic performance that comes with increased testosterone

¹ <https://www.bbc.com/news/world-asia-57549653>

² <https://www.merriam-webster.com/dictionary/cisgender>

³ <https://www.health.harvard.edu/drugs-and-medications/testosterone--what-it-does-and-doesnt-do>

⁴ <https://www.livescience.com/52998-women-combat-gender-differences.html>

levels. According to transgender medical physicist Joanna Harper, such therapies cause a decrease in muscle mass and red blood cells, which in turn impacts speed, strength and endurance negatively - helping to level the playing field between trans and cis women⁵.

However, the effectiveness of hormone therapy and testosterone suppression has been disputed. Some have challenged Harper's point of view, claiming that trans woman athletes that transitioned after puberty will maintain a higher muscle-to-fat ratio than cis women even after hormone therapy. A study from the Swedish Karolinska Institutet for example has found that loss of muscle mass in trans women was modest even after a full 12 months of gender-affirming treatment⁶. Nevertheless, experts including Harper have pointed out that whilst some features trans woman athletes developed prior to transitioning may be advantageous in certain sports categories, they may actually be detrimental to performance in others. Moreover, the use of testosterone as a marker for athletic performance has been debated extensively, as there are a number of other factors that affect performance to a high degree. These include various physiological factors like heart size, as well as androgens other than testosterone that impact traits related to athleticism.

Lastly, a controversial aspect of the debate has revolved around the topic of injury risk. In 2020 for example, World Rugby, the international governing body for the sport, acknowledged that cis female rugby players were at significantly greater injury risk when tackled by players that had gone through male puberty - citing a study that suggests testosterone suppression in trans women was relatively ineffective in limiting the physical advantages trans women have over cis women.

Major Countries and Organizations Involved

International Olympic Committee (IOC): The non-government sports organization responsible for the organization of the contemporary Summer and Winter Olympic Games. Since abandoning mandatory sex testing in 1999, the IOC has been involved in a number of new sex verification controversies. These include the Hyperandrogenism Regulation, adopted by the IOC in 2011, which established guidelines for natural testosterone levels in women - but has been criticized extensively for disproportionately affecting some ethnicities.

World Athletics (previously IAAF): The governing body for international athletics. This organization is responsible for establishing rules and regulations for sports including track and field, and currently imposes a number of restrictions on trans woman athletes - including a

⁵ https://en.wikipedia.org/wiki/Transgender_people_in_sports

⁶ <https://pubmed.ncbi.nlm.nih.gov/31794605/>

testosterone limit of 5 nanomoles/liter. Athletes affected by these regulations have unsuccessfully attempted to challenge them in the Court of Arbitration for Sport.

Court of Arbitration for Sport (CAS): An international body that settles sport-related disputes. In recent years, the organization has arrived at a number rulings relevant to this debate, including but not limited to upholding the World Athletics regulations for trans athletes as well as suspending/upholding bans imposed upon numerous athletes competing in women's categories.

Relevant UN Resolutions and Reports

1. Human Rights Council: Elimination of discrimination of against women and girls in sport (adopted 22 March 2019).
https://ilga.org/downloads/Elimination_of_discrimination_against_women_and_girls_in_sport.pdf
2. Human Rights Council: Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (distr. 4 April 2016)
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/067/39/PDF/G1606739.pdf?OpenElement>

Previous Attempts at Resolving This Issue

In recent years, international sports organisations have used testosterone levels as a way to determine the eligibility of trans women to participate in competitive sports without compromising fair competition. For example, since 2015, the International Olympic Committee (IOC) guidelines have required trans women to show a testosterone level lower than 10 nanomoles/liter for at least one year leading up to the competition, as well as to have declared and not changed one's gender for a minimum of 4 years. This was a significant change from the IOC's initial guidelines in 2003, which required trans athletes to have undergone both sex reassignment surgery and hormone therapy, as well as to have their gender legally recognized. It is also important to note that the IOC does not currently impose restrictions on athletes who are trans men. Similarly, World Athletics imposes a testosterone limit on trans competitors - a limit that was reduced from 10 to 5 nanomoles/liter in 2019. However, the aforementioned guidelines on testosterone limits have been criticized and debated extensively for various reasons, including but not limited to having set the upper limit of testosterone concentration too low/too high, and whether the use of testosterone as a metric of athleticism is fair altogether.

Possible Solutions

When developing and evaluating possible solutions to the issue, delegates may choose to consider some of the following questions. Do trans women have a competitive advantage over cisgender women across all sports? If so, is it fair to require healthy individuals to undergo hormone treatments or have surgeries to compete in the category of their gender? Is it at all possible to eliminate these advantages completely? If not, does the right of trans women to inclusion trump the right of cis women to a level playing field? Could athletes be categorized by factors other than gender in competitive sports?

Bibliography

“Cisgender.” *Merriam-Webster*, Merriam-Webster, www.merriam-webster.com/dictionary/cisgender.

Ghose, Tia. “Women in Combat: Physical Differences May Mean Uphill Battle.” *LiveScience*, Purch, 7 Dec. 2015, www.livescience.com/52998-women-combat-gender-differences.html.

“Laurel Hubbard: First Transgender Athlete to Compete at Olympics.” *BBC News*, BBC, 21 June 2021, www.bbc.com/news/world-asia-57549653.

“Testosterone - What It Does and Doesn't Do.” *Harvard Health*, 29 Aug. 2019, www.health.harvard.edu/drugs-and-medications/testosterone--what-it-does-and-doesnt-do.

“Transgender People in Sports.” *Wikipedia*, Wikimedia Foundation, 4 Aug. 2021, en.wikipedia.org/wiki/Transgender_people_in_sports#cite_note-25.

Wiik, Anna, et al. “Muscle Strength, Size, and Composition Following 12 Months of Gender-Affirming Treatment in Transgender Individuals.” *The Journal of Clinical Endocrinology and Metabolism*, U.S. National Library of Medicine, 1 Mar. 2020, pubmed.ncbi.nlm.nih.gov/31794605/.