

Mandate of the Special Rapporteur on violence against women and girls, its causes and consequences

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5 June 2025

Dear Mr. Thomas Bach,

I have the honour to address you in my capacity as Special Rapporteur on violence against women and girls, its causes and consequences, pursuant to Human Rights Council resolution 50/7.

I am an independent human rights expert appointed and mandated by the United Nations Human Rights Council to report and advise on human rights issues from a thematic or country-specific perspective. I am part of the special procedures system of the United Nations, which has 60 thematic and country mandates on a broad range of human rights issues. I am sending this letter under the communications procedure of the Special Procedures of the United Nations Human Rights Council to seek clarification on information I have received. Special Procedures mechanisms can intervene directly with Governments and other stakeholders (including companies) on allegations of abuses of human rights that come within their mandates by means of letters, which include urgent appeals, allegation letters, and other communications. The intervention may relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned actors identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action. Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards.

In this connection, I would like to bring to your attention and the attention of the incoming President of the International Olympic Committee (ICO) and its Executive Committee **human rights concerns on the “Framework on Fairness, Inclusion and Non-Discrimination on the Basis of Gender Identity and Sex Variations” (hereafter “the Framework”)**.

Specifically, I would like to emphasize several key issues concerning the participation of women and girls in sports competitions, particularly the potential risk of human rights violations that may arise from the improper management and inadequate regulation of the rules governing women’s sports categories.

One critical aspect of the Framework is the lack of explicit provision for sex-based competition categories. More specifically, there is no explicit prohibition against males¹ competing in the women’s category results in female athletes potentially participating in mixed-sex competitions in the Framework. Under the Framework’s

¹ The term “males” is understood in its ordinary meaning as referring to biological males, irrespective of how they may or may not identify.

principle 1, named “Inclusion”, when “sports organisations choose to establish eligibility criteria in order to determine the participation conditions for men’s and women’s categories for specific contests (...), these criteria should be established and applied in a manner that respects the principles included in this Framework”.

I note with deep concern that the Framework’s approach, particularly principle 5 presuming there is no advantage “on the basis, *inter alia*, of sex variations and/or transgender status” stands out against robust scientific and medical evidence concerning the morphological and functional differences between men and women. Historically, some athletes have been subjected to coercive and non-consensual sex screenings and medical interventions, violating their rights and dignity. However, and as I stated in my report to the United Nations General Assembly (A/79/325), “there are circumstances in which sex screenings are, however, necessary, legitimate, and proportionate to ensure fairness and safety in sports” (para. 30). Modern, sex screening methods such as cheek swabs now allow for dignified, non-invasive, accurate, fast and confidential screenings. I recognize that genetic testing may also be needed in exceptional and few situations to determine an athlete’s sex in elite sport. Reinstating sex screening such as cheek swabs under these conditions is widely supported by female Olympians, as a 1996 survey showed that 82 per cent support this measure.²

Indeed, interdisciplinary studies have demonstrated the performance advantages that male individuals enjoy due to their biological development.³ It is in fact during the early stages of human development that testosterone levels shape male physical characteristics.⁴

In application of principle 6 of the Framework on “Evidence-Based Approach,” certain sports federations have mandated testosterone suppression in order for athletes to qualify for female categories in elite sports.⁵ However, for the reasons outlined above, pharmaceutical testosterone suppression in genetically male athletes – irrespective of how they may identify or are designated in identity documents – will not eliminate the set of performance advantages they have already acquired.⁶ I have therefore recommended that no one should be forced to lower testosterone levels to compete in any category.

² Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325), para. 30.

³ Tommy R. Lundberg et al., “The International Olympic Committee Framework on Fairness, Inclusion and Non-Discrimination on the Basis of Gender Identity and Sex Variations Does Not Protect Fairness for Female Athletes,” *Scandinavian Journal of Medicine & Science in Sports*, vol. 34, 2024, pp. 3-4; Brown, GA, Shaw, BS y Shaw, I. (2024), Diferencias según el sexo en las distancias de carrera en pista de 100, 200, 400, 800 y 1500 m en los grupos de edad de 8 años o menos y de 9 a 10 años. *Eur J Sport Sci*, 24: 217-225.

<https://doi.org/10.1002/ejsc.12075>; Michael J. Joyner, Sandra K. Hunter, and Jonathon W. Senefeld. Evidence on sex differences in sports performance. *Journal of Applied Physiology* 2025 138:1, 274-281; Devine, C (2023). Sex, Gender Identity and Sport. DOI: 10.4324/9781003286608-14; Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325), para. 7.

⁴ Tommy R. Lundberg et al., “The International Olympic Committee Framework on Fairness, Inclusion and Non-Discrimination on the Basis of Gender Identity and Sex Variations Does Not Protect Fairness for Female Athletes,” *Scandinavian Journal of Medicine & Science in Sports*, vol. 34, 2024, p. 3.

⁵ Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325), para. 12.

⁶ Tommy R. Lundberg et al., “The International Olympic Committee Framework on Fairness, Inclusion and Non-Discrimination on the Basis of Gender Identity and Sex Variations Does Not Protect Fairness for Female Athletes,” *Scandinavian Journal of Medicine & Science in Sports*, vol. 34, 2024, pp. 4-5.

Scientific consensus indicates that, because of their body composition and anthropometric characteristics, males exhibit greater anaerobic and aerobic capacity, as well as superior muscular strength, compared to females.⁷ Failure to acknowledge this objective reality in the design of relevant eligibility rules has the potential to result in women and girls competing in environments that are not only unsafe but also fundamentally unequal, thereby compromising their dignity, jeopardizing their physical and mental integrity and potentially also threatening their lives. As I already stated in the report “Violence Against Women and Girls in Sports,” female athletes are more vulnerable to sustaining serious physical injuries when access to female-only sports spaces is extended to males.⁸

One tangible consequence of the Framework is exemplified by the Boxing Qualification System approved by the IOC Executive Board on 8 September 2024. These rules do not clearly define women and men respectively and do not bar individuals whose biological sex is male from competing against female athletes, thereby exposing the latter to a significant risk of human rights violations.

The aforementioned rules stand in contrast to those of other boxing bodies such as the International Boxing Association (IBA); the Union Cycliste Internationale (UCI); World Rugby, World Boxing, World Athletics, International Cricket Council, National Collegiate Athletic Association (NCAA), Football Association of England – amongst others.

The lack of clarity in the IOC’s eligibility rules for female sports categories could result in adverse impact on women’s and girls’ rights, particularly their right to privacy, dignity and safety from violence.

In this respect, I wish to highlight to the IOC’s Executive Committee several crucial issues with potentially far-reaching human rights implications. These include: (i) discrimination on the basis of sex; (ii) exposure of women and girls to violence in sport, and (iii) violations of fundamental freedoms, including freedom of expression.

Non-discrimination on the basis of sex

All persons, irrespective of their sex or gender identity are entitled to live a life free from discrimination and to have their human rights safeguarded. I do acknowledge the importance of ensuring that any person, including transgender persons can participate fully in sport. I firmly believe that it is possible to ensure such participation while simultaneously ensuring the equal participation of women and girls in sport and their protection from violence and discrimination based on their sex.

International human rights law establishes a broad normative framework to guarantee equality and non-discrimination. In this regard, articles 2 and 3 of the International Covenant on Civil and Political Rights establish that States Parties must adopt all appropriate measures, including the prohibition of discrimination based on

⁷ Sandra K. Hunter et al., “The Biological Basis of Sex Differences in Athletic Performance: Consensus Statement for the American College of Sports Medicine,” *Translational Journal of the American College of Sports Medicine*, vol. 8, no. 4, 2023, pp. 14-19.

⁸ Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325), para. 7; Special Rapporteur on violence against women and girls, its causes and consequences, AL USA 30/2023, 21 December 2023.

sex, to put an end to discriminatory acts that hinder the full enjoyment of rights, both in the public and private sectors.⁹ Likewise, article 2 of the Universal Declaration of Human Rights provides that everyone is entitled to the rights and freedoms set forth in the Declaration, without distinction of any kind, including distinction based on sex.¹⁰

Furthermore, with respect to the business of sport, the Guiding Principles of Business and Human Rights (A/HCR/17/32, annex) clarify the responsibilities of business to respect human rights (A/HRC/17/31, annex). Sports governing structures are well advised to integrate the Guiding Principles in their structures and operations. It is worth noting that, the Olympic Charter of the IOC recognizes the duty not to discriminate on the basis of sex.¹¹ Ideally the Framework should follow and abide by the IOC's own recognition of this international human rights principle.

Regarding the human rights of women and girls, the Declaration on the Elimination of Discrimination against Women, proclaimed by the General Assembly in 1967, considers that discrimination against women is incompatible with human dignity, prevents their participation in the political, social, economic, and cultural life of their countries on an equal footing with men, and constitutes an obstacle to the full development of women's potential.¹²

Moreover, the phenomenon of discrimination against women has been defined in article 1 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as "any distinction, exclusion or restriction made on the basis of *sex* which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field".¹³ Article 13 of CEDAW also refers to the necessity for States Parties to take all appropriate measures to eliminate discrimination against women and to ensure that women can participate in recreational activities and sports on an equal footing with men.¹⁴

In this context, it is crucial to address how sex discrimination manifests in the sports field. As I have argued on other occasions,¹⁵ sport has operated on the universally recognized principle that a separate female category is needed to ensure that sports opportunities are equal, fair, dignified, and safe. In sports, the erosion of female-only category and spaces have been increasing.

It is my assessment that the devaluation of eligibility criteria for single-sex sports leads to unfair, unlawful, and extreme forms of discrimination against female athletes based on sex, where women and girls are forced to compete on an unequal

⁹ International Covenant on Civil and Political Rights, adopted 16 December 1966, entered into force 23 March 1976, 999 UNTS 171, arts. 2 and 3.

¹⁰ Universal Declaration of Human Rights, adopted 10 December 1948, UNGA Res 217 A(III), art. 2.

¹¹ Devine, C (2023). Sex, Gender Identity and Sport. DOI: 10.4324/9781003286608-14

¹² United Nations Declaration on the Elimination of Violence against Women, adopted 20 December 1993, A/RES/48/104, Preamble.

¹³ Convention on the Elimination of All Forms of Discrimination against Women, adopted 18 December 1979, entered into force 3 September 1981, 1249 UNTS 13, art. 1.

¹⁴ Ibid.

¹⁵ Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325); Special Rapporteur on violence against women and girls, its causes and consequences, AL USA 30/2023, 21 December 2023.

footing, putting them at a clear disadvantage against their opponents. As I observed in a recent report, over 600 female athletes in more than 400 competitions have lost more than 890 medals in 29 different sports.¹⁶

The integrity of female-only sports spaces is still being challenged, despite the longstanding recognition that sex-based categories are essential for fairness and safety due to male performance advantages, especially after puberty. A range of credible studies confirm that male-born athletes retain significant advantages even with testosterone suppression.¹⁷ Undermining sex-based eligibility criteria can lead to discrimination against female athletes. In response, and as mentioned, several international sports federations have reaffirmed female-only categories while creating inclusive participation pathways for athletes with sex development differences or diverse gender identities.¹⁸

The Framework's principle of "No Presumption of Advantage" risks increasing disadvantage for women and girls in sports by failing to adequately address the inherent physiological differences between male and female athletes. By ignoring this objective reality, the Framework may undermine the fairness and integrity of women's and girls' sports by allowing individuals whose sex is male to compete in female sports. This could lead to an uneven playing field, where female athletes are deprived of equal opportunities to play and to be fairly compensated, threatening the integrity of women's sports and discouraging participation.

The lack of adequate national legal frameworks to prevent and effectively combat violence against women and girls, such as those addressing sexual harassment, combined with the absence of specific legislation and policies to tackle all forms of exploitation, discrimination, and violence, amplifies sexism and misogyny towards female athletes.¹⁹ Sports policies often fail to address sex and gender sensitivity as cross-cutting issues.²⁰ Furthermore, unequal social contexts exacerbate the exposure of women and girls in sports to severe discrimination and violence.²¹

Due to the multiple and serious instances of violence faced by women in sports, I have recommended prioritizing the formulation and implementation of laws, policies, regulations, and other measures to prevent and combat violence against girls and women in sports and physical activity. These policies should be developed in consultation with women and girls and their representative organizations, and emphasize long-term, coordinated, and sustainable action, recognizing that there is no one-size-fits-all model for every case.²²

As further elaborated in the next section, the IOC Framework poses significant challenges to the physical and psychological integrity of women and girls in sports and their right to live free from discrimination and violence. By failing to account for the biological differences that can result in disparities in strength, speed, and endurance, the

¹⁶ Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325), para. 11.

¹⁷ Ibid., para. 12 and 33.

¹⁸ Ibid., para. 32 and 33.

¹⁹ Ibid., para. 44.

²⁰ Ibid.

²¹ Ibid., para. 45.

²² Ibid., para. 88 (a).

Framework increases the risk of injury in contact sports where female athletes may face competitors with male physiological attributes. This oversight not only endangers women's and girls' safety but also perpetuate conditions that undermine their right to participate in sports without fear of harm or coercion. For example, in boxing, a contact sport where the physical strength of competitors is crucial, the physiological differences between the two sexes cannot be overlooked. These advantages include males' "larger and denser muscle mass, and stiffer connective tissue, with an associated capacity to exert greater muscular force more rapidly and efficiently; reduced fat mass, and different distribution of body fat and lean muscle mass, which increases power to weight ratios and upper to lower limb strength in sports where this may be a crucial determinant of success; longer and larger skeletal structure, which creates advantages in sports where levers influence force application, where longer limb/digit length is favorable, and where height, mass and proportions are directly responsible for performance capacity; superior cardiovascular and respiratory function, with larger blood and heart volumes, higher hemoglobin concentration, greater cross-sectional area of the trachea and lower oxygen cost of respiration."²³

Furthermore, as I will explain in more detail, the inclusion of males in female sports categories can negatively affect women's psychological integrity, leading to self-exclusion due to fear of injury, lack of privacy, or religious beliefs. Competing against biologically male athletes causes psychological distress due to the physical disadvantage and the loss of fair opportunities. This can result in anxiety, low self-esteem, depression, and other serious mental health issues. The impact is further exacerbated by the demands of intense training and competition.

Maintaining protected female categories in sports is a necessary, legitimate and proportionate measure to achieve a legitimate aim in line with human rights principles.²⁴ In addition to the previously mentioned points regarding sex-based distinctions, the proportionality and legitimacy of sex-segregated sports and single-sex intimate spaces are further supported by the fact that such measures do not inherently exclude transgender athletes from participating in sports, nor do they require invasive methods to verify a participant's sex.²⁵

Exacerbation of forms of violence by distorting women's categories in sports

In the context of violence against women and girls, I have highlighted in my report "Violence against Women and Girls in Sports" that undermining women's categories in sports can exacerbate violence against women and girls. Women and girls in sports, including female sports officials, are vulnerable to physical violence. Female athletes are particularly vulnerable to severe bodily injuries when males are granted access to women-only sports spaces, as documented in sports such as volleyball, basketball, and soccer.²⁶ Furthermore, scientific studies indicate that males have certain

²³ Suchomel TJ, Nimphius S, Bellon CR, Stone MH. The importance of muscular strength: training considerations. *Sport Med.* 2018; 48:765-85.

²⁴ Special Rapporteur on violence against women and girls, its causes and consequences, AL USA 30/2023, 21 December 2023.

²⁵ Ibid.

²⁶ Ibid.

advantages in sports performance.²⁷

As I have previously stated, the inclusion of males in female sports categories and related spaces negatively impacts the psychological integrity of women. This situation can lead to self-exclusion,²⁸ particularly due to fear of physical injury²⁹ or because of specific religious beliefs that prevent women from entering mixed-sex environments.³⁰ Moreover, the awareness that they may be competing against males – whether those who identify as women or those with XY chromosomal differences in sexual development – may cause severe psychological distress.³¹ This may result from the physical disadvantage, the loss of fair competition and associated educational and economic opportunities, and the violation of their privacy in locker rooms and other intimate settings.³²

Psychological violence can also lead to a range of serious consequences, including eating disorders, sleep disturbances, anxiety, fear, reduced concentration, low self-esteem, aggressiveness, substance use, self-injury, social withdrawal, and decreased academic or athletic performance. It may also trigger feelings of guilt, depression, suicidal ideation, and humiliation. Individuals most at risk include people with disabilities and women who are lesbian, bisexual, or transgender. These effects tend to intensify with more rigorous training and competitive pressure.³³

With reference to economic violence, I have emphasized that permitting male or ineligible individuals to compete in women's categories undermines the opportunities specifically designed for women and girls. These opportunities are vital for promoting gender equality and empowering women within the sports arena.³⁴ Female sports categories were established not only to ensure fair competition but also to provide women and girls athletes with a platform where they can thrive, develop their skills, and gain recognition without the disadvantages that come from competing against male athletes.³⁵ Allowing individuals whose biological sex is male to enter these categories effectively may erode the hard-fought gains made toward women's and girls' equality in sports, diminishing their opportunities for scholarships, sponsorships, and professional advancement.

In addition, the prevalence of sexual harassment and abuse against women and girls in sports is a significant concern. The elimination of single-sex spaces can exacerbate this issue by increasing the risk of harassment, abuse, voyeurism, and physical and sexual assaults in shared or unisex facilities.³⁶ Women and girls may feel

²⁷ Ibid.

²⁸ Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325), para. 10.

²⁹ Women in Sport, "Safe and fair sport matters to women and girls on every level". Disponible en <https://womeninsport.org/creating-change/policy-positions/transgender-inclusion-sport/safeand-fair-sport-for-women-and-girls/>.

³⁰ Sex Matters, "Reclaiming Kenwood Ladies' Pond for women", 29 de agosto de 2022.

³¹ Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325), para. 27.

³² Ibid.

³³ Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325), para. 28.

³⁴ Suchomel TJ, Nimphius S, Bellon CR, Stone MH. The importance of muscular strength: training considerations. *Sport Med.* 2018; 11 and 12.

³⁵ Ibid. 9.

³⁶ Ibid. 20.

less safe and more vulnerable when they are forced to share locker rooms and bathrooms with men, regardless of their intentions.

Furthermore, in certain contexts, professional sports teams may lack clear and comprehensive policies addressing sexual misconduct. Inadequate oversight and follow-up often contribute to a culture of impunity, where codes of conduct are either insufficient or not enforced.³⁷ As a result, many female athletes may choose not to report sexual harassment, and reporting may be met by downplaying, ignoring, or outright concealment. This lack of accountability perpetuates toxic masculinity and reinforces the notion that men are entitled to control over women's bodies.³⁸

In this context, the Framework may exacerbate the challenges in confronting sex and gender-based violence in sports by failing to explicitly uphold the distinction between male and female sports categories. Additionally, the Framework does not establish any safeguards to address these potential risks for women.

The call to maintain female-only spaces in sports is rooted in a commitment to safeguarding the well-being and rights of female athletes and has been made by many female athletes and women organizations. Empirical evidence consistently demonstrates that most sexual offenders are male, and repeat offenders often seek opportunities to exploit vulnerable individuals.³⁹ Creating and maintaining female-only spaces not only acknowledges this reality but also actively mitigates the realization of such risks. Implementing robust safeguarding protocols and risk management strategies is essential for protecting female athletes. These measures can include staff training on recognizing and addressing harassment, clear reporting mechanisms for victims, and the establishment of a culture of accountability within sports organizations.

Potential impacts on fundamental freedoms, including freedom of expression and freedom of thought, conscience, religion or belief

Article 18 of the International Covenant on Civil and Political Rights (ICCPR) recognizes the right of everyone to freedom of thought, conscience and religion. This right encompasses inter alia the freedom to manifest one's religion or belief, including in observance and practice. This right is deeply interconnected with the right to freedom of opinion expression, enshrined in article 19 of the ICCPR. This right encompasses the freedom to seek, receive, and impart information and ideas of all kinds, regardless of borders, whether orally, in writing, in print, through art, or via any other media of one's choice.

Female athletes and coaches who oppose the inclusion of men in their spaces for reasons of safety, privacy, and fairness, as well as due to their religious or other beliefs, must not be silenced or compelled to self-censor due to the risk of losing athletic opportunities, scholarships, and sponsorships.⁴⁰ They should not face accusations of intolerance, suspension from sports teams, and become victims of restraining orders, expulsion, defamation, and unjust disciplinary actions.⁴¹ Such pressure, verbal abuse,

³⁷ Special Rapporteur on violence against women and girls, its causes and consequences, Violence against women and girls in sports (A/79/325), para. 54.

³⁸ Ibid.

³⁹ Ibid., para. 24.

⁴⁰ Ibid. 31.

⁴¹ Ibid.

and threats– including death threats – may encourage women and girls to leave the sport entirely and discourage them from mobilizing and speaking out on these critical issues that are important to them.

I have not identified any provisions within the IOC’s regulations that safeguard women’s fundamental freedoms, particularly freedom of expression. While the Framework purports to adopt a “stakeholder-centered approach,” there is no specific emphasis on the need to include female athletes. Such emphasis would be useful as women and girls who voice their concerns about the challenges posed by the inclusion of male athletes in female categories are seriously exposed to stigma, to being unfairly labeled as transphobic and hateful, and even subjected to threats online and offline.⁴² Such practices disproportionately affect women and girls by rendering their unique realities invisible. Additionally, they significantly undermine women’s and girls’ right to equal access to sports activities. I have emphasized that the fight for equality between males and females in sport cannot be achieved without respecting the spaces that have historically been established to protect the equal rights of women and girls.

As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would be grateful for your observations on the following matters:

1. Please explain whether the IOC intends to amend its Framework on Fairness, Inclusion and Non-Discrimination on the Basis of Gender Identity and Sex Variations to explicitly incorporate the obligation not to discriminate based on sex, ensuring alignment with international human rights norms and principles, particularly those relating to women and girls.
2. Please clarify how the IOC engages with the full spectrum of women organizations, athletes and their representatives on their concerns and needs, including on the need to ensure the female category in sport.

This communication, as a comment on legislation, regulations or policies, and any response received from the IOC will be made public via the communications reporting [website](#) after 48 hours. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept the assurances of my highest consideration.

Reem Alsalem

Special Rapporteur on violence against women and girls, its causes and consequences

⁴² Devine, C. (2021). Female Olympians’ voices: Female sports categories and International Olympic Committee Transgender guidelines. *International Review for the Sociology of Sport*, 57(3), 335-361. <https://doi.org/10.1177/10126902211021559> (Original work published 2022); Devine, C (2023). Sex, Gender Identity and Sport. DOI: 10.4324/9781003286608-14