



INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed Edition :

www.ijlra.com

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INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
ISSN

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EXPLORING THE ROLE OF GENDER IDENTITY IN SPORTS: AN EVOLUTION ATTITUDE, FUTURE TRENDS AND CHALLENGES

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ABSTRACT

Sports and physical activities are one of the human rights which are available to everyone irrespective of their language, religion, gender, sexual orientation, nation and so on. But reaching at a successful stage when chosen as a career is difficult as it gets effected with socio-economic factors, opportunities, Government, and frameworks which regulates its governance. The Gender identity has emerged as a significant issue in sports, affecting participation, individual rights. The field of sports is traditionally with sex binary categories when it comes to discrimination it is not just with women it also includes non-binary gender which includes transgender and intersex as well. There are limited number of non-binary athletes who have undergone through controversies and debates over the inclusivity, fairness in competition questioning the physiological advantages. The transgender and intersex women are some of the people who have often faced discrimination and legally questioned that they may have physical advantage over the straight women. The perspective on these non-binary gender athletes differs from country and societal view. The impact of gender identity on sports can be analyzed from various lenses like societal norms and perspective. There has been significant shift from non-recognition to categories which is open for individuals irrespective of genders. In the contemporary era there are several regulations and independent policies addressing the need of gender inclusivity but still there are several challenges. This research paper will into examining the impact of gender identity in the sports, how it impacts the athletes as well as the evolution and potential future trends in the perception of gender identity.

KEYWORDS: gender identity, inclusivity, non-binary athletes, sports, transgender.

1. INTRODUCTION

Gender identity of an individual refers to a person's individual and internal experience of gender it is not same as that of sex¹. It is one's self conception as man or woman or combination of both, it can be fluctuating between man and woman or outside of these categories. It is different from biological sex which is limited between male or female². Often, we find sex and gender interchangeably but they aren't, in a more simplified manner 'sex is a biological classification whereas gender is a social construct' of ones³.

Sports is often considered to include positive values, morals, ethics, equality, respect and fair play. It also has the potential to reflect the opposite to these values like undesirable values, unethical behaviors which may divide society⁴. In the field of sports, the involvement of physical exertion, skills play primary focus.

The 'gender identity' plays an important role in sports as it can affect the basic or fundamental integrity and often linked to other integrity issues of sports like harassment, abuse or violence. The meaning of 'integrity' depends on the environment, when it comes to sports it is understood as 'respect for oneself and others, moral responsibility and accountability'.⁵ Sports plays an essential role to throw light on how gender effects in the society. Promoting equality in all facets of sport and recreational activities, irrespective of an individual's gender identity, is known as gender equity in sport and achieving this gender equity is a challenge⁶. Some of the key aspects of gender identity in sports include inclusivity along with diversity, equality, fairness, representation, role modelling, social justice and human rights.

The sociological perspective on the gender identity and sports reflects on the complex interplay of human inclusivity, discrimination, rights and fairness with the sporting world. The rights of the transgender athletes differ from that of others as they face different challenges and stigma, with respective to all these issues there have been several policies and changes⁷. The social

¹ 3. *Gender identity and gender expression*, ONTARIO HUMAN RIGHTS COMMISSION (last visited: Mar. 18, 2024), 3. Gender identity and gender expression | Ontario Human Rights Commission (ohrc.on.ca)

² *Gender identity* (2024), BRITANNICA (last visited: Mar. 18, 2024), Gender identity | Definition, Theories, & Facts | Britannica

³ *What is gender? What is sex?* CANADIAN INSTITUTES OF

⁴ *Sexuality and gender perspectives on sports ethics* (2022), CLEARINGHOUSE FOR SPORT (last visited: Mar. 18, 2024), Sexuality and Gender Perspectives on Sports Ethics | Clearinghouse for Sport

⁵ *Id.* At 3.

⁶ Ronald B. Woods & B. Nalani Butler, *understanding gender identification and sport*, HUMAN KINETICS (last visited: Mar. 18, 2024), Understanding gender identification and sport – Human Kinetics

⁷ *Sex and Gender in Sport Policy: a Human Rights Perspective*, Centre for Sport & Human Rights (last visited: Apr. 5, 2024), <https://www.sporhumanrights.org/sex-and-gender-in-sports-policy-a-human-rights-perspective>.

perspective on gender identity in sports emphasizes the difficulties athletes who do not conform to conventional or traditional gender norms encounter in navigating eligibility requirements and facing discrimination in sports, especially transgender people and women with variations in sex characteristics.⁸ This societal perspective on gender identity in sports is impacted by cultural normal, societal expectations on athletes with diverse gender identities, conventional ideas of masculinity and femineity also impact the opinions about athletic achievement and others act as obstacles. But these perspectives have been changing over the recent times, with inclusivity and promoting gender diversity among few communities. With this article I will examine the change in the attitudes, obstacles and approaches towards the gender identity and sports changed over the time that is from past to present and what would be future possibilities.

1.2 Research Problem:

The athletes do face challenges in their field of sports but when it comes to gender identity it is much more complex as it is associated with ones or individuals' identity and rights. These athletes' career is impacted with the societal perspective as well. This research paper will be addressing the evolution of attitude towards gender identity in sports, the challenges they faced along with the regulations associated with it and what could be the possible future implications.

1.3 Research Questions:

1. How does Gender identity affect the participation and performance in sports?
2. How has the view or perception of gender identity in sports evolved over the time, and what are the potential future trends and challenges in the perception of gender identity?

1.4 Scope and Objective:

The research will primarily delve into the complexities of gender identity within the realm of sports, with a broad scope that encompasses athletes from diverse backgrounds around the globe. The focus extends beyond any specific country, aiming to address the multifaceted concerns and experiences of athletes worldwide. The objective of this research paper is to:

- Examine the relationship between the gender identity and sports participations, considering the factors like societal perspective, challenges, and inclusion policies.
- Analyze the historical evolution of gender identity perception in sports and how it impacts

⁸ Alex S. et al., *Societal discrimination and mental health among transgender athletes: a systematic review and Meta-analysis*, BMC (last visited: Apr. 5, 2024), <https://bmcpyschology.biomedcentral.com/articles/10.1186/s40359-023-01493-9>.

the participation of the athletes and the address the future challenges and aspects.

1.5 Hypothesis:

There has been a shift towards gender inclusive categories in sports and several regulations are made to address the needs and challenges especially faced by non-binary gender athletes like transgender. But still there exists issues like stigma, rejection faced by the athletes based on their gender identity. In future these issues will be addressed with more open opportunities for athletes irrespective of their background.

1.6 Research Methodology:

A descriptive and analytical method is followed throughout the course of the paper. Both primary and secondary data are used to in this research paper. The descriptive research method is used to obtain information concerning the current scenario with respect to the research problem. Analytical research is followed in this paper for the purposes of critically analyzing the research problem. All the necessary and relevant materials which form a part of the study are collected from a wide range of sources that include books, articles, journals, newspapers, reports.

2. GENDER IDENTITY & SPORTS PARTICIPATION

The term transgender describes an incongruence between sex and gender: namely, the sex assigned at birth does not fit the inner feelings of gender identity, a gender expression that differs from that conventionally expected of people according to their bodily sex; and/or a desire for alteration of the body's sex/gender characteristics. Transgender serves as a category that includes transgender males and females, non-binary persons (i.e., individuals with gender identities that are neither exclusively female nor male), and sometimes also non-identifying persons (i.e., individuals who do not identify as male, female, or transgender).

2.1 Non- Binary Gender Athletes in Sports:

The field of sports have become inclusive, but the transgender athletes in sports have at the center of a complex and controversial debate, reflecting a clash of perspectives on fairness, identity, inclusion. This issue revolves around the participation of transgender individuals in competitive sports, particularly women, transgender women in sports with discussion on the

physiological advantages, hormone changes and impact on competition dynamics⁹.

There are also **intersex athletes**, the term intersex refers to a person who are born with a reproductive sexual autonomy that does not fit the common definition of female or male. It may include genitalia ambiguity and a person being assigned as a male or female at birth but have characteristics of both sexes¹⁰.

Physiological differences: There is an argument that transgender women may have an unfair advantage because of their physiological differences which have potential to endanger cisgender women in sports¹¹. These concerns on physiological differences are present as there will be an impact on hemoglobin levels, muscle mass, bone density and testosterone levels. It can be an advantage in sports which is leading to debates on fairness and safety in sports. On the other hand, some advocate for transgender athletes for inclusion well-being and socialization in sports, also highlighting to how hormone therapy can help create a more equitable playing field, lessen possible advantages, and foster a more inclusive environment in sports.

Laurel Hubbard a weight lifter from New Zealand is Olympics' first openly transgender became a topic on debate on fairness.

Rights and Inclusivity: Human rights issues are brought up in the conversation of transgender athletes in sports, with a focus on the need to respect, defend, and support the rights of transgender women and other people who identify as different from males in their sexual orientation. It has been difficult for athletes with different sex characteristics to seek remedy when their rights are infringed, which emphasizes the need for activism, support, and education within the sports community¹². The experiences of transgender athletes show the need to treat people with respect, decency, and equity in sporting settings.

Policies and Regulations: There is a gap and absence of a unified international framework for transgender participation in sports. This has resulted in a patchwork of national and international

⁹ Euan Crumley, *Seb Coe: "Biology trumps gender"* (2022), AW (last visited: Apr. 3, 2024), <https://athleticsweekly.com/athletics-news/seb-coe-biology-trumps-gender-1039957642/>.

¹⁰ Ronald B. et al., *Understanding gender identification and sport* (2021), HUMAN KINETICS (last visited: Apr. 4, 2024), *Understanding gender identification and sport – Human Kinetics*.

¹¹ *Transgender people in sports* (2024), WIKIPEDIA (last visited: Apr. 4, 2024), https://en.wikipedia.org/wiki/Transgender_people_in_sports.

¹² *Id.* at 7.

sporting bodies' policies. In order to maintain fair competition and athlete safety, eligibility standards frequently take into account factors such as hormone levels, sex chromosomes, and physical test results¹³.

But there have been legislative actions in various states and sport's governing bodies which imposed restrictions on transgender athletes' participation. They created a legal landscape that varies significantly across regions and competitions with an aim to regulate transgender athlete eligibility based on gender identity, hormone therapy, and physiological factors.

2.2 Challenges faced by Athletes associated with Gender Identity

Gender is a socially constructed concept which is not just limited to men and women, in sports gender plays a significant role in categorizing. Generally male are encouraged comparatively to that of women. These gender stereotypes, categorization, inclusion and exclusion impact the athlete's performance which often act as barriers.

Mental and Physical aspects: The participation in sports provide mental and physical benefits but Sports have been traditionally perceived as masculine field giving importance to muscular strength. These activities have the risk of getting hurt, lack of physical strength are few factors which are considered as barriers to women. With respect to this the women are underestimated and discouraged to participate.¹⁴

Barriers and Challenges: Gender discrimination between men and women can be observed often. There are different factors which act as obstacles for participation and compete on par with men. These challenges to women include lack of family support, lack of role model, sexual harassment and abuse, lack of infrastructure and career opportunities, socio-cultural and economic barriers and so on.

Male-dominated environment: Another reason is the chauvinism that prevents male members, such as sports officials and other male athletes, from encouraging the group. There are incidents of sexual assault which act as obstacle to women athletes. Only 42.6% of female head coaches are found in the statistics, while men hold roughly 57.4% of head coaching positions in women's

¹³ Katie B., *Transgender athlete laws by state: Legislation, science, more* (2023), ESPN (last visited: Apr. 3, 2024), https://www.espn.in/espn/story/_/id/38209262/transgender-athlete-laws-state-legislation-science.

¹⁴ *Barriers to women and girls' participation in sport and physical activity*, FUNDING 4 SPORT (last visited: Apr. 1, 2024), https://www.funding4sport.co.uk/downloads/women_barriers_participation.pdf.

sports, painting a depressing picture of a male-dominated industry¹⁵.

Discrimination and Transphobia: In sports contexts, transgender athletes frequently face prejudice, criticism, cyberbullying, and transphobia. Trans girls and women are disproportionately affected by social-cultural and legal barriers in sports, which results in their exclusion on the basis of gender identity. The media contributes to discriminatory behaviors by upholding negative stereotypes about transgender and nonbinary athletes.

3. EVOLUTION OF GENDER IDENTITY IN SPORTS

The perspective on the Gender Identity in the field of the sports has undergone through evolution leading to the inclusivity and recognition of transgender men and women as athletes. This complex evolution is explained through perspectives will be further explained through three categories that is past perspective, present trends and future challenges.

Perspectives in the past:

The historical view of gender identification in sports demonstrates a complex development or evolution characterized by obstacles and slow advancements in the direction of inclusivity. The dominant belief was that the success in sports is achieved through masculinity. At first, gender was a major factor in sports segregation, which promoted masculine characteristics in athletics and reinforced gender stereotypes. The conversation on gender began to challenge the binary understanding of gender by moving away from an emphasis on sex and towards an interdisciplinary and relational approach. Scholars started to see gender as a relational term and a process, which faced criticism of the patriarchal nature of sports and the social norms that molded them¹⁶.

This introduction of 'gender' in the discourse of sports studies started reflecting in 1970's especially female scholars, the second wave feminism and contemporaneous increase in the participation of women in sports and female scholars in sport and studies was observed. There was influence of postmodernism and deconstruction on the development theory in sports and

¹⁵ Steve M., *Study: Most women's NCAA teams are still coached by men* (2023), AP (last visited: Apr. 3, 2024), Study: Most women's NCAA teams are still coached by men | AP News.

¹⁶ Austin R. et al., *Attitudes of Intercollegiate Athletes toward Transgender Individuals and Transgender Athletic Participation* (2024), JIIA: JOURNAL OF ISSUES IN INTERCOLLEGIATE ATHLETICS (last visited: Apr. 4, 2024), [Attitudes of Intercollegiate Athletes toward Transgender Individuals and Transgender Athletic Participation \(sc.edu\)](https://www.sc.edu/jiia/Attitudes_of_Intercollegiate_Athletes_toward_Transgender_Individuals_and_Transgender_Athletic_Participation).

studies.

Scholars like Robert J. Stoller¹⁷ made a distinction between 'sex' and 'gender' in which the difference between male and female, culture and nature, as well as dualistic, hierarchical nature or forms of sex and gender were questioned.

Historically, the sports system was firmly rooted in a male-dominated and binary gender order, which prevented people who didn't fit into the traditional notions of gender from engaging in organized sports. The prevailing assumption of male domination in athletics led to the continuation of sex-based athlete segregation, which exacerbated gender disparities and discriminatory experiences. With the rigid sex-segregated competitive structure there was limited scope to the opportunities of individuals who did not fit into the norms, creating barriers to the inclusion, perpetuating stereotypes about femininity and masculinity in sports.¹⁸

The rise of feminist perspectives in sports studies challenged the traditional norms and called for a radical transformation. The debate surrounding gender identity in sports has brought attention to the need to transition from a gender-segregated organization to a more inclusive and expanded definition of gender that is in line with larger societal shifts in gender norms¹⁹.

Present trends and perspective:

Even though women competed in the Olympic Games for the first time in 1900 in Paris, it wasn't until the Summer Olympics in 2012 when all events were contested by women, and every national Olympic committee sent a female athlete to compete. Professional women's sports began to take off in the latter half of the 20th century²⁰.

The inclusivity of LBT+ athletes non-cis gender athletes in the organized sports showcases the present era's perspective on gender identity in sports. The non-cisgender athletes include

¹⁷ Patricia A. et al., *Gender Relations, Women's History and Sport History: A Decade of Changing Enquiry, 1983-1993*, JSTOR (last accessed: Apr. 3, 2024), <https://www.jstor.org/stable/43610594>.

¹⁸ Birgit B. et al., *Gender Identities in Organized Sports- Athletes' Experiences and Organizational Strategies of Inclusion* (2020), FRONTIERS (last visited: Apr. 1, 2024), <https://www.frontiersin.org/articles/10.3389/fsoc.2020.578213/full>.

¹⁹ *The History of Gender Inequality in Sports* (2022), GOAL FIVE (last visited: Apr. 4, 2024), <https://goalfive.com/blogs/news/history-of-gender-inequality-in-sports>.

²⁰ Allie R. et al., *Transgender Athletes in Sports Competitions: How Policy Measures Can Be More Inclusive and Fairer to All* (2021), FRONTIERS (last accessed: Apr. 4 2024), <https://www.frontiersin.org/articles/10.3389/fspor.2021.704178/full>.

transgender men, transgender women, non-binary and non-identifying individuals. As of now there are limited European countries like Argentina, Iceland and Malta which recognize non-cisgender athletes.

There exists an issue of transgender and intersex athletes' participation in sports, particularly in their competitive structure of sports. The transgender athletes are frequently held accountable for questioning fairness and the level playing field in sports, questioning the binary sex-segregated elite and recreational sports system, and possessing unfair physical advantages. In the European context the inclusivity of transgender is rarely quantitatively examined, they face different challenges like prejudice and sports organization are accused of implementing policies which are discriminatory policies of adhering to binary sex-segregation and not considering gender identity of other categories and systematically excluding transgender athletes.²¹ Countries like Australia, Canada, USA and so on have made guidelines, independent policies for more inclusive and gender-diverse people to participate in sports.

The intersex athletes compete within female competition as they do not fit in the gender binary and may have unfair advantage when competing in a female sport. In an attempt to determine whether an athlete should compete as a male or a female, the IAAF has established regulations and carried out research²².

The discontinuation of sex testing is one of the big changes made by IOC (International Olympic Committee) in relation with the gender identity in sports from the past. Here women were undergone through sex testing that is they had to walk around in a nude parade to prove their genitals. The problems with sex testing included invalid screening tests, failure to understand problems of intersex, discriminatory singling out of women based on lab results, stigmatization and emotional trauma.

However, IOC has continued in analyzing or testing hormones and chromosomes although the experts appointed to the task have not yet reached a consensus on what hormone levels are "normal" for female athletes. With respect to all these aspects it is clear that there has been a

²¹Anna N., "I am a woman and I am fast": what Caster Semenya's story says about gender and race in sports (2019), VOX (last visited: Apr. 4, 2024), Caster Semenya: what her story says about gender and race in sports - Vox.

²² Hilary B., et al., *World Athletics regulations unfairly affect female athletes with differences in sex development*, JOURNAL OF THE PHILOSOPHY OF SPORT (last visited: Apr. 1, 2024), <https://www.tandfonline.com/doi/full/10.1080/00948705.2024.2316294?scroll=top&needAccess=true>.

sign of inclusivity and change in the attitude towards the gender identity of athletes but still there exists different challenges which are undergoing.

For better understanding of the Gender identity in sports let us look at few athletes as give below: Renée Richards a former tennis player participated in professional tennis competitions in the 1970s changed her self-identification from male to female and underwent gender reassignment surgery. Later she was denied from entry to the 1976 U.S. open for which she disputed this ban and the matter was taken to the Supreme Court where a landmark ruling on transgender rights were made. The court held that USTA had discriminated and infringed her rights, further she was granted permission to compete as a woman in U.S. Open and reached double finals.²³

Caster Semenya first gained worldwide attention in the year 2009 on competing in 800 meters at the age of 18 years in the World championship in Berlin. The issue arises when she was subjected to battery of tests by IAAF designed to determine whether she should be allowed to race under the category of woman and media started reporting on alleged leaks of tests. Semenya has never been publicly identified as intersex²⁴. She got barred from running in certain races unless they lowered their testosterone levels via medical intervention because of ‘differences of sex development’ in order to compete in certain events²⁵.

Contemporary Regulations of Non-Binary Athletes: There are several regulations, guidelines that are associated with the non-binary athletes to address their participation in sports here are few of them as given below.

In the year 2016, based on the new guidelines adopted by the IOC transgender athletes were allowed to compete in the Olympics and other international events without undergoing sex reassignment surgery²⁶. But later the International Olympic Committee (IOC) after two-year consultation process with more than 250 athletes and concerned stakeholders released “IOC Framework on Fairness, Inclusion and Non-Discrimination on the Basis of Gender Identity and

²³ Jon Wertheim, *She's a Transgender Pioneer, But Renée Richards Prefers to Stay Out of the Spotlight* (2019), SI (last visited: Apr. 3, 2024), <https://www.si.com/tennis/2019/06/28/renee-richards-gender-identity-politics-transgender-where-are-they-now>.

²⁴ *Id.* at 20.

²⁵ Sean Gregory, *Caster Semenya Isn't Just Fighting for Herself* (2019), TIME (last visited: Apr. 4, 2024), Caster Semenya Is Still Fighting to Be Recognized as a Woman | TIME.

²⁶ *IOC rules transgender athletes can take part in Olympics without surgery* (2016), THE GUARDIAN (last visited: Apr. 4, 2024), IOC rules transgender athletes can take part in Olympics without surgery | International Olympic Committee | The Guardian.

Sex Variations” on 16 November 2021²⁷.

This framework, which was primarily developed from a human rights perspective with minimal consideration of medical or scientific issues, supersedes the 2015 IOC consensus on hyperandrogenism and sex reassignment, which was reached after an intensive in-person meeting that concentrated on the scientific and medical aspects of sex, gender, and performance²⁸.

In line with the values embedded in the Olympic Charter, the IOC hopes to foster a secure and welcoming environment for all participants in elite-level competition through the use of this Framework. The Framework also recognizes the crucial role that eligibility criteria play in maintaining equity, especially in women's high-level organized sport, as a part of gender equality and inclusion²⁹.

This Framework acknowledges the need to guarantee that everyone can engage in sports in a safe, harassment-free environment that respects and acknowledges their needs and identities, regardless of gender identity or sexual orientation. It also acknowledges the interest of everyone, especially elite athletes, to take part in fair competitions where no competitor has an unfair or disproportionate advantage over the others.

Finally, the IOC points out that men's and women's divisions compete independently in the majority of elite organized sports events. The Framework's guiding principles in this regard are meant to guarantee that competition in each of these categories is safe and equitable, and that athletes are not disqualified based only on their gender identification or transgender identity.³⁰

The "Eligibility Regulations for Transgender Athlete (Version 2.0)" were published by the IAAF (International Association of Athletics Federations) in 2023 and went into force on March 31,

²⁷ *IOC releases Framework on Fairness, Inclusion and Non-discrimination on the basis of gender identity and sex variations* (2021), IOC (last visited: Apr. 4, 2024), IOC releases Framework on Fairness, Inclusion and Non-discrimination on the basis of gender identity and sex variations - Olympic News (olympics.com).

²⁸ *IOC Consensus meeting on sex reassignment and hyperandrogenism November 2015* (2015), INTERNATIONAL OLYMPIC COMMITTEE (last visited: Apr. 3, 2024), https://stillmed.olympic.org/Documents/Commissions_PDFfiles/Medical_commission/2015-11_ioc_consensus_meeting_on_sex_reassignment_and_hyperandrogenism-en.pdf.

²⁹ *Id.* at 24.

³⁰ *IOC release Framework on Fairness Inclusion and Non-discrimination on the basis of gender identity and sex variations* (2021), IOC (last visited: Apr. 3, 2024), IOC releases Framework on Fairness, Inclusion and Non-discrimination on the basis of gender identity and sex variations - Olympic News (olympics.com).

2023. According to these regulations, transgender male athletes must present a signed, written statement confirming their gender identity as male.³¹ According to the regulations, transgender athletes must also meet all applicable eligibility standards in order to participate in World Rankings Competitions in the sex category that corresponds with their gender identity³².

But in the Paris 2024 Olympics transgender athletes faced restrictions compared to previous rules, as it was recently decided that these athletes must have undergone or completed their transitions before the age of 12 in order to avoid unfair advantage.³³

Two-time Olympic champion Sebastian Coe, president of the World Athletics Council, stated that there is a "overriding need to protect the female category" (1980 and 1984). World Aquatics voiced similar opinions when it announced the creation of its new "Gender Inclusion Policy." "This does not imply pushing them to become transgender before the age of twelve. Spokesman for World Aquatics President Husain Al-Musallam James Pearce said, "It's what scientists say: if you transition after the onset of puberty, you have an advantage, which is unfair".³⁴

In an effort to protect women's sports, the International Cycling Union (UCI) has prohibited transgender athletes who have achieved puberty before changing from competing. However, for individuals who don't fit the new gender norms, a new category called "men/open" has been created³⁵.

All parties involved in sports, such as the IOC, IFs, and sponsors are encouraging to provide, WADA (World Anti-Doping Agency) and research organizations, including as medical and biomedical research councils, to commit the required funds to carry out crucial studies in order to promote more empirically based scientific solutions that are congruent with a comprehensive understanding of human rights and justice.³⁶

³¹ *Eligibility Regulations for Transgender Athletes* (2023), WORLD ATHLETICS (last accessed: Apr. 4, 2024), file:///C:/Users/Ishraath%20Sadiqua/Downloads/C3.5%20%E2%80%93%20Eligibility%20Regulations%20Transgender%20Athlete.pdf.

³² *Id.*

³³ Raul D., *Restrictions on transgender athletes at Paris 2024* (2024), INSIDE THE GAMES (last visited: Apr. 3, 2024), [Restrictions on transgender athletes at Paris 2024 \(insidethegames.biz\)](https://insidethegames.biz).

³⁴ *Id.*

³⁵ *Id.* at 28.

³⁶ Fabio P. et al., *Joint position statement of the International Federation of Sports Medicine (FIMS) and European Federation of Sports Medicine Associations (EFSMA) on the IOC framework on fairness, inclusion and non-discrimination based on gender identity and sex variations*, BMJ (last visited: Apr. 4, 2024), [Joint position statement](https://www.bmj.com/content/368/n8207/e008207)

With respect to all these aspects it can be said that the implementation of IOC's 2021 framework is a major challenge for IFs (International Sports Federation). The eligibility regulations would be drawn by the sports IF based on the Fair competition. The developments of 2021 IOC framework in many countries would be unlawful, leaving all responsibilities to the IFs. Different countries have distinct perspective and independent policy for more inclusive sports.

Future Attitude:

The sources emphasized that a shift towards more inclusivity and acceptance of gender identification in sports is anticipated in the future. Increasingly, academic fields agree that transgender women and girls will play a significant role in sports in the future, highlighting the significance of equality, empowerment, and universal access to sports for all people³⁷.

The IOC's 2021 framework recommended that the athletes should not be deemed to experience an unfair or disproportionate competitive advantage because of the sex variations, transgender status or physical appearance³⁸.

The Center for American Progress observed in 2021 that cisgender women and girls' engagement in sports and athletic accomplishments have not been negatively impacted by the presence of trans athletes in high school. In reality, the overall involvement of women and girls has increased in places like Connecticut and California that have had trans-inclusive policies for years³⁹.

Most scientific studies on trans athletes are inconclusive, make incorrect comparisons, or expressly state that their conclusions cannot be used to justify the outlawing of transgender athletes. Studies are far too frequently chosen to fit particular ideologies. The results of research on gender and sex are complicated, and the most widely referenced studies include many biases,

of the International Federation of Sports Medicine (FIMS) and European Federation of Sports Medicine Associations (EFSMA) on the IOC framework on fairness, inclusion and non-discrimination based on gender identity and sex variations (bmj.com).

³⁷ Jamie S. et al., *The Future of Women's Sport Includes Transgender Women and Girls* (2022), EMERALD INSIGHT (last visited: Apr. 4, 2024), *The Future of Women's Sport Includes Transgender Women and Girls* * | Emerald Insight.

³⁸ Magali M. et al., *Position statement: IOC framework on fairness, inclusion and nondiscrimination on the basis of gender identity and sex variations* (2024), BJSM (last visited: Apr. 3, 2024), <https://bjsm.bmj.com/content/bjsports/57/1/26.full.pdf>.

³⁹ *Get the Facts about Transgender & Non- Binary Athletes*, HRC FOUNDATIONS (last visited: Apr. 3, 2024), <https://www.hrc.org/resources/get-the-facts-about-transgender-non-binary-athletes>.

limits, and other issues.⁴⁰ The majority of studies falsely claim that trans women and cisgender men are biologically similar.

A shifting climate necessitates nuanced methods to address structural discrimination and develop inclusive initiatives for non-cisgender athletes, as seen by the growing policies and conversations around the inclusion of transgender and intersex athletes in sports⁴¹. There are active student-athletes who are already looking through a gendered sporting lens, there are also perception of threats to established gender norms which can influence the particular identity and interests as per few researches⁴².

In total the inclusion of other genders other than cisgender into the sports is primarily an ideological issue rather than a scientific issue and the attitude towards the non-binary gender is subjective. With respect to all these aspects there are positive sign towards the inclusivity of non-binary genders along with challenges like traditional gender norms, debates on fairness, competitive advantages, and balance between inclusion and maintaining integrity in sports.

CONCLUSION

By this analysis over gender identity in sports it can be concluded that gender identity plays a significant role in terms of participation and performance with the athletes often facing challenges like stereotypes, acceptance, inclusivity. The conventional categories in sports includes binary sex-segregated system that is male and female where often the male domination can be observed. When it comes to gender identity it also includes transgender and intersex there are arguments and debates that these athletes are challenge to binary sex-segregated system and have unfair physical advantages where as other emphasize the importance of inclusivity, equal opportunities regardless of gender identity. As the society evolves the perception of gender identity also have changed, there have been legal decisions that brought attention to the inclusion of non-cisgender athletes, there has been shift from only male dominated field to gender inclusive sports yet there are few countries which do not completely accept or consider the

⁴⁰ Oberlin. D.J., *Sex differences and athletic performance. Where do trans individuals fit into sports and athletics based on current research?* (2023), NIH (last visited: Apr. 3, 2024), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10641525/>.

⁴¹ Austin R. et al., *Attitudes of Intercollegiate Athletes toward Transgender Individuals and Transgender Athletic Participation* (2024), JIIA: JOURNAL OF ISSUES IN INTERCOLLEGIATE ATHLETICS (last visited: Apr. 4, 2024), *Attitudes of Intercollegiate Athletes toward Transgender Individuals and Transgender Athletic Participation* (sc.edu).

⁴² *Id.*

inclusion. The future of gender identity in sports is likely to involve all these aspects and make a societal shift towards greater awareness, understanding of gender identity. Promoting inclusive involvement, creating third categories, ensuring policy consistency, and supporting ongoing research to support evidence-based decision-making are some ideas for resolving these issues. All athletes, regardless of gender identity, may engage in and succeed in sports if we work to create a more welcoming and equal athletic environment.

