# Guideline for Inclusion of Gender and Sex Diverse Individuals





Erasmus Center for Sport Integrity & Transition (ESPRIT)



# Guideline for Inclusion of Gender and Sex Diverse Individuals

For Sports Federations, Sports Clubs and Athletes, to Foster an Inclusive Sports Culture

> NOC\*NSF Arnhem, 2023

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#### Commissioner

Alliantie Gelijkspelen 4.0 (KNVB, KNHB, NOC\*NSF and penvoerder John Blankenstein Foundation)

This guideline is a renewal of the Guideline for Gender and Sex Diverse Individuals - For Sports Federations, Clubs, and Athletes to Promote an Inclusive Sports Environment (Thijs de Greeff & Suzanne Vedder, 2021).

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### Foreword

Inclusion is an important societal value in sports. How wonderful would it be if every sports club welcomed everyone with open arms? Where you belong and where you can be yourself. Because sports can have a profound impact. Playing sports is healthy, social, and, above all, brings a lot of joy. That's why we want sports to be accessible to everyone and provide a home, regardless of gender or sex. Sports has the power to connect, and we must seize that opportunity together.

The participation of gender and sex diverse individuals in sports is growing, but there is still much room for improvement in terms of awareness and adapting sports policies. This updated guide for the inclusion of gender and sex diverse individuals has been developed in collaboration with the Alliantie Gelijkspelen (Alliance for Equal Play), sports associations, advocacy organizations for gender and sex diverse individuals, and experts with lived experience. In 2022, the European Commission also released the Advisory Report 'Towards More Gender Equality in Sport,' which focuses on EU member states and national sports organizations. It was prepared by the EU Expert Group on Gender Equality in Sport, and includes recommendations, good practices, and a current overview of models and guidelines. This guide addresses broad issues concerning gender and sex diverse individuals. In response to societal developments and the increasing number of questions about gender and sex diverse athletes, we are highlighting more examples, insights, and tips. The focus on diversity in sports is also gaining prominence on various agendas. We provide sports clubs with

current tools to extend a warm welcome to all gender and sex diverse individuals. Together, we can ensure that sports and physical activity receive the attention they deserve for gender and sex diverse individuals, leading to increased participation and enjoyment in sports within this group.

It is our collective responsibility to create an open and safe atmosphere in every sports club, and make targeted efforts for inclusive sports. This guide raises awareness, but not just that: through the personal stories of gender and sex diverse athletes, sports clubs and associations, we learn how to make sports more inclusive at every level. The guide equips sports clubs with up-to-date knowledge so they can put the pursuit of an inclusive and socially safe sports club into practice.

Let's all embrace inclusion: onwards to becoming the most inclusive sporting nation in the world!

#### Marc van den Tweel

General Director NOC\*NSF Arnhem, February 23, 2023

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### 1. Introduction

Dutch sports associations and NOC\*NSF are committed to an inclusive and socially safe sports environment where everyone feels welcome regardless of sex, gender identity, ethnicity, age, disability or religion. Unfortunately, this is not yet a given for many gender and sex diverse individuals. Gender and sex diverse individuals demonstrably often feel out of place in sports. To make this possible, there is still a lot of progress to be made, both in policy and in practice. Even small practical interventions can make a difference.

This guide addresses the barriers that gender and sex diverse individuals might experience in sports, and discusses how sports associations, clubs, professionals and volunteers can remove these barriers.

#### 1.1 Development of this guide

The content of this guide is based on the experiences of gender and sex diverse individuals, sports clubs and associations, advice from advocacy organizations, scientific research, and is illustrated with current examples. The starting point is that sports should be for everyone. Every individual has the right to equal and respectful treatment and should have an equal opportunity to enjoy sports. Exclusion, transphobia, intersexphobia and gender discrimination have no place in this. This is even included in the 'Algemene Wet Gelijke Behandeling'i (General Equal Treatment Act).

This guide is continuously evolving. Insights and knowledge change over time and thus subject to change. If you have comments or questions about the guide or if you want to contribute to further development, please contact NOC\*NSF.

#### 1.2 Importance of this guide

Time and again, it has been proven that physical activity has positive effects for everyone. Engaging in sports, individually or as part of a team, leads to better emotional and physical development. However, studies also show that gender and sex diverse individuals can have a less pleasant sports experience. Research indicates that, alongside positive remarks and understanding, a majority of these individuals have encountered misunderstandings, jokes, and negative or inappropriate comments during sports. This has no place in a safe, inclusive sports culture. Everyone in the Netherlands should be able to participate in sports with a club that suits them and with which they feel connected. This way, everyone, individually or together, can experience the joy of sports.

An inclusive and socially safe sports culture entails:

- Being welcome
- Belonging
- Being able to show your authentic self
- Having the need to be competent
- Being accepted and respected
- · Being able to make your own choices

This means that no one is excluded based on sex, gender identity, ethnicity, age, disability or religion.

# **1.3 Principles in the development of this guide**

Everyone should have an equal opportunity to experience the benefits that sports offer. Our ambition is that everyone can engage in sports with respect for and in accordance with the gender or sex with which they identify. Competition is present at all levels, both in elite and recreational sports. At the same time, everyone should be able to participate fairly.

#### 1.4 Who is this guide intended for?

This guide is written for all volunteers and professionals who actively contribute to an inclusive and safe sports culture or aspire to contribute to it. Organizational leaders will

Every athlete should be able to engage in sports with respect, according to the gender or sex with which they identify. find an overview of specific steps they can take in the Organizational Process chapter. This guide is also relevant for athletes themselves when seeking support, or wanting to learn more about the current advice for sports associations and clubs.

#### 1.5 Contact

If you need a sympathetic ear, advice, or want to report something, you can reach out to the Safe Sports Netherlands Center through various platforms, nearly 24/7. You can also contact a confidential advisor from your association or federation, Transgender Network (TN), Dutch organization for sex diversity (NNID Foundation), or the John Blankenstein Foundation (JBF).



### 2. Glossary

Using the right words and terms is important to create an inclusive and socially safe sports culture for everyone. In this chapter, we explain the key terms used to ensure consistency in this guide, and to contribute to inclusive language use in sports. These terms provide a common ground for discussing gender and sex diversity. This glossary aims to clarify and broaden understanding.

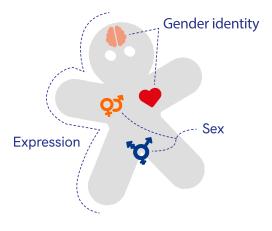
Keep in mind that these terms can have different meanings for different people, so always ask what something means to another person. Additionally, definitions can evolve over time. They are not set in stone and can vary in application based on context, countries, and cultures. The provided explanations are periodically reviewed.

#### **Gender Diversity**

The premise is that gender identity is a spectrum with countless equal variations, including man and woman. For most people, their assigned sex at birth aligns with their gender identity. However, this is not the case for everyone. A person might be born with male sex characteristics and be assigned male at birth but identify as a woman. Alternatively, someone could be assigned female at birth but identify as non-binary or genderfluid. Everyone is part of the concept of gender diversity, both in terms of gender identity and gender expression.

#### Sex Diversity

Sex diversity refers to the spectrum of equal variations in sex characteristics and features, including different presence, distribution, and variations of male and female traits. Everyone is part of the concept of sex diversity.



#### Sex

The assignment of gender based on biological physical characteristics, determining whether a body is seen as male or female. These characteristics range from genes to hormones to outward physical features.

#### Gender

Gender is assigned based on behaviour, biological characteristics, one's own identity, and appearance based on personal experience, cultural norms, and societal ideas. It doesn't directly refer to biological traits but rather the attribution of gender based on social, psychological, and cultural aspects. Gender doesn't necessarily have to align with the assigned sex.



#### **Gender Identity**

The personal experience of belonging to a specific gender is referred to as gender identity. It's the complex relationship between physical characteristics and one's perception of themselves as e.g., man, woman, non-binary, or genderfluid.

#### Gender Expression

Everyone expresses their gender in their own way. This can involve clothing, hairstyle, voice, or body language. Gender expression can be described as e.g., masculine, feminine, or androgynous. Gender expression is also influenced by one's immediate environment and culture. It's related to how the outside world perceives someone, such as the meaning attributed to behaviours or traits that are traditionally seen as typically masculine or feminine.

#### Cisgender

A person who identifies with the gender they were assigned at birth. Cisgender can also be abbreviated as 'cis'.

#### Transgender

A person who does not identify with the gender they were assigned at birth. Transgender can be used as an umbrella term. Whether someone identifies as transgender varies from person to person. Transgender can also be abbreviated as 'trans'.

#### Man

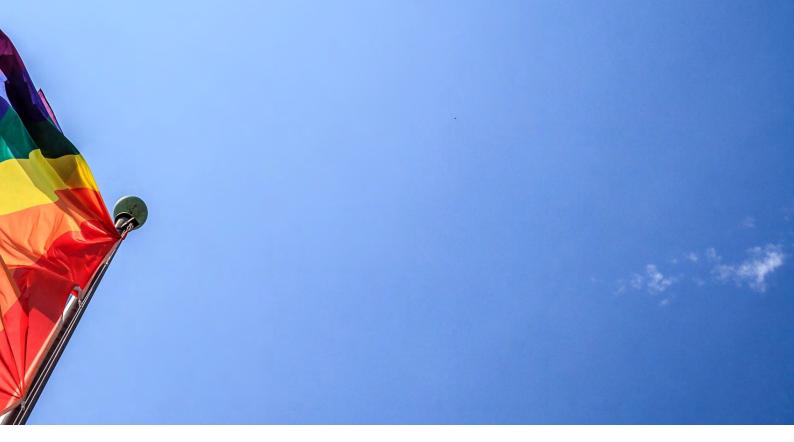
An adult who lives and identifies as a man, even if they were assigned a different sex at birth. This definition includes both cisgender and transgender men.

#### Woman

An adult who lives and identifies as a woman, even if they were assigned a different sex at birth. This definition includes both cisgender and transgender women.

#### **Non-Binary**

A person who doesn't (fully) identify within the binary distinction of man or woman. Non-binary people fall under the transgender umbrella, but not all non-binary people identify as transgender.



#### Genderfluid

Someone who identifies as genderfluid experiences shifts in their gender identity. A genderfluid person might identify with different genders throughout their lifetime, from day to day or even from moment to moment.

#### Intersex

Intersex refers to individuals born with a body or physical characteristic that doesn't fit societal norms of male or female. In medical contexts, intersex is sometimes referred to as 'Differences in Sex Development' (DSD). A body might not align with societal male or female standards chromosomally, hormonally, or in terms of outward sexual characteristics. The diversity among intersex individuals is vast, similar to the diversity among men or women. Most intersex individuals are assigned a sex at birth (usually male or female). Most identify with that assignment, but some don't. Some identify as intersex. However, intersex isn't the same as transgender or non-binary.

#### Transition

This is a process someone goes through to live in accordance with their gender identity. Transitioning can include medical, social, and/or legal aspects. Administrative changes to gender markers and/or medical treatments can be part of this process. A person doesn't need to undergo a medical transition to identify with a gender.

#### **Gender Dysphoria**

The uncomfortable feeling about bodily characteristics that contradict one's gender identity or the denial of one's gender identity by others, such as being misgendered.

#### Intersexphobia

The fear of and/or hate towards intersex individuals and the hostile and discriminatory behaviour that stems from it.

#### Transphobia

The fear of and/or hate towards transgender individuals and the hostile and discriminatory behaviour that stems from it.



Gender concerns the allocation of gender to behavior, physical characteristics, your own identity, and your own appearance based on personal experience, cultural norms, and societal ideas.

#### Cisnormativity

The assumption that everyone is cisgender shapes our standards and norms. An example is segregating changing rooms and teams based on the man/woman binary. It can also involve not perceiving a trans person as transgender if they "pass" as cis, thereby reinforcing the idea that a successful transition should be praised.

#### **Gender-Neutral**

A space or object, like clothing, that is available to everyone regardless of gender. Gender-neutral language allows for conversations without excluding any gender or misgendering anyone.

#### LHBTIQ+

Lesbian (L), Gay (G), Bisexual (B), Transgender (T), Intersex (I), Queer (Q), and all other forms of sexual, gender, and sex diversity not mentioned (+).

#### 2.2 Pronouns

A pronoun refers to a person or a group of people without using their name. Commonly used pronouns are she/her/hers and he/him/ his. Some people prefer to use neutral terms, such as they/them/theirs. The preferred pronoun often reflects one's gender identity. A person can also choose to use multiple pronouns, such as the combination he/ they or she/them. Using the correct form of address in all forms of communication (letters, emails, and face-to-face o interactions) is important for everyone. This helps an athlete to feel accepted and welcome in the sports club.

Examples of neutral pronouns:

• "Robin plays in the first division, they prefer to play forward on the right, and their teammates are happy about that." • "Charlie has asked if we can address them with they/them, this is their preference."

If the appropriate form of addressing is unclear in a situation, such as during training or a match, ask the athlete one-on-one about their preferred pronouns. Alternatively, use the athlete's first name to avoid the potential misuse of pronouns.

In correspondence (letters to members, messages about membership fees, or other types of communication), it's recommended to use gender neutral terms when addressing members. This ensures that everyone feels included and makes the communication inclusive, without emphasizing different forms to address an individual. Currently, the gender-neutral word for "Mr." or "Ms." Is "Mx.". Alternatively, you can use general terms such as:

"Dear [first name, note: preferred or chosen first name of the athlete];" "Dear parent of [first name];" "Dear athlete, dear soccer player;" "Dear hockey player, dear members;" And in the written text following the greeting: "the athlete" and "they."

When asked for gender information, where previously only the options "male" or "female" were present, it's possible to follow the three options found on official identification documents like passports: M/F/X. This provides the opportunity for everyone who doesn't identify strictly as male or female to register. Keep in mind that not everyone is currently able to change their gender marker on their identification documents, but they might still identify with a different gender marker.



### 3. Organizational Process

Passionate leaders and other enthusiasts both volunteers and professionals - play a pivotal role in sports by developing a socially safe and inclusive sports culture. A culture where everyone feels welcome. Increasing acceptance within a sports club can be a complex challenge due to deeply ingrained norms and values surrounding gender, sex, sexual preference, and "just act normal". It's important for leaders to set the example. In essence, inclusive organizing requires cohesive leadership.

#### What does cohesive leadership entail?



- Putting the athlete/person central
- Participation / co-creation
- Listening without judgement
- Engaging in a conversation
- together



- Rewriting policy principles
- Letting go of frameworks
- Learning organization
- Creating support

Consciously steering towards the continuous connection/ exchange between these two poles.

#### 3.1. Bottom-Up Approach: The Connecting Dialogue (Inside Out)

The strength of effective policy lies in aligning with the needs of gender and sex diverse individuals in sports. Connect first, then lead. It's important to understand that gender and sex diverse individuals are actively participating in every sport. The next step is to engage with this group and make them feel safe. This requires a dialogue in which they feel heard and seen. zich gehoord en gezien voelen.

#### Do's:

- Be curious about the stories of the athletes, including those who have terminated their membership. What are the experiences of gender and sex diverse individuals in your sport? Listen and try to engage in an open dialogue.
- Focus on connecting, learning, and developing together. Ask questions to understand them (even better) and gather new information.
- Use check-in questions to verify that you've heard and understood them correctly.

 Acknowledge the challenges you personally face within this issue. Share your (past) beliefs and biases, and discuss them with colleagues, coaches, and athletes, while remaining respectful.
 Others are likely to relate to these experiences. This way, it becomes more natural to discuss what you're experiencing while creating a safe and inclusive sports culture. Other leaders and coaches will feel supported and encouraged to do the same.

#### Don'ts

- Avoid generalizations. Each gender identity has its own specific desires and/ or experiences. Encourage others to express these without judgment.
- Don't initiate the conversation based on your needs and personal questions. The experiences and needs of the (former/intended) athletes should be the starting point.
- Don't assume you already know it all. If you feel that way, double-check or ask an open and curious question.
- Don't hesitate to ask "stupid" or uncomfortable questions; this reduces the barrier for others to do the same.
  However, check in with the other person for permission to ask questions and remain respectful if a question causes discomfort. Not all questions can or need to be answered.
- If you notice you have biases that make it difficult to fully welcome someone, address it and be vulnerable in a safe setting.

#### 3.2. Top-Down Approach: Developing Policy (Outside In) One size fits all?

How do you translate the needs of the target group into a specific diversity and inclusion policy that aligns with the identity of your sport or sports club? One size definitely does not fit all. Each sport faces unique challenges such as different cultures, infrastructures, and competition and team arrangements.

#### Not Specialization, but Integration

Because we want everyone to feel "welcome" in sports, it's important to align policy regarding gender and sex diverse individuals with other issues related to an inclusive and socially safe sports environment. Include people with different religions or ethnic backgrounds, avoid creating a homogenous group.

Participating in annual LGBTQ+ events provides an opportunity to pay extra attention to welcoming gender and sex diverse individuals. A rainbow flag or armband might seem like a small gesture, but it can serve as an invitation and help lower barriers to start a dialogue for gender and sex diverse individuals. Members are able to see their gender identity represented in the symbols of their association/sports club. This can also be extended to social media channels and/or the association or club website.

(International) days that focus on LGBTQ+ inclusivity and diversity:

- National or local Pride
- International Transgender Visibility Day
- International Day Against Homophobia
  and Transphobia
- International Non-Binary People's Day
- Coming Out Day
- Intersex Awareness Day



#### All together challenge

During the sports season, for one weekend, captains of football teams wear the OneLove captain's armband, emphasizing that everyone - regardless of color, origin, sexual preference, and gender identity - is welcome in football. All clubs in the top hockey leagues wear the rainbow band. Additionally, various sports clubs from different sports in the Netherlands wear the rainbow armband. Through this, the sports clubs show their support for sexual and gender part of the #alltogetherchallenge by the Alliantie Gelijkspelen (Alliance for Equal Play). Together with the sports federations, NOC\*NSF and the John Blankenstein Foundation invite sports clubs to participate in this campaign by wearing the OneLove or rainbow captain's armband, specifically during this weekend or throughout the entire



#### Practical Example: Britt Vonk as Diversity and Inclusion Ambassador

The Dutch Softball Team has appointed Britt Vonk as their ambassador for diversity and inclusive sports. As a member of the Dutch National Team 'Kingdom of the Netherlands', she's familiar with compositions from various cultures and different parts of the Netherlands. Additionally, for her sociology master's thesis, she wrote about Caster Semenya. Britt says, "I find it terrible when athletes don't feel accepted for who they are and can't enjoy what sports have to offer. Everyone belongs." Through her own perspective and experience, she can inspire other teams and sports clubs.

#### More information



#### Practical Examples: Engaging in Dialogue through a New Structure

The Dutch Athletics Federation (Atletiekunie) has established a Diversity & Inclusion advisory board. reaching out to board members and confidential advisors within sports clubs, as well as through Instagram to specifically connect with young association focused on inclusion, is also part of this advisory board, reflecting This advisory group also includes a transgender athlete. Together with will assess areas for improvement in diversity and inclusion. An important initial goal is to establish guidelines for competition categories for gender and sex diverse individuals.

The Royal Dutch Football Association (KNVB) established an internal gender and sex diversity working group at the beginning of the current season. This group handles all inquiries for advice and/or exemption requests for gender and sex diverse athletes. The working group includes individuals with diverse expertise (football development, medical, legal, competition, and diversity & inclusion) to provide the best possible advice to clubs. Additionally, the organization is in contact with various external stakeholders for advice and input.

#### Ambassadors

Another effective method of creating visibility for the target group is appointing ambassadors that LGBTQ+ athletes can identify with. Ask if there is someone within the sport or sports club who is willing to act as an expert by experience or has a genuine interest in the topic, to serve as an ambassador. This can also empower this (top-level) athlete themselves if their involvement is well guided and supported. Role models have a different impact on a team or training group compared to e.g., a coach. Ambassadors can assist in enhancing the acceptance and confidence of gender- and sex diverse athletes. It's important to ensure that the ambassadors represent a diverse audience (not only LGBTQ+ athletes, but also people of various ages and cultural or ethnic backgrounds).

#### **3.3 Action Plan**

To achieve a socially safe and inclusive sports culture, sports clubs, federations, as well as sports companies, municipalities and sports services can take concrete steps. Below is a concise overview of steps in the areas of leadership and policy.

#### Leadership

- Be open to the target group. This includes accepting that gender and sex diverse individuals are present at all levels and age groups.
- Engage in conversations.
- (Repeatedly) practice engaging in a connecting dialogue. Guided by the motto: connect first, then lead/create policy.
- Make your exploration of this issue dis cussable within a safe setting for all parties, including yourself.
- Share inclusion promoting videos of role models, directors and trainer-coaches on social media.
- Appoint an ambassador who strengthens the message of diversity and inclusion in your sport.
- Raise the rainbow flag and involve (particularly) young people in the #alltogetherchallenge campaign.
- Regularly assess the experiences of gender and sex diverse individuals within your sport.
- Establish a focus group or committee for requested and unrequested advice.

#### Policy

- Ensure that policies for this target group are well embedded within a safe sports climate.
- Do not assume a one-size-fits-all approach; delve into the experiences and needs of gender and sex diverse individuals and formulate SMART policy objecti-

ves. Examples of policy objectives include:

- Increasing the percentage of gender and sex diverse members by 10% (over a 3-year period).
- Increasing the acceptance of LGBTQ+ athletes by 50% (over a 3-year period).
- Board members formulate the inclusion strategy and actively promote it through the website and media.
- Share and explain this guideline online with members a certain number of times per year.
- The federation or sports club organizes activities related to gender and sex diversity a certain number of times per year.
- A derived policy objective in the area of 'education' could be: X% of trainercoaches, referees, volunteers, federation staff, and/or board members have attended training that centers around inclusion.
- Integrate specific attention to diversity and gender inclusion into the existing education for board members, trainer-coaches, athletes and referees.
- Develop new training programs and/or workshops focused on diversity and inclusion.
- Participate in annual LGBTQ+ events.
- Develop new activities and formats that appeal to those who don't feel at home in the binary structure of sports (competition).

### 4. What Steps Can We Take?

This chapter provides practical tips related to support, guidance and communication to establish a socially safe and inclusive sports culture. These tips are based on the experiences of gender and sex diverse individuals, sports clubs, federations and municipalities, as well as advice from advocacy organizations in the field of gender and sex diversity, scientific sources and international guidelines.

This way, the sports community aims to lower the barriers for gender and sex diverse individuals, making them feel (more) welcome in sports.

# 4.1 Collecting and Communicating Personal Information

**Collecting and Changing Personal Information** It's important that the collection and alteration of personal information are done in an inclusive manner when aiming to lower the barriers for gender and sex diverse individuals to join a sports club.

- On registration forms, provide options beyond just male or female.
- Avoid requiring gender to match the sex listed on identification documents during registration.
- Avoid requiring the name to match the name on identification documents during registration.
- Consider whether registering sex or gender is necessary.
- Provide multiple options for registering or changing gender or sex on registration forms (for example non-binary, gender-fluid, 'prefer not to say,' etc.).
- Give the option to indicate preferred/ chosen pronouns, name, and/or nick name.

- Ensure that correspondence uses correct forms of address and names.
- Collect only necessary information. Unusual or strictly personal information such as medical documents and statements is covered in this category. In elite sports, requesting medical statements might be necessary in exceptional cases (see Chapter 5 for more information on elite sports).
- Comply with the General Data Protection Regulation (GDPR), which sets conditions for collecting information, including efficiency, privacy protection, and the right to access, correct, and delete data.
- If you're a federation (or group of federations), communicate your preferences to the supplier of the membership registration system when it comes to expanding gender registrations (e.g., M/F/X). Be aware of the consequences of this potential change in the system. Have internal discussions about the implications regarding competition categories, current regulations, processing exemption requests, etc. A membership registration system provider can help you formulate the questions that need to be addressed internally.

#### **Communicating Confidential Information**

There might be situations where extra communication or assistance with communication about confidential information is necessary or desirable. For example, an athlete might wish to communicate about their gender identity, for example coming out to teammates or applying for an exemption. Communication from the club or federation about personal situations should always be done in consultation with, and with the approval of, the athlete and possibly their parent/guardian. Need help with this? A confidential advisor from the sports club, federation, NOC\*NSF, or the Center for Safe Sport Netherlands (CVSN) can provide support. Make sure your club or federation communicates and makes the available support visible within your organization.

# 4.2 Supporting Individuals in Transition

Someone undergoing a transition might undergo surgeries or hormone treatment. The (medical) transition is different for everyone and can be a significant step socially, physically, and/or emotionally. A (medical) transition might prompt someone to switch to a different team.

Ensure that an athlete always feels at home in the club and experiences it as socially safe. You can support an athlete in various ways.

• Consistently pay attention to athletes with different backgrounds, genders, and sexes.

- Maintain contact with members you've met for the first time. How do they feel in the club and on the team? Are there challenges the member is facing? These conversations can involve the technical committee or technical director, a confidential advisor in the sports club, or the federation.
- Be particularly cautious of exclusion through unwelcome behaviour, negative comments, and discrimination.
- Engage with team members, coachtrainers, and involved individuals who are regularly present at training and matches to offer both a physically and emotionally safe sports culture.
- Take action if negative signals emerge and intervene. The attitude of the board is crucial:
  - Stand by the athlete.
  - Implement appropriate measures against unwelcome behaviour, such as exclusion from a match or training.
  - Organize workshops or internal discussions to raise awareness within a team or club and prevent negative signals, bullying, and discrimination.



#### 4.3 Considerations for Team or Class Choice and Support

When someone starts or has already started a (medical) transition or doesn't feel comfortable in their current team, the athlete might want to switch to another team. If this is the case, always consult with the athlete. Which team would they prefer? The athlete, trainer-coaches, the club's technical committee, and possibly the parent(s)/guardian(s) can collectively decide which team the athlete would prefer to join.

During the team choice process, consider:

- The selection criteria for team choice, including age, gender, level, weight class and personal situation.
- The right to self-identify and the physical and emotional safety of the athlete.
- Possibilities for exemptions from the federation.
- A flexible approach, meaning that the choice of a team is not binding.

Circumstances, personal preferences, or the member's situation can change over time. For example, the building or loss of muscle could make a previously chosen team no longer suitable. This also applies to a gender-diverse individual who is still exploring their identity. It's also possible that a previously chosen team no longer offers the desired socially safe sports climate.

If there are questions about team choice or if there is resistance and negative reactions, the sports club is responsible for guiding the process.

• Let the athlete decide whether, when, and how the sports club communicates about the (intended) transition within the club. Assist the member if they request support from the sports club in communication.

- Publicly support the athlete and do not tolerate negative reactions or comments.
- It might be wise to inform the athlete about the current situation, so they are prepared for potential negative reactions or comments. This could be done by a confidential advisor from the federation or club itself, or by a club member or teammate with whom the athlete feels safe.
- Engage in a dialogue with other members or volunteers.
- Refer to this guideline.

For more information and guidance for the sports club in supporting the athlete's team choice, a confidential advisor from the federation is available. Check the federation's website for the correct contact person.



#### Practical Example: Team Choice

In practice, a situation might arise where a transgender man at the beginning of his transition isn't yet ready to switch from a women's or girls' team to a men's or boys' team. In this case, the trans man already has an 'M' in his passport. Physically, he's at the beginning of his medical transition. His request is to see playing in the women's team this season and applies for dispensation from the federation for this. The initial assumption from both the federation and the club is that someone starting a transition also wishes to participate in the desired gender category (as indicated in the passport) as soon as possible and that a transgender man will have more strength due to testosterone than the women he's playing with. The federation's statutes stipulate that only women can apply for dispensation to play in a men's competition and not vice versa. For both the federation and the club, this situation poses a challenge without a clear answer.

The federation advised the club to have a conversation with the athlete to understand why he wishes to continue playing in the women's competition temporarily. The advice from the federation is to not take any action without discussing the member's wishes. The outcome of the discussions is that the athlete will start with the women's team next season and will start training with the men's team during the season to facilitate a smooth transition from women's to men's team. Additionally, the federation provided the club with a letter explaining the exemption, which can be provided to opponents who have questions about the member's participation. To date, no undesirable situations have been reported.

#### **Exemption/Dispensation**

A club or athlete in grassroots sports can request an exemption from the respective federation for various reasons. However, the goal is that a member is always allowed to participate based on the registered gender at the club or federation, eliminating the need for exemptions. For instance, the hockey federation now refers to this as 'registration' instead of 'exemption' for this reason.

If an athlete experiences limitations or reduced enjoyment of sports and/or wishes to participate in a different gender category than the registered gender at the club or federation, they can apply for an exemption to participate in a physically, socially, and emotionally safe sports culture.

Support the member by referring them to the person at the federation who is in charge of these matters. Exemptions are usually confirmed in writing by the federation. This letter provides the concerned athlete with official confirmation, which can be useful in case of protests or resistance.



#### Practical Examples: Physical and Emotional Safety

Physical safety: A 19-year-old member applies for an exemption to participate in the junior competition. This is particularly relevant for transgender boys. Due to the use of puberty blockers, they are developmentally behind on their peers. The opposite can also occur. For example, a 17-year-old transgender girl, in consultation with her hockey club, chooses to play in a senior team. It is expected that she will feel more at home in this team, and the acceptance might be smoother compared to an A-youth team.

Emotional safety: A athlete can apply for an exemption due to their comfort with their body and/or due to their transition. An example: applying for an exemption to wear two swimsuits during a match.

#### 4.4 Competition, Opponents, Referees, and Officials

The fundamental principle in sports remains that everyone is welcome to participate. However, there might be instances where a club, team, or athlete encounters resistance to their participation during a competition. This is an undesirable and confronting situation for an athlete. The following paragraphs provide tips for preventing and addressing such situations.

#### Preventing Exclusion

It's important to be cautious to avoid exclusion on formal grounds:

- Request confirmation of granted exemptions from the federation (if applicable, as often there is no need for exemptions).
- Request a separate changing room in advance when playing a match at a different club. The club can use a standard letter or email for this purpose, mentioning this guideline.
- Inform the referee before the match, so they can assist or intervene if necessary.
- Criticism of the policy might arise.
  Publicly support the policy to shield the athlete from this and engage in dialogue whenever necessary.

#### Supporting During Exclusion

If presence of a gender or sex diverse athlete still results in the exclusion of participation in the desired category:

- Engage in conversation with the opponents, referees, and/or officials.
   Open communication often dispels suspicion and misunderstanding. Briefly explain the situation, refer to this guideline and/or the member's card or exemption.
- Provide the athlete with the available supporting documentation (see exemptions). This can be used by the member in

case of protests or resistance.

- Opponents and/or parents/guardians might criticize a member's participation. This likely has a significant impact on the individual. It's important to support the member in this situation. This can be done in various ways, including through the confidential advisor of the federation or club. Find an option that suits the club and the athlete.
- Is there actual discrimination occurring? Report this to the Center for Safe Sport Netherlands and the relevant federation.

#### 'Everyone is Welcome': Thoughtfulness and Open Conversations Help

Everyone should be able to feel at home in sports. This is a message supported by the collective sports community and athletes. However, while this might seem common sense to some, others might not feel it as strongly. This is unfortunately sometimes the case even among gender and sex diverse individuals. Thoughtfulness and open conversations help. In this article, the Royal Dutch Swimming Federation (KNZB) and Amstelveen Rugby Club share their experiences with LGBTQ+ inclusivity and the steps they are taking to create an inclusive sports environment. We also talk to a passionate ice hockey player about what it means to truly feel welcome and seen.

#### Link to article



#### 4.5 Innovative Formats

Sports is an area where activities, especially training and competitions, are mostly organized in a binary manner (boy/girl, man/ woman). This can make it challenging to create formats that are inclusive for individuals who don't feel comfortable within this strict classification. Can the rules be expanded to be more inclusive, for instance, for non-binary individuals? Some ideas and practical examples are suggested below:

- In mixed competitions, use a distribution based on a gender ratio, e.g., 40% male, 40% female, and 20% gender diverse.
- Organize gender-neutral competitions or matches.
- Organize mixed-gender competitions up to a certain age.
- Communicate about existing mixedgender competitions.

#### 4.6 Uniforms and Dress Codes

Clothing is a recognizable factor in sports. At the same time, (sports) clothing is also a way to express oneself. It's important that sports clothing doesn't pose a burden on athletes and they feel comfortable in it.

Skirts or swimsuits are typically associated with femininity, and pants with masculinity or (gender) neutrality. Be aware that this association doesn't fit everyone, or that it might not be easy for everyone to find certain sizes or fits of clothing items. A club can assist an athlete in finding the right sports clothing.

- Be flexible regarding dress code guidelines, for example, in the choice between pants, culottes, skirts, or swimwear (see also section 4.3.1. on exemptions).
- Provide a gender-neutral option for training, competition and official travel attire.

• Ensure the availability of different sizes and fits.

#### 4.7 Changing and Showering

Every athlete should be able to safely use the changing rooms and shower facilities at the club. Discrimination based on sex characteristics, gender identity, and gender expression is not allowed, as described in the General Equal Treatment Act (Article 1, section 2).

Changing and showering are part of a team process. Not changing and/or showering in the same space might lead to exclusion and make someone feel 'different.' For others, however, showering and changing together presents no issue. It varies for each individual. Therefore, ensure that everyone can decide what feels safest for them.

- Always consult with the athlete first; their choice is leading.
- If possible, offer standard individual shower spaces for everyone.
- If possible, offer a unisex or genderneutral option.
- Accommodate changing in the referees' changing room if requested by the athlete. Make this space available without asking unnecessary questions that intrude on the athlete's privacy. Be aware that not every athlete might feel comfortable changing separately from the rest of the team.



#### Examples of Undesirable Behaviour, Negative Comments, and Discrimination in Sports

- A coach or instructor consistently using the wrong gendered terms and even the athlete's deadname.
- Telling an intersex person they are in the wrong changing room.
- A non-binary person being stared at by other athletes while playing.
- Remarks from opponents about the use of a transgender man's 'new' name (chosen name) in the early stages of his transition, while he's still playing for a women's team.
- A transgender boy in the early stages of his transition, while still in a girls' team, being told by opponents that it's unfair for a boy to participate.
- A transgender woman being denied access to the women's changing room.

- A transgender man being excluded from both the women's and men's tournaments.
- Being asked by the board or coach to keep their transgender identity hidden to avoid problems with other members.
- Being granted access to the referees' changing room only after answering personal questions about the need for extra privacy.
- Being frequently asked about their deadname.
- Reverting to a name the athlete's no longer uses when discussing the past instead of using the correct pronouns and current name (unless the athlete communicates their preference).
- Asking a non-binary person whether they were assigned male or female at birth.

# 4.8 Basic Requirements for Social Safety

The Basic Requirements for Social Safety model was developed in collaboration between the Association of Sport and Municipalities (VSG), NOC\*NSF (the Dutch Olympic Committee and Dutch Sports Federation) and sports federations. This model outlines four requirements that sports clubs should meet at a minimum to guarantee social safety within the club:

- Use the Free VOG (Certificate of Conduct)
  Scheme.
- Adhere to the Sports Code of Conduct.
- Appoint a Confidential Advisor/Contact
  Person.
- Provide training or e-learning for coachtrainers.

<u>Download</u> the full Basic Requirements for Social Safety for Sports Providers document for more information.

#### 4.9 Action Plan

To achieve a safe and inclusive sports culture, here's a summary of concrete steps to implement within your sports club or federation:

- Pay attention to athletes with different backgrounds, genders or sexes. Organize workshops or discussions, possibly together with your confidential advisor, to raise awareness.
- Ensure an inclusive and safe method of collecting personal information on registration forms or when athletes want to make changes.
- Communicate clearly and visibly where gender and sex diverse individuals can find support, before, during, and after a transition.
- Let athletes decide if, when, and how the club communicates about a (possible) transition. Publicly support the athlete

and provide assistance upon request.

- Only communicate about personal situations after consultation with and with the approval of the athlete and any parent/guardian.
- Maintain contact with athletes who sought out help and with team members, trainer-coaches, and involved individuals. Engage in dialogue if they struggle with the new situation.
- Be alert to exclusion due to undesirable behaviour, negative comments and discrimination. Take appropriate measures and support the athlete (e.g., in collaboration with a confidential advisor or the Center for Safe Sport Netherlands).
- Discuss with athletes (in transition) if there's a need to switch teams or categories (exemptions). Use this conversation to clarify the wishes for switching and, if applicable, when the athlete wishes to make the switch.
- Ensure that your club always receives written confirmation of approved exemption requests from the federation. Ensure the athlete has supporting documentation, which can be valuable in case of protests or resistance.
- Refer to this guideline with clubs, trainers, and referees.
- Request a separate changing room for matches and inform the referee, if the athlete requests it.
- Discuss innovative formats. Explore opportunities for broadening or redesigning your sport.
- Be flexible regarding dress code guidelines. Offer a gender-neutral option for training, competition, and official (travel) attire. Make different sizes and fits available for training or competition clothing. Ensure athletes can request an exemption if they experience limitations or

reduced enjoyment.

- Consider shower and changing room alternatives and discuss this with the respective athlete.
- Check the Basic Requirements for Social Safety for Sports Providers document for minimum club obligations.



### 5. Elite Sports

In the previous chapters of this guideline, the focus was on the acceptance of gender and sex diverse individuals within club settings and grassroots sports. This chapter deals with specific guidelines within elite sports.

The International Olympic Committee (IOC) and most international federations have regulations regarding the participation of transgender and intersex elite athletes in international elite level competitions. These rules are often still under development and subject to change. In this chapter, we provide an overview of the current international regulations and offer space for deviating Dutch regulations. An overview of the current international guidelines can be found at www.transathlete.com.

Through frequently asked questions, it becomes clear which guideline applies when and how a Dutch sports federation can formulate its own sport-specific guideline:

## 5.1 Is the new 2021 IOC Framework always decisive?

No. The IOC framework is only decisive during participation in the Olympic Games. During qualification matches for the Olympics (and Paralympics), the IPC regulations apply, and so the IOC frameworks are generally not decisive. An athlete could face exclusion and/or limitations if the athlete qualifies for the Olympic or Paralympic Games while the guideline was not applied during qualification. This is partly why some international federations have translated the IOC guidelines to apply to all elite level competitions within their respective sports. Currently, the international federations for Rugby, Swimming, Athletics, and Triathlon have done so. However, a significant portion of international federations has yet to translate or has incomplete translations of the IOC framework.

The IOC has changed its approach, delegating the creation of specific inclusion policies to international federations and national Olympic committees.

The new 2021 IOC Framework states:

- Sports differ significantly from each other, so there can't be generic guidelines from the IOC for the inclusion of gender and sex diverse elite athletes.
- Each sport should formulate its own criteria specific to that sport to enable the participation of transgender elite athletes.
- The IOC encourages the consideration of ethical, social, and legal aspects in creating these criteria.
- The IOC does not make a choice between fairness and inclusion as guiding values.
- The criteria set by international fede rations must not lead to the exclusion of transgender individuals.

The IOC Framework 2021 can be found here.

Some principles stand out because they present a clear difference from previous IOC policies:

- 1.4 When formulating policies regarding sexual and verbal abuse in sports, the interests of gender and sex diverse athletes must be well safeguarded.
- 1.5 International federations should align their criteria with IOC principles.
- 2.2 Sports organizations should prevent harm resulting from the application of these criteria.
- 3.1 The criteria must not lead to discrimination or exclusion of gender and sex diverse elite athletes.
- 3.3 Athletes should not be subjected to examinations to determine their sex /gender.
- 4.1 When establishing criteria, sports organizations must determine what constitutes a disproportionate advantage after changes in the body and how this advantage should be determined.
- 5.1 A thletes should not be excluded on the suspicion of gaining an advantage after transitioning.
- 6.1 Sports-specific policies regarding gender inclusion in elite sports must be supported by evidence-based, peer-reviewed scientific research.
- 6.2 Athletes retain the right to participate in elite level competition(s) and should have the ability to appeal adverse decisions.
- 7.1 Athletes should not be pressured to use substances or undergo medical procedures to meet the criteria for participating in a specific gender category.
- 8.1 Sports organizations should consult a cross-section of their members

(athletes) when formulating any participation criteria for gender and sex diverse elite athletes.

Which frameworks are applicable for international competition in the absence of an explicit guideline from the international sports federation?

During world championships, European championships and other international qualification matches or tournaments, the frameworks of the respective international sports federation generally apply. As mentioned, not every international sports federation has its own guideline for gender and sex diverse elite athletes. To address this gap, NOC\*NSF (the Dutch National Olympic Committee and Dutch Sports Federation) commissioned a Research document (published in February 2023) on sex and gender in elite sports from ESPRIT, the 'Erasmus Center for Sport Integrity & Transition' (Erasmus University Rotterdam).



# 5.2 The Research Document from NOC\*NSF

The balance between fairness and inclusion is delicate in elite sports. Elite sports are inherently somewhat unfair, with opponents striving for better equipment, bigger capacity, or other advantages. Surprising, unpredictable victories are what make elite sports so captivating. To channel the discussion, this document provides a current overview of the key scientific sources in this field; they have been assessed for validity and reliability, and are combined with a critical analysis of the most common arguments concerning gender inclusion in (elite) sports. The document offers insights into the developments of the IOC, international federations, and an overview of scientific research in the field of gender, sex, and elite sports.

#### The main conclusions of the Research document include:

- Although most people think of sex as binary (male-female), in reality sex is much more diverse. All six sex characteristics can vary within individuals, resulting in various combinations.
- Sex and gender are intertwined, as our understanding of sex is coloured by our socialization and current socio-cultural beliefs.
- The tradition in sports of segregating women and men is primarily based on convictions and ideologies about what it means to be a man or a woman, not on scientifically validated research.
- Approximately 1.7% of the world's population, or 1 in 60 people, have a variation of intersex, sometimes also called DSD; this is more common in women than in men. Forcing women with an intersex condition to artificially lower their testosterone levels, chemically

or through surgery, can have severe and irreversible health effects. Forcing them to do so to be able to participate in competitions is unethical.

- Limited research has been conducted on transgender women and their alleged higher performance capabilities. Particularly, research where testosterone was measured at a low level (level Y) for a certain period (period X) is lacking.
   Further research is necessary for a nuanced judgment and to prevent transgender women from being excluded too quickly and without grounds.
- While men generally have higher testosterone levels than women, this is not always the case. There's a gray area. Moreover, testosterone levels don't necessarily indicate the amount of testosterone the body actually uses. Whether measuring testosterone levels is valuable for establishing guidelines should be determined through further research.
- The IOC and many international sports federations impose strict rules on both transgender women and women with an intersex condition to allow them to compete in the women's category. The IOC's 2021 framework is open to multiple interpretations and thus leads to regulations not based on scientifically validated research and varying across sports.
- Defining what constitutes a (dis)advantage in elite sports is a significant debate. Height can be an advantage in many sports but a disadvantage in others. More than 200 genetic variations have been found to impact athletic performance, oxygen uptake, muscle proteins, and many other factors.

#### Read the research document here

# 5.3 NOC\*NSF intends to implement the following research process:

- NOC\*NSF aims to collaborate with a multidisciplinary group of experts and scholars to produce high-quality data, critical insights, and qualitative analyses from various scientific perspectives. The goal is to provide better advice and guidance for appropriate policies in elite sports.
- 2. Internationally (IOC, IPC, ANOC, and international federations) NOC\*NSF intends to actively disseminate the insights from the research document and the findings of the multidisciplinary group of experts and scholars to collectively formulate better policies.
- 3. NOC\*NSF aims to support national sports federations in developing their own policy trajectories for their sports by offering process guidance and multidisciplinary expertise. Support will also be provided to national sports federations in their collaboration with international federations.



#### 5.4 Who determines participation in Dutch elite sports and how is it decided?

In Dutch (elite) competitions and national championships, a national sports federation assesses whether an elite athlete is subjected to exclusion and/or limitation(s) of participation. Careful consideration is important when making decisions regarding exclusion and/ or limitation(s). Specific criteria for the respective sport can assist in this process. When creating these criteria, the following advice is suggested:

- Define the boundary between grassroots sports and elite sports to clarify when an athlete qualifies as an elite athlete and needs to adhere to (possible) additional conditions. The boundary varies for each federation and sport.
- Ensure that the pathway to elite sports remains accessible to everyone. This prevents talented athletes from being excluded prematurely from their journey to becoming elite athletes and provides everyone with equal opportunities for development.
- Investigate whether the international federation has an existing guideline. If so, verify if this guideline aligns with the context of your national federation and is not in conflict with Dutch legislation (such as the General Equal Treatment Act). NOC\*NSF can offer support in this regard.
- Are the rules of the international federation perceived as too stringent? Engage in discussions and involve NOC\*NSF. Assess whether the stricter rules are proportional to fair competition and whether they avoid unnecessary exclusion.

- Ensure that the Dutch guideline is not stricter than that of the international sports federation. This can be substantiated using the scientific sources collected in the NOC\*NSF Research document. It's advisable to periodically update the sport-specific guideline to reflect current conditions. Stay informed about inter national developments and coordinate with NOC\*NSF.
- Stay informed about the international debate on gender inclusion in (elite) sports, new (inter)national insights, and jurisprudence. Regularly evaluate your own policy.

#### 5.5 World Anti-Doping Agency (WADA) and Doping Authority

Not all international frameworks concerning gender diversity and inclusion in (elite) sports are fully aligned. Besides meeting the specific participation criteria of their (inter)national federation, elite athletes must also comply with the rules of the World Anti-Doping Code, issued by the International Anti-Doping organization WADA. WADA currently monitors maximum androgen levels for elite athletes, but these indicators are subject to change. If a gender or sex diverse athlete has been granted elite athlete status by the federation while using medication listed on the prohibited substances list for medical reasons, they can apply for a Therapeutic Use Exemption (TUE). The Therapeutic Use Exemption Athlete (TUE Athlete) committee handles the application for a statement allowing the use of the medication. These steps and the official exemption request can be found here.

Finally: Ensure transparent and careful decision-making when it could lead to limitations of participation. Transparent and careful decision-making entails:

- A clearly written and publicly accessible policy document outlining the conditions and criteria for exclusion or limitations of participation.
- A short timeframe for the decision making, so athletes know where they stand as soon as possible.
- A clearly formulated decision that explicitly and consistently explains the considerations towards the athlete in line with the policy document.
- Providing the elite athlete with the opportunity to respond to or appeal the decision.
- Regularly re-evaluate imposed limitations.

#### Practical Example: Boundary Between Grassroots and Elite Sports

In elite sports, a Dutch federation may encounter a guideline from an international federation that contradicts the inclusive sports values the Dutch federation upholds. However, generally, federations apply the international guideline for elite competitions. But there's an alternative approach. It's recommended to determine the boundary between grassroots and elite sports yourself. For instance, a grassroots and elite sports in such a way that only the Dutch national team falls under elite sports, where the international guideline applies. This ensures that on other high levels of elite sports (such as U18 and U23, or regional championships), everyone has the opportunity to develop as individuals and simultaneously experience the sport at a high level.



### **Guideline flowchart**

#### International frameworks

- Universal Declaration of Human Rights
- International and European laws and regulations
- European commission: Towards More Gender Equality in Sport (2022)

International Olympic Committee and International sports federations

- IOC framework(2021)
- Sports-specific international guidelines
- Sports-specific review studies, research and position papers

#### National sports associations and NOC\*NSF

- Dutch laws and regulations
- NOC\*NSF and sports associations: generic guideline & sports specific guideline and competition classification

This visual represents the complex landscape of diverse guidelines, documents, guidance, and policies. Each national sports federation must navigate these organizations to create coherent policies, define their position, and offer policy advice.

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### Resources

<sup>1</sup>NOC\*NSF, Alliantie Gelijkspelen, in collaboration with KNZB, KNVB, KNHB, the Royal Dutch Athletics Federation and the Netherlands organization for sex diversity (NNID). This Guideline for Inclusion of Gender and Sex Diverse Individuals is a translation from the original version: Richtlijn Gender- en Seksediverse Personen, 2021 and 2022 (NOC\*NSF, Arnhem).

<sup>2</sup> The General Equal Treatment Act (Awgb) says that discrimination is prohibited in the Netherlands.

<sup>3</sup> S. Le Menestrel & D.F. Perkins (2007), 'An overview of how sports, out-of-school time, and youth wellbeing can and do intersect', in: New Directions for Youth Development, vol. 115, afl. 5, (13), p. 13-14.

<sup>4</sup> More information on: https://www.mulierinstituut.nl/onderzoeksthemas/diversiteit/ gender-en-seksuele-voorkeur/

<sup>5</sup> R. Cremers & A. Elling (2020), Sportdeelname en ervaringen van transgender personen, Mulier Instituut, Utrecht.

<sup>6</sup> DSD stands for: 'Differences in Sex Development'.

<sup>7</sup> S. Keuzenkamp, D. Bos, J.W. Duyvendak & G. Hekma (2006), Gewoon doen. Acceptatie van homoseksualiteit in Nederland; J. van Lisdonk, L. Nencel & S. Keuzenkamp (2018), 'Labeling same-sex sexuality in a tolerant society that values normality: the Dutch case', in: Journal of homosexuality, 65(13), p. 1892-1915.

<sup>8</sup>O. Klein, M. Snyder & R.W. Livingston (2004), 'Prejudice on the stage: Self-monito ring and the public expression of group attitu des', in: British Journal of Social Psychology, 43(2), p. 299-314; E.A. Plant & P.G. Devine (1998), 'Internal and external motivation to respond without prejudice', in: Journal of personality and social psychology, 75(3), p. 811; J.D. Vorauer & C.A. Turpie (2004), 'Disruptive effects of vigilance on dominant group members' treatment of outgroup members: choking versus shining under pressure', in: Journal of personality and social psychology, 87(3), p. 384.

<sup>°</sup> An aspect that still undergoes much discussion. A further explanation: both men and women produce testosterone; we all need it for many reasons, such as proper liver function and bone density. Men typically have higher testosterone levels than women, but there are many women with high levels and men with low levels. Testosterone needs to be linked to receptor cells to be used by the body, and some people have more of these cells than others, and some have more efficient receptor cells than others. This means that the level of testosterone in blood or saliva does not indicate how much testosterone the body actually uses.

### Contact

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