

PRESS STATEMENT

10 September 2020

Demand justice for Caster Semenya! End sexism in sports, respect bodily integrity and autonomy

Olympic gold medalist Caster Semenya, lost an appeal this week (8 September 2020) in the Swiss Supreme Court. The Court ruled that the requirements of the International Association of Athletics Federations (IAAF) in subjecting certain female athletes to use drugs or surgical interventions as a pre-condition to be permitted to compete in certain sporting activities are not a violation of Swiss public policy. The IAAF requires the blood testosterone level of female athletes with differences of sex development to be reduced and maintained for as long as the athlete wishes to remain eligible. These regulations expose female athletes to invasive, embarrassing, and humiliating procedures. Female athletes are more vulnerable to negative media exposure and societal stigma and discrimination illustrating gender inequality in the fabric of our society.

Semenya has been fighting for her right to compete in sporting events without forced medical interventions and scrutiny for over 10 years and as it is, Semenya stands her ground. Her efforts to overturn the rulings by IAAF persist. There is also the suspicion that the ruling supports World Athletics' efforts to prevent Semenya from defending her 800m gold medal at the Tokyo Olympics in the summer of 2021 and in participation to other categories. The IAAF has been relentless in ensuring that Semenya is withdrawn from racing activities.

Since 2009, during the formative years of her career, Semenya has been subject to intersexuality and gender verification tests that violated her privacy, dignity, and overall human rights. Semenya's gender was questioned publicly and her medical confidentiality was not protected by the IAAF. The discrimination experienced by Semenya must be looked at from various dimensions. Harsh scrutiny and prejudice are reported to be especially worse towards women belonging to certain racial groups, gender identity and sexual orientation. While intersex rights are recognised in South Africa, intersex persons are often invisible in the social sphere with some South Africans still denying that intersexuality exists. Intersex children experience forced sterilisation and certain cultures and traditions make intersex persons vulnerable to harmful practices. It is fundamental that we work towards eliminating stigma, discrimination, and violence towards intersex persons in sports, institutions, and society. There is a need to intensify gender-based legal protections.

Currently, it is reported that Semenya is looking into her options, noting that the World Medical Association (WMA) has called on physicians around the world to take no part in implementing the World Athletics regulations and has demanded their immediate withdrawal.

Executive Director of Access Chapter 2 said "IAAF remains sexist, homophobic and racist. We remain resolute that Caster deserves a just system not only for herself but for many sex and gender diverse persons who continue to be in the marginalized. Without justice and equity, many inequalities will continue in the world of sports.

Caster Semenya has the full support of Access Chapter 2 and we acknowledge the positive impact her determination and perseverance has had on women and girls in all their diversities, her struggle for justice and equality is not disconnected to many challenges that the LGBTI community continues to experience.

We, however, call on the IAAF to overturn its ruling once again and to consider basic human rights and respect for bodily integrity and autonomy.

We further call on IAAF to review its policies to be inclusive and recognise intersex persons and respect of various sex characteristics that exist within individuals.

We further call on South African Government to condemn the unjust and bad judgement. In addition to the Government to stand up and fight with Caster Semenya and not only celebrate her when she brings medals while representing the country. SA must not allow prejudice, discrimination and inequalities to persist against our people.

We call on allies to raise various voices in various spaces to challenge these inequalities within the IAAF.

We cannot stress our concern with these regulations and the negative stereotypes that persist and subject people to fit boxes and binaries. They are a complete denial of one's dignity and integrity.

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