



## **Athletics Canada Policy on Transgender, Gender Diversity, and Inclusion**

### **Preamble**

Athletics Canada believes all people, regardless of age, gender, ethnicity, or ability, should have the opportunity to participate in athletics.

It is widely known that inclusive and safe sport benefits all participants<sup>1 2 3</sup>. These benefits include increasing self-esteem<sup>4</sup>, developing sound work habits, perseverance in the face of obstacles<sup>5</sup>, improved academic attainment<sup>6</sup>, reduced youth criminalization<sup>7</sup>, and improved physical and mental health outcomes.<sup>8 9</sup> Studies confirm that people who are excluded from sport on the basis of their gender identity, gender expression, or intersex status do not reap the benefits of sport<sup>10</sup>. In fact, exclusion from sport further isolates and marginalizes this vulnerable group, exacerbating negative social and health outcomes<sup>11</sup>.

We also acknowledge the importance of maintaining fairness and competitive integrity for female sport. Our aim is to eliminate barriers to participation for transgender athletes, while also maintaining the integrity and fairness in female sport.

At all times, Athletics Canada shall respect the Canadian Charter of Rights and Freedoms and act in a manner consistent with the Canadian Human Rights Act, 1985. Athletics Canada also recognizes that Bill C-16 (an act to amend the Canadian human rights act and the criminal code) adds gender identity and expression to the list of prohibited grounds of discrimination in Canada<sup>12 13 14 1</sup>.

Athletics Canada also acknowledges that the governing bodies for Athletics, World Athletics and World Para Athletics, determines the parameters for qualification for International Competitions which impacts athletes and their ability to compete in these competitions.

This policy has practical applications in three main areas:

1. Grassroots Competitions - for local competitions, fun runs, and other athletic events that are geared towards participation rather than performance (e.g., any domestic competition that is not sanctioned by World Athletics or World Para Athletics), athletes shall be able to compete in the gender category in which they identify. There shall be no restrictions placed on transgender athletes.
2. World Athletics Sanctioned Competitions - any competition that is categorized and/or sanctioned by World Athletics or World Para Athletics must adhere to World Athletics or World

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Para Athletics regulations around transgender athletes. The policy that follows indicates how transgender athletes may compete in the gender category in which they identify.

3. Athletics Canada, its Provincial/Territorial Branches, and members may wish to establish an open category in athletics competitions, in which an athlete who meets the eligibility for that event would be able to compete without regard to their sex, their legal gender, or their gender identity.

#### **Definitions:**

**Domestic competition:** any competition, for any age group, in any of the disciplines governed by Athletics Canada held in Canada. In a domestic competition, athletes are not representing their countries, but may represent other affiliations such as clubs, regional teams, provincial/territorial teams, or corporate sponsors.

**International competition:** any competition where athletes, selected by Athletics Canada, compete against athletes representing other countries. Examples of these include (but are not limited to) the Olympics, Paralympics, World Championships, and Commonwealth Games. It also includes competitions in the World Athletics Series and other competitions organized by or on the behalf of World Athletics/World Para Athletics or as specified in the WA/WPA Competition Rules and Regulations

**World Athletics Categorised Competition:** any stadium or out of stadia competition that is categorised by World Athletics under clause 1.3 of the World Ranking Rules ([www.worldathletics.org/world-ranking-rules/basics](http://www.worldathletics.org/world-ranking-rules/basics)) where the Eligibility Rules for Competition apply.

**World Athletics Sanctioned Competition:** an over-arching category of competitions which include all worldwide competitions, and at all levels, capable of delivering events in full compliance with World Athletics Rules and Regulations.

**Competitive category:** athletics competitions are divided into two competitive categories, male and female. An athlete's competitive category is the group against whom they compete, either men or women.

**Athlete:** refers to any individual registered as a participant/competitor within Athletics Canada

**Gender:** the socially constructed roles, behaviours, activities and attributes that a society assigns to masculinity or femininity

**Gender diversity:** a term that captures the wide range of ways people understand their identities, which is more complex, or different from, traditional gender categories of male and female. The term gender diversity acknowledges and respects the ways people identify outside of the traditional binary male/female gender.

**Gender identity:** a person's deeply-held sense or knowledge of their own gender.

**Gender confirmation:** medically-supervised program of treatment to transition a person's body to align with their gender identity through hormone therapy and/or surgery.

**Gender expression:** the way an individual represents or expresses gender to others through behaviour, hairstyles, activities, voice, mannerisms, etc.

**Non-binary:** common term used to refer to the fluidity of gender along the gender spectrum (Also Gender Queer and Gender Fluid)

**Transgender:** people whose gender identity differs from the sex they were assigned at birth

**Transgender Boy/Man:** someone who was assigned female sex at birth, but whose gender identity is male

**Transgender Girl/Woman:** someone who was assigned the male sex at birth, but whose gender identity is female

**Self-identification:** The act of personally identifying oneself as belonging to a specific group of people, or as having a specific identity.

**Inclusion:** acceptance of individuals with diverse personal characteristics into a group or organization regardless of those characteristics. Athletics Canada understands that an important facet of inclusion is putting forth an ongoing and honest effort to create an organizational framework where people with a wide range of diverse characteristics and identities can thrive.

**Intersex:** A term used to describe a person born with reproductive anatomy, chromosomes and/or hormones that are not easily characterized as male or female. This might include a woman with XY chromosomes or a man with ovaries instead of testes. Intersex characteristics occur in one out of every 1,500 to 2,000 births. Typically, intersex people are assigned one sex, male or female, at birth. Some intersex people identify with their assigned sex, while others do not. Some choose to identify as intersex, whereas others do not.

## 1. Inclusion Principles

- 1.1. Athletics Canada recognizes the immense physical, psychological, and social benefits of participating in sport.
- 1.2. Athletics Canada is committed to fostering a safe, inclusive environment for all athletes, coaches, officials, volunteers, and staff.
- 1.3. Athletics Canada believes that everyone, regardless of their gender identity, expression and/or sex variations should be able to participate in sport safely and without prejudice.
- 1.4. Maintaining fairness and competitive integrity for female sport.

## 2. Purpose

- 2.1. To provide clarity and guidance for the participation of Transgender and Gender Diverse Athletes in athletics competitions conducted in Canada in the context of Athletics Canada as a member federation of World Athletics and World Para Athletics;

- 2.2. To maintain athlete eligibility in World Athletics and World Para Athletics Sanctioned Competitions recognizing the separate competition categories for males and females as defined according to those separate and independent rules and regulations.
- 2.3. In competitions other than World Athletics and World Para Athletics Sanctioned Competitions, athletes, regardless of age, may participate in any single-sex event based on the gender with which they identify.
- 2.4. To provide a clear, fair, respectful, and confidential process by which athletes may establish their eligibility for Domestic & International competitions.
- 2.5. Athletics Canada acknowledges that:
  - 2.5.1. It is a member organization of World Athletics & World Para Athletics
  - 2.5.2. World Athletics & World Para Athletics enforce rules relating to participation of transgender men and transgender women athletes at World Athletics and World Para Athletics governed competitions; and
  - 2.5.3. Various Athletics competitions conducted in Canada are relevant to National Team selection and representation at World Athletics / World Para Athletics competitions.

### **3. Policy Scope and Application**

- 3.1. This policy applies to Athletics Canada and all Member Branches of Athletics Canada
- 3.2. This policy applies to transgender and gender diverse athletes who seek to compete in World Athletics and World Para Athletics Sanctioned competitions conducted by Athletics Canada or its Member Branches in Canada which are required to adhere to World Athletics and World Para Athletics Rules and Regulations.
  - 3.2.1. Competitions sanctioned by World Athletics / World Para Athletics include:
    - i. Olympic Games / Paralympic Games
    - ii. World Athletics Series
    - iii. The athletics programme of Games and other athletics competitions with participants from different areas
    - iv. One-day meeting circuits / Road Races
      - a) Diamond League
      - b) World Athletics Continental Tour, World Athletics Indoor Tour, Combined Events, Race Walking and Cross Country Tours
      - c) Label Road Races (limited to elite component and defined by race organizer)
      - d) International Competitions including teams from different Areas.

3.2.2. Competitions sanctioned by World Athletics and World Para Athletics and conducted by an Area Association include:

- i. Area Championships (all types and disciplines)
- ii. Intra-Area Championships
- iii. The athletics programmes of Games and other athletics competitions with participants confined to one Area
- iv. One-day meeting circuits (Gold, Silver, Bronze, or Area Permit level)
- v. International Competitions between teams from same Area (sanctioned by Area Association)

3.2.3. Competitions sanctioned by World Athletics and World Para Athletics and conducted by Athletics Canada include:

- i. National Championships (for all disciplines included within the World Athletics and World Para Athletics Championships and World Athletics Indoor Championships competition programme)
- ii. Selected domestic competitions as identified by Athletics Canada and subject to appropriate notification to the relevant Area and World Athletics or World Para Athletics.

3.3. This policy applies to athletes. For the avoidance of any doubt, this policy does not apply to coaches, officials, athlete support personnel, administrators, or any other roles.

3.4. This policy does not apply to any other activity undertaken by a Member Branch or to activities which are ancillary to competition (e.g., Coach Education, Officials Training).

3.5. This policy is not intended to apply to individuals of Intersex Status where an individual is participating in the category consistent with their Sex as assigned at birth. However, the [World Athletics Eligibility Regulations for the Female Classification](#) may be relevant for individuals of Intersex Status.

#### **4. World Athletics and World Para Athletics /Sanctioned Competitions**

4.1. World Athletics and World Para Athletics Sanctioned Competitions are those competitions authorized by World Athletics, World Para Athletics, and are dependent on all World Athletics and World Para Athletics Rules and Regulations being met to be considered as valid for World Rankings, Top Performance Lists, Entry Standards, World Records, Qualification to major Championships and Olympic/Paralympic Games, and any other World Athletics / World Para Athletics statistical purpose.

4.2. At World Athletics and World Para Athletics Sanctioned Competitions conducted in Canada, an Athlete must comply with the Eligibility Rules for the Competition set out by World Athletics and World Para Athletics, including the [World Athletics Eligibility Regulations for Transgender](#)

[Athletes](#). The specific eligibility conditions are set out in section 3 of the World Athletics Eligibility Regulations and, in summary, include:

- 4.2.1. Transgender male athletes who wish to participate in the male category are required to provide a written and signed declaration that their Gender Identity is male to Athletics Canada Chief Medical Officer.
- 4.2.2. Transgender female athletes who wish to participate in the female category are required to provide:
  - 4.2.2.1. a written and signed declaration that their Gender Identity is female;
  - 4.2.2.2. demonstrate that the concentration of testosterone in their serum has been less than 5 nmol/L continuously for a period of at least 12 months; and
  - 4.2.2.3. keep their serum testosterone concentration below 5 nmol/L in order to maintain eligibility to compete in the female category.
- 4.2.3. For the avoidance of doubt, this means any competition that is conducted by Athletics Canada and/or an Athletics Canada Member Branch that has been duly sanctioned and/or categorized according to clause 1.3 of the World Athletics Ranking Rules and is listed on the World Athletics Competition Calendar. This includes, but is not limited to, events such as the Athletics Canada's U16, U18, U20, and Senior National Championships (Track & Field, Cross Country, Road Running, Mountain/Ultra/Trail Running).
- 4.2.4. In the case of mass participation events conducted in Canada with a World Athletics Categorization (e.g., Gold, Silver or Bronze Label Marathons and Road Races) or any World Athletics and World Para Athletics Sanctioned events conducted within mass participation events open to the public (e.g., Canadian Marathon Championships), the application of the Eligibility regulations shall only apply to participants in the recognised elite and/or National Championship section of that event.

## **5. Domestic Competitions**

- 5.1. In competitions other than World Athletics and World Para Athletics Sanctioned Competitions, athletes, regardless of age, may participate in any single-sex event based on the gender in which they identify. This could include, for example, local grassroots competitions, fun runs, mass participations events (apart from elite sections).
- 5.2. In registering for a domestic competition, an athlete may select the category that best reflects their gender identity and sense of self.
  - 5.2.1. Coaches, officials, staff, and volunteers must support an athlete's right to select a competitive category that best matches their gender identity.
- 5.3. Athletes who do not meet the Eligibility Rules for Competition set out by World Athletics and World Para Athletes, including the World Athletics Eligibility Regulations for Transgender Athletes for the male (See 5.2.1) or female (See 5.2.2) category may compete in any open

events that Athletics Canada or its Member Branches may develop in the future. Athletics Canada will begin work to determine the feasibility of establishing an open category in Athletics disciplines, in which an athlete who meets the eligibility criteria for that event would be able to compete without regard to their sex, their legal gender, or their gender identity.

## **6. Provincial, National, Area, and World Records**

- 6.1. In order for an athlete's performance to be considered for a U16, U18, U20, or Senior Provincial, National, Area, or World Record, an athlete must first meet the [World Athletics Eligibility Regulations for Transgender Athletes](#).

## **7. Assessment of Eligibility**

- 7.1. As a Member Federation of World Athletics and World Para Athletics, Athletics Canada, and by affiliation, its Member Branches, are required to comply with various World Athletics and World Para Athletics policies.
- 7.2. For the purpose of confirming an athlete's Eligibility for World Athletics & World Para Athletics Sanctioned Competitions conducted in Canada by Athletics Canada and or its Member Branches, Athletics Canada shall defer assessment and decisions on Eligibility to an Expert Panel as established by Athletics Canada.
- 7.3. Athletes must submit documentation in accordance with clause 3 of the [World Athletics Eligibility Regulations for Transgender Athletes](#) to Athletics Canada's Chief Medical Officer for review by the Athletics Canada Expert Panel prior to the Athlete participating in a World Athletics & World Para Athletics Sanctioned Competition.
- 7.4. The Expert Panel will follow an assessment process in line with clauses 4.3 to 4.8 of the World Athletics Eligibility Regulations for Transgender Athletes to determine Eligibility.
- 7.5. In some instances, Athletics Canada may be required or choose to refer assessment of eligibility to World Athletics or World Para Athletics in which case the assessment of eligibility will be determined by World Athletics or World Para Athletics in accordance with the processes outlined in the World Athletics Eligibility Regulations for Transgender Athletes policy.

## **8. Selecting a Competitive Category**

- 8.1. Subject to the requirements set forth in this policy, all athletics athletes are eligible to compete in the men's or women's category in World Athletics and World Para Athletics Sanctioned competitions and to set Provincial, National, and World Records, whatever their legal gender, gender identity, or gender expression. No athlete is excluded from an athletics competition or from setting Provincial, National, or World Records based on their legal gender, gender identity, or gender expression.
- 8.2. Each calendar year, athletes will have the option to register with their Provincial/Territorial Branch as competitive or non-competitive members. Competitive Members 14 years and older (the age at which athletes first become eligible to compete at World Athletics & World Para Athletics Sanctioned Competitions), will be required to select and certify the gender category in which they are eligible to compete. Failure to do so, or provision of a false certification, will

render the athlete ineligible. For the avoidance of doubt, athletes under the age of 14 or “Non-Competitive” members of any age will have the option to register in the gender category in which they identify.

- 8.3. During the registration process athletes may also select the gender which best reflects their gender identity and sense of self.
- 8.4. In cases where an athlete has undergone or is currently undergoing a gender transition and wishes to compete in a World Athletics and World Para Athletics Sanctioned Competition in the category of competition consistent with his/her gender identity they must adhere to [World Athletics Eligibility Regulations for Transgender Athletes](#).
- 8.5. The situation may arise when an athlete is not sure in which category to compete. The following individuals may contact Athletics Canada for confidential guidance on this issue:
  - 8.5.1. The athlete themselves
  - 8.5.2. The athlete’s parent(s) or guardian, if the athlete competes in the Under 20 age group or younger age classifications
  - 8.5.3. The athlete’s personal coach, with permission from the athlete. The coach must obtain the athlete’s permission even if the athlete competes in the Under 20 or younger age classifications
- 8.6. For the avoidance of doubt, no athlete will be forced to undergo any medical assessment and/or treatment. It is the athlete's responsibility, in close consultation with his/her medical team, to decide on the advisability of proceeding with any assessment and/or treatment.
- 8.7. **Switching Competitive Categories**
  - 8.7.1. **International Competitions.** As per the [World Athletics Eligibility Regulations for Transgender Athletes](#) (Section 3.5), once a Transgender athlete has satisfied the relevant eligibility requirements and has started participating in International Competition in the category of competition consistent with his/her gender identity, he/she may not then switch back to participating in the other gender category in International Competition unless and until (a) at least four years have passed since the first International Competition in which he/she participated as a Transgender athlete; and (b) he/she satisfies all of the conditions for eligibility to compete in the other gender category.
  - 8.7.2. **Domestic Competitions.** If the athlete is not competing in international competitions and solely competing in domestic competitions, an athlete may change their competitive category at any time during the year and such request will be considered by Athletics Canada and/or Provincial/Territorial Branch.

## 9. Objections

- 9.1. Coaches who are not the athlete’s personal coach, members of the public, officials, and any other individual or group who is not listed above are prohibited from asking questions about an individual athlete’s right to compete in their competitive category.

- 9.2. Contesting or protesting an athlete's right to compete in their competitive category is prohibited and could be considered Psychological Maltreatment and a violation of the AC Code of Conduct

## **10. Complaints or Appeals**

- 10.1. Any complaint or appeal in relation to this policy is to be submitted to the Office of Athletics Canada's Commissioner. Commissioner@athleticscommissioner.ca.

## **11. Anti-Doping Requirements**

- 11.1. Athletics Canada encourages athletes to seek information regarding the status of any medications they are using to determine their Therapeutic Use Exemptions (TUE) requirements for the use of prohibited medications, and to ensure compliance with World Athletics / World Para Athletics Anti-Doping Rules and WADA Code requirements where necessary. The CCES provides assistance to all athletes with these aforementioned tasks.

## **12. Uniforms**

- 12.1. Participants, regardless of their gender identity or competitive category, may wear the uniform of their choosing, so long as it conforms with the relevant rules of competition.

## **13. Periodic Reviews**

- 13.1. Athletics Canada commits to continually monitoring and evaluating this policy so as to maintain those inclusion principles and purpose statements outlined herein while updating to reflect any changes in International Competition guidelines that may otherwise impact its athletes.

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<sup>1</sup> Eime RM, Young JA, Harvey JT, Charity MJ, Payne WR (2013). “A systematic review of the psychological and social benefits of participation in sport for children and adolescents: informing development of a conceptual model of health through sport”, *International Journal of Behavioural Nutrition and Physical Activity* Vol 10, No. 1, 98.

<sup>2</sup> Everard K. M., Lach H. W., Fisher E. B., Baum C. M. (2000). “Relationship of activity and social support to the functional health of older adults”. *Journals of Gerontology Series B: Psychological Sciences and Social Sciences*, Volume 55, 208-212.

<sup>3</sup> Stathi A., Fox K. R., McKenna J. (2002). “Physical activity and dimensions of subjective well-being in older adults”. *Journal of Aging & Physical Activity*, Vol. 10, No. 1, 76-92.

<sup>4</sup> Kelinske, B., Mayer, B.W., and Chen, K. (2001), "Perceived benefits from participation in sports: a gender study", *Women in Management Review*, Vol. 16 No. 2, 75-84.

<sup>5</sup> Nothnagle, E., Knoester, C (2022), “Sports participation and the development of grit” *Leisure Sciences: An Interdisciplinary Journal*. Published online June 21, 2022: <https://www.tandfonline.com/doi/full/10.1080/01490400.2022.2090037>

<sup>6</sup> Wretman, C., (2017), “School sports participation and academic achievement in middle and high school”, *Journal of the Society for Social Work Research* Vol 8, No. 3, 399-420.

<sup>7</sup> Jugl, I., Bender, D. & Lösel, F. (2021) “Do Sports Programs Prevent Crime and Reduce Reoffending? A Systematic Review and Meta-Analysis on the Effectiveness of Sports Programs” *Journal of Quantitative Criminology*. Published online Nov 6, 2021: <https://link.springer.com/content/pdf/10.1007/s10940-021-09536-3.pdf>

<sup>8</sup> Eime RM, Young JA, Harvey JT, Charity MJ, Payne WR (2013). “A systematic review of the psychological and social benefits of participation in sport for children and adolescents: informing development of a conceptual model of health through sport”, *International Journal of Behavioural Nutrition and Physical Activity* Vol 10, No. 1, 98.

<sup>9</sup> Sanders CE, Field T, Diego M, Kaplan M. (2000), “Moderate involvement in sports is related to lower depression levels among adolescents”, *Adolescence*. Vol. 35, No. 140, 793-797.

<sup>10</sup> Caudwell, J. (2014). “[Transgender] young men: gendered subjectivities and the physically active body”, *Sport, Education and Society*, Vol 19, Issue 4, 398-414

<sup>11</sup> Hargie, O., Mitchell, D, Somerville, I, (2016), “ ‘People have a knack of making you feel excluded if they catch on to your difference’: Transgender experiences of exclusion in sport”, *International Review for the Sociology of Sport* Vol 52, No. 2, 223-239

<sup>12</sup> Government of Canada “Bill C-16: An act to amend the *Canadian Human Rights Act* and the *Criminal Code*” <https://www.justice.gc.ca/eng/csj-sjc/pl/identity-identite/statement-enonce.html>

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<sup>13</sup> Parliament of Canada (2017), “Bill c-16” <https://www.parl.ca/DocumentViewer/en/42-1/bill/C-16/royal-assent>

<sup>14</sup> Cossman, B (2018). “Gender identity, gender pronouns, and freedom of expression: Bill C-16 and the traction of specious legal claims” *University of Toronto Law Journal* Volume 68, No. 1, 37-79.

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