

Transgender Guideline Consultation

World Rugby's policy for transgender players is outdated

World Rugby implemented a policy on “Gender Identity Disorder and Disorders of Sexual Differentiation” in 2010. This policy was based on the IOC’s Stockholm Declaration from 2003. The IOC issued updated guidance in advance of Rio 2016 and acknowledged that this represented an interim position and it would be reviewed, specifically in relation to the appropriate testosterone levels and the technical, testing and logistical aspects of the policy. World Rugby decided not to apply the interim position since to do so would result in a lack of certainty for players but that its policy would instead be reviewed and updated once the IOC had finalised its position.

World Rugby's updated Transgender Policy approved by EXCO subject to IOC publication

The IOC indicated that it was working on new Model Rules for International Federations and World Rugby drafted an updated policy based on the IOC’s Model Rules. In May 2018, EXCO approved the Transgender Policy subject to the IOC formally publishing the Model Rules. The IOC then determined that it would not publish the Model Rules until after the decision in the Caster Semenya case before the Court of Arbitration for Sport. World Rugby decided at this point to proceed with updating the Transgender Policy based on the likely implementation of the IOC Model Rules.

EXCO approved immediate implementation of the 2019 Transgender Policy

In February 2019 World Rugby updated its Transgender Policy. The policy permitted transwomen who maintained a <5 n/mol testosterone level for a continuous period of at least 12 months to participate in women’s rugby. The World Rugby policy was a strict rule for World Rugby Tournaments but is just a guideline for Unions who are free to modify it as is necessary or appropriate in their jurisdictions. Since that date, the IOC has begun a period of consultation to review its Transgender Policy but has indicated that the policy will not be amended until after Tokyo 2020. It has also supported International Federations who wish to develop their own guidelines based on their own sport-specific requirements.

World Rugby held a Transgender workshop in February 2020

World Rugby formed a Transgender working group under the independent Chairship of Arabah Chintoh (a medical doctor, ex Canadian player and World Rugby scholarship recipient). The other working group members were: Dr Deb Robinson (Independent), Dr Éanna Falvey (World Rugby Chief Medical Officer), Prof Ross Tucker (Independent), Mark Harrington (World Rugby Head of Technical Services), Yvonne Nolan (World Rugby Senior Legal Counsel), Katie Sadleir (World Rugby General Manager, Women’s Rugby), Rachael Burford (International Rugby Players).

The working group engaged in extensive consultation and research, which included input from independent expertise in the fields relevant to this issue. These included:

- Legal – sports law and human rights lawyers
- Scientific – biological/physiological
- Medical – endocrine, psychological, internal medicine
- Human rights experts and ethicists
- Players
- Member Unions involved in the implementation of diversity policies

- Women's rights advocacy groups
- Transgender rights advocacy groups

Following a period of background research and investigation, the working group convened a Transgender workshop to listen to the experts from the above fields. Attendees were invited to attend a two-day workshop in London, England, at which they presented and then debated among other experts. Expertise was sought from differing viewpoints, such that robust and comprehensive discussion could be provided.

All presentations from the workshop are available at:
<https://playerwelfare.worldrugby.org/?subsection=84>

The key outcomes from the workshop included:

- There are significant differences in height, weight and especially strength and power between men and women.
- Current Transgender policy should be reviewed in light of the research showing that testosterone suppression does not remove the physical advantages of transgender women who have experienced the biological effects of testosterone during puberty over other women.
- World Rugby should ensure that its guideline reflects current knowledge. This should include room for Unions to implement it flexibly to suit local law.
- Further consultation with Unions & experts is required so that the policy can be amended to reflect any scientific evidence that supports the inclusion of transgender players safely

The Transgender Working Group created a Guideline for consultation

Having listened to all of the contributors, the Working Group prepared a Guideline that might come into effect in the event that the Transgender policy is to be amended. A copy of the draft Guideline for consultation is attached at **APPENDIX ONE**. A shorter document containing Frequently Asked Questions is also attached at **APPENDIX TWO**. Unions, Associations and IRP are invited to make submissions using the form attached at **APPENDIX THREE**.

World Rugby also intends to re-survey elite female rugby players who were surveyed during the initial fact-finding stage of the process. When surveyed, many players expressed concerns that they did not fully understand the scientific evidence related to transgender participation. Unions and Associations are encouraged to share the draft guideline and FAQ's with community and elite players and other stakeholders, from whom they draw views in the course of preparing a response to this consultation.

World Rugby also wishes to take direct views from as many transgender players as possible. If your Union has transgender players, please contact mark.harrington@worldrugby.org to discuss the means by which such views can best be shared.

Finally, World Rugby will invite submissions from appropriate representative bodies via the World Rugby website.

Consultation response will be presented to EXCO and Council

Following the outcome of the Consultation, the Executive Committee will be asked to recommend a policy to Council where approval will be sought.