

November 27, 2020

Brett Gosper
CEO, World Rugby
8, World Rugby House
10 Pembroke Street Lower,
Dublin, Ireland

Dear Brett,

Canadian Women & Sport and the Canadian Centre for Ethics in Sport (CCES) are writing to express our strong opposition to World Rugby's ban on Transgender Women Athletes. In doing so, we join [84 academics](#), [Athlete Ally](#), [Egale Canada](#) and others in urging World Rugby to repeal their recent ban preventing transgender women from participating in women's rugby.

The ban violates the human rights of transgender and gender diverse women, forcing them out of sport and denying them the benefits it brings. The discriminatory ban perpetuates the harmful and marginalizing practice of gender policing in women's sport.

The ban is not based on sound scientific evidence. In their [letter to World Rugby](#), 84 notable academics from around the globe stated, "there is no peer-reviewed scientific evidence to justify a ban which would only be harmful to transgender and gender diverse people." The letter also voices their opposition to the exclusion "of an entire population group from playing women's rugby: non-binary people assumed male at birth and transgender women" Moreover, the ban places greater value on the "fear of harm" to cis athletes which is seen to outweigh the "certainty of harm" to trans individuals caused by the ban.

In addition to issuing the ban despite a lack of supporting scientific evidence, World Rugby did not engage in meaningful consultation with the transgender and cisgender athlete community, and the individuals and organizations that represent women's rugby. The voices of a small but vocal minority who are opposed to transgender women's participation in sport appear to have won out over the majority of voices who support trans women's participation in rugby. This would include the many opinions of athletes and coaches expressed on the [Rugby For All website](#) and [Instagram page](#).

In 2016, after two years of investigation, consultation, and deliberation led by the Trans Inclusion in Sport Expert Working Group, of which Canadian Women & Sport was a member, the CCES published guidance for sport organizations on [creating inclusive environments for trans participants in Canadian sport](#). These guidelines reflect the Expert Working Group's conclusion that "we currently lack the scientific evidence to correctly and consistently connect endogenous hormone levels with athletic performance," (p. 20) and as a result "individuals have the right to be recognized as the gender with which they identify," (p.20) consistent with existing Canadian human rights legislation. To do otherwise would result in further harm to an already vulnerable population, denying them the many benefits of sport participation.

In 2017, recognizing the importance of its role in advocating for sport that is inclusive and welcoming to all girls and women, Canadian Women & Sport confirmed its support for the “full participation of all individuals in sport and physical activity in the gender in which they identify” (p.1) in a [position statement on trans inclusion in sport](#). Canadian Women & Sport continues to believe that exclusion of transgender and gender diverse individuals is not justified, nor will their participation negatively impact the sport participation of cisgender girls and women, as proponents of the ban would suggest.

Appreciating that the field of gender identity and expression is an evolving one, the CCES and Canadian Women & Sport feel it is important that sport continue to be guided by scientific evidence and human right’s legislation as sport continues in its efforts to make sport fair, safe and inclusive.

We applaud [Rugby Canada’s assertion](#) that “Rugby participation in Canada will continue to be guided by the organization’s existing Trans Inclusion Policy and the Canadian Charter of Rights & Freedoms,” in which gender identity and expression are protected. It sets a strong precedent that a major rugby governing body has recommitted to ensuring that all participants, including transgender women, have access to programming that is comfortable, safe, and values their right to participate.”

Similarly, [USA Rugby](#) determined that their transgender athlete policy will remain as is and the union does not support the recently proposed World Rugby recommendations or changes. USA Rugby notes that transgender women have been playing rugby throughout the United States and the world since at least 2003 without a single reported safety incident related to transgender identity, and that the World Rugby proposal is not supported by medical science ([USA Rugby](#)). As the international organization for rugby, World Rugby’s leadership and actions have a profound effect on their member rugby organizations. We urge World Rugby to rescind the ban on transgender women athletes and engage in education about inclusion and human rights in sport. The harmful effects of this ban on transgender and gender diverse communities, as well as on women’s sport, must be properly considered, and inclusion for all women must be the foundation of subsequent efforts to create and maintain sport that is safe for all. By doing so, we believe that World Rugby will be in a position to realize what true inclusion in sport can and should be:

“Inclusion is not bringing people into what already exists; it is making a new space, a better space for everyone.” ([Dr. George Dei](#), p.4)

Thank you for your consideration. We would be pleased to discuss our concerns further with you.



Allison Sandmeyer-Graves
CEO, [Canadian Women and Sport](#)



Paul Melia
CEO, [Canadian Centre for Ethics in Sport](#)

c.c. Allen Vansen, Chief Executive Officer, [Rugby Canada](#)