

INPUT TO THE REPORT OF THE UN WORKING GROUP ON BUSINESS AND HUMAN RIGHTS ON RESPECTING THE RIGHTS OF LGBTI PEOPLE IN THE CONTEXT OF BUSINESS ACTIVITIES: FULFILLING OBLIGATIONS AND RESPONSIBILITIES UNDER THE UNGPS

Input from the Centre for Sport and Human Rights (1 March, 2024)

*The Centre for Sport and Human Rights (CSHR) makes this contribution based on expertise particular to the context of sport, considering for this submission the sport ecosystem and its value chains as a business sector that includes many business activities - for instance governance, branding and marketing, procurement, the hiring culture, as well as the awarding and delivery of (mega-)sporting events, which often comprise complex (international) business operations. Consequently, the UNGPs provide an authoritative framework also for the sports sector (for more context on this, see Rook, W., Prado, T. & Heerdt, D. Responsible sport: no going back. *Int Sports Law J* 23, 85–98 (2023). <https://doi.org/10.1007/s40318-022-00231-4>). Given this specific scope and the background of CSHR, we selected only relevant (parts of) questions to answer (highlighted in bold).*

- 1. In what ways do lesbian, gay, bisexual, transgender, and gender diverse and intersex (LGBTI) people experience human rights impacts in the context of business activities? Please provide specific examples of relevant experiences, including in specific economic sectors, and any relevant available data. Please explain ways in which LGBTI people may face intersecting forms of discrimination due to multiple factors, including their age, race, ethnicity, disability, or socio-economic status?**

LGBTI people face adverse human rights impacts in sports just like in many other sectors. They face misanthropy, violence, exclusion and discrimination, based on different sexual orientation, gender identity or expression, or sex characteristics, in different contexts: as athletes, as coaches, as officials, as sports administrators, as fans, as workers, as volunteers, or as journalists. And just like in other business



sectors, discrimination on the basis of sex, gender, and sexuality can intersect with other discriminatory factors and phenomena, in particular race.¹

As a result, despite some notable efforts across several sports, many studies highlight that LGBTI people participate in sports to a lesser extent than heterosexual peers.² While many sources stress that there is not yet sufficient research on the sport experience of LGBTI people, the majority of studies and reports come to the same conclusion: examples of adverse human rights impacts are manifold and highlight structural problems that are particular to sports.

Such impacts can occur as a result of **discriminatory laws or policies** at the national or sub-national level that in many regions continue to be discriminatory and exclusionary, restricting full participation in sport (as athletes, fans or otherwise) for LGBTI people. Such a culture of exclusion is further exacerbated by rules issued by sports governing bodies.

A timely example here is the widespread exclusion of trans and/or intersex athletes based on specific eligibility regulations. Competitive sport at elite and grassroots levels has historically been organised in a binary way, and for the past 70 years, with gendered eligibility criteria. The growth and development of the women's category in many sports has brought many benefits, including in human rights terms, and including with respect to the inclusion and participation of LGBTI people. However, traditional sports models are increasingly seen as insufficient and incompatible with growing awareness of gender diversity, and greater advocacy for and understanding of the rights of trans and intersex people. As sports organisations navigate this space, the field of sport has become a battleground for anti-rights agendas and a frontline in much broader campaigns that promote an exclusively binary understanding of sex and gender. Sports bodies therefore face a high degree of political pressure and scrutiny on this issue and polarised views from amongst their own stakeholders.

While the International Olympic Committee's Framework on Fairness, Inclusion, and Non-discrimination on the basis of gender identity and sex variations promotes a welcoming environment for everyone involved in elite-level competition, many sport bodies have regulations that require specific thresholds of testosterone measures in

¹ See

<https://www.ohchr.org/en/documents/thematic-reports/ahrc4426-intersection-race-and-gender-discrimination-sport-report-united>

² Doull, M., Watson, R. J., Smith, A., Homma, Y., & Saewyc, E. (2018). Are we leveling the Playing Field? Trends in Sports Participation among Sexual Minority Youth. *Journal of Sports and Health Science*, 7, 218–226; Calzo, J. P., Roberts, A. L., Corliss, H. L., Blood, E. A., Kroshus, E., & Austin, S. B. (2014). Physical Activity Disparities in heterosexual and sexual minority Youth ages 12–22 years old: Roles of Childhood gender nonconformity and athletic self-esteem. *Annals of Behavioral Medicine*, 47, 17–27; Greenspan, S., Griffith, C., & Watson, R. (2019). LGBTQ + Youth's Experiences and Engagement in Physical Activity: A Comprehensive Content Analysis. *Adolescent Research Review*, 4, 169–185.



order for the athlete to compete, specifically in the women's category.³ Many intersex athletes can only meet this threshold by taking unnecessary medication that can have a severe impact on their health and performance⁴, and transgender women have been completely banned from various sports. Such rules have become increasingly more exclusionary. For example, from 2011 to 2023, the threshold of testosterone levels for women with sex variations and high levels of testosterone to compete in women's sport has decreased from 10 nmol/l to 5 nmol/l, to now 2,5 nmol/l. And the number of months athletes must prove they have remained under the threshold before they begin to compete has increased from 6 months to 24 months over the same period of time. The impact of these regulations on the human rights of athletes around the world can be egregious.

Such regulations have been interpreted in perverse ways at local, national and regional levels, leading to egregious human rights violations against athletes with sex variations. Athletes, such as Ugandan [Annet Negesa](#), were taken by their federations to foreign countries and submitted to surgeries to remove their internal testes without informed consent. Such surgery has a significant impact on physical and mental health, as well as on sports performance and requires athletes to continue with hormone treatment for life. Despite being condemned by the IOC in its new framework, the practice of sex testing and gender verification in women and girls is still a reality in many parts of the world.⁵

And if during the Tokyo 2020 Olympics in 2021 the trend seemed to shift towards inclusive approaches for the participation of transgender athletes in elite sport⁶, recent gender eligibility regulations across international federations have imposed a ban on the participation of trans women in the women's category. Such decisions have created highly concerning ripple effects on children and youth at grassroots and school sports and negatively influenced anti-rights discourse and the passing of exclusionary laws in the United States and other countries.⁷

Another source for adverse human rights impacts faced by LGBTI people in sports are **discriminatory attitudes** towards LGBTI people. Here, sport reflects wider social attitudes, but also must confront sector-specific challenges. Discrimination can occur in the form of verbal but also physical abuse, online and on site or in changing rooms, when attending sporting events, or when working in the sports environment. "Gay" is still used as an insult in various contexts, including in sport, where the term

³ See

<https://stillmed.olympics.com/media/Documents/Beyond-the-Games/Human-Rights/IOC-Framework-Fairness-Inclusion-Non-discrimination-2021.pdf>

⁴ See for instance

<https://www.theguardian.com/sport/2023/oct/28/athlete-caster-semenya-interview-im-a-woman-im-a-different-woman>, or

<https://www.nytimes.com/2019/12/16/sports/intersex-runner-surgery-track-and-field.html>

⁵ For more information, watch the 2021 Sporting Chance Forum session on 'Sex and Gender in Sport' here: <https://www.youtube.com/watch?v=rrnZNknHSqA&t=1s>.

⁶ See <https://thesportsgrail.com/list-of-the-transgender-athletes-competing-at-tokyo-olympics-2020/>

⁷ See <https://www.theguardian.com/us-news/2022/apr/28/lgbtq-rights-us-dont-say-gay>



is part of fan chants⁸. A study published in 2019 report that interviewed more than 5000 people that identified as LGBTI across Europe and uncovered that 82% of all interviewees experienced homo- and/or transphobic language in sport in the last 12 months.⁹ Another study in Germany highlighted that athletes often try to hide their sexuality to prevent possible discrimination and questions about their sexuality, as “it is mainly the discussion about and reduction of their sexuality that is being experienced as problematic”.¹⁰ The study also highlights that the problems are often caused by a sports club’s typical mode of communication or the heteronormative framing of sports among other stressors. In general, homo-negativity, homophobia and discrimination against sexual orientation and gender identity are common within sports and can have severe impacts on the mental health of LGBTI people.¹¹

A final source to consider is **discriminatory practices** within sport in the form of, for instance, how media and broadcasters present LGBTI athletes. For instance, journalists are often not equipped to deconstruct misogynistic representations, or the complex specificity of lesbophobia, or coverage can feed into toxic masculinity.¹² In particular intersex and trans athletes usually receive a lot of (unwanted) attention from the media, which can bring about significant mental health impacts.¹³ More generally, the OUTSPORT study reported that the most common negative experiences of LGBTI people in sports are structural discrimination and verbal insults.¹⁴ This discrimination can also occur in the form of sponsors withdrawing financial support of an LGBTI athlete after they came out, or athletes not being selected to represent their country at international events for being part of the LGBTI community.¹⁵ This is also the reason why if ever, many athletes only come out after their sporting career has ended.

Although it is fair to say that ‘LGBTI’ people is an adequate term for describing the group of people that suffers mostly from adverse human rights impacts within sports in the form of discrimination and exclusion, there are other groups of people with diverse SOGIESC (Sexual Orientation, Gender Identity and Expression, and Sex Characteristics) that do not necessarily identify as lesbian, gay, bisexual, trans, or

⁸ See for instance

<https://www.theguardian.com/football/2018/jun/18/puto-chants-mexico-football-world-cup>

⁹ Menzel, T., Braumüller, B. & Hartmann-Tews, I. (2019). The relevance of sexual orientation and gender identity in sport in Europe. Findings from the Outsport survey. Cologne: German Sport University Cologne, Institute of Sociology and Gender Studies.

¹⁰ Müller, J., Böhlke, N. ‘I somehow had the Feeling that I did not belong there’—Experiences of Gay and Lesbian Recreational Athletes in German Sports Clubs. *Int J Sociol Leis* 5, 337–357 (2022). <https://doi.org/10.1007/s41978-022-00110-0>, p.337

¹¹ Bostwick, W. B., Boyd, C. J., Hughes, T. L., West, B. T., & McCabe, S. E. (2014). Discrimination and Mental Health among lesbian, gay, and bisexual Adults in the United States. *American Journal of Orthopsychiatry*, 84, 35–45

¹² ILGA-Europe, LGBTI women in sport: violence, discrimination, and lived experiences August 2021, at <https://www.ilga-europe.org/report/lbti-women-in-sport-violence-discrimination-and-lived-experiences/>

¹³ See <https://www.bbc.com/sport/athletics/48820717>

¹⁴ Menzel, T., Braumüller, B. & Hartmann-Tews, I. (2019). The relevance of sexual orientation and gender identity in sport in Europe. Findings from the Outsport survey. Cologne: German Sport University Cologne, Institute of Sociology and Gender Studies.

¹⁵ See for instance the case of Chinese national soccer player Li Ying her outing in 2021.



intersex and still are differently and disproportionately impacted by business and sports practices.¹⁶ While it is key to understand the most salient issues to find effective ways to mitigate and address, the evolving nature of identity and recognition thereof has to be acknowledged to prevent further discrimination.

- 2. What measures has the government of your country taken to address any discriminatory laws, policies, attitudes and practices in contexts in which businesses operate, and promote inclusive working environments?** Please indicate whether specific reference is made to the situation of LGBTI people in any business and human rights regulatory frameworks, including the national action plan on business and human rights, mandatory human rights due diligence regulations, incentives schemes, disclosure or transparency requirements for companies and investors. Are there any positive practices regarding the protection of the rights of LGBTI people in the activities of the State in its role as an economic actor, e.g. state-owned enterprises, public procurement agencies, trade missions, export credit agencies, privatization of public services, public-private partnerships, and trade and investment agreements? **What are the remaining challenges to strengthen access to effective remedies for LGBTI people in relation to business adverse human rights impacts? Are there any measures taken by States or businesses to support access to an effective remedy by LGBTI people, including to remove any existing barriers and to ensure that all types of remedial mechanisms, processes and outcomes are sensitive to the experiences of LGBTI people?**

In recent years, discrimination to LGBTI people has been increasingly identified in proactive risk assessments and mitigation plans for major events - including EURO 2024. Additionally, many states have started to allocate resources to initiatives that promote inclusion and diversity, also in the context of sport. There have been numerous government-funded initiatives to increase diversity in sport, in particular in relation to participation in grassroots sports. LGBTI people were not always the focus of these initiatives. Still, initiatives like the Gay Games, an international sporting and cultural festival with and for LGBTI people, or merchandise directed at LGBTI people in sports have developed and grown. However, some argue that when compared to sports' efforts in relation to gender, race and disability, progress has been slow or even absent when it comes to embracing LGBTI rights at the level of policy and practice.¹⁷

National legislation can have a significant impact on the practices of national sports federations. For instance, in a country with strong anti-discrimination laws, sport organizations might be less inclined to adopt regulations that would go against these

¹⁶ See <https://www.bbc.com/news/newsbeat-33278165>

¹⁷ Erik Denison, Nadia Bevan & Ruth Jeanes (2021) Reviewing evidence of LGBTQ+ discrimination and exclusion in sport, *Sport Management Review*, 24:3, 389-409, DOI: [10.1016/j.smr.2020.09.003](https://doi.org/10.1016/j.smr.2020.09.003)



national laws. Moreover, in a country where inclusion and anti-discrimination is legally protected and promoted, sport bodies might feel inclined to do the same and oppose or even challenge exclusionary regulations and policies from international sport bodies. This is the case, for example, of Rugby Canada¹⁸ and Rugby Australia^{19,20}, which did not comply with the exclusionary regulations of World Rugby.

This also applies to the right to remedy. Access to remedy for sport-related human rights abuses remains a challenge, due to the high degree of autonomy within sport, accountability gaps, power imbalances and insufficient complaints and grievance systems.²¹ In the case of LGBTI people in sports, these challenges are exacerbated in many ways. An example that highlights the complexities and gaps is the case of South African runner Caster Semenya, a woman with naturally occurring high levels of testosterone, who challenged the rules issued by World Athletics, the international federation governing the sport of athletics. While mechanisms within sports, such as the Court of Arbitration for Sport have decided in favour of World Athletics, arguing that the extent to which the rules might be discriminatory is justified, the European Court ruled in favour of Semenya in a chamber judgment, arguing that Switzerland breached the European Convention on Human Rights for not ensuring sufficient safeguards for Semenya to challenge these rules. The case is currently pending before the Grand Chamber.²²

A more recent development on a national level is the establishment of safe sport centres, such as the U.S. Center for SafeSport, Sport Integrity Australia, Safe Sport Canada, or the ongoing developments in Germany. These centres could potentially play a key role in protecting the rights of LGBTI people in sports, including the right to remedy. However, at this point, these centres develop without universal standards in place and have diverse mandates and functions.

3. Please share the experiences of businesses in integrating a gender perspective that is inclusive of the experiences of LGBTI people into their internal structures, policies and practices, including in inclusion and diversity initiatives, as well as in human rights due diligence processes?

Some of the leading international sports governing bodies and federations have started to adopt human rights policies or frameworks in the past decades. Similarly,

¹⁸ See

<https://rugby.ca/en/news/2020/09/rugby-canada-provides-update-on-feedback-to-proposed-transgender-guidelines>

¹⁹ See <https://australia.rugby/diversity/LGBTQ-inclusion>

²⁰ See

<https://www.smh.com.au/sport/rugby-union/rugby-australia-hold-firm-on-transgender-inclusion-20220725-p5b4bg.html>

²¹ Heerdt, D., Rook, W. Remedy and redress for sport-related human rights abuses. *Int Sports Law J* 22, 85–92 (2022). <https://doi.org/10.1007/s40318-022-00227-0>

²² See <https://www.echr.coe.int/w/judgment-concerning-switzerland>



mega-sporting event hosts are increasingly required to submit human rights strategies as part of their bids to host events, and adopt human rights policies or declarations for the event once they have been awarded and organization is under way. There is no comprehensive research on the extent to which a gender perspective including the experience of LGBTI people has been integrated into these policies and frameworks, but some initiatives are worth highlighting.

In December 2021, the IOC released its new Framework on Fairness, Inclusion and Non-discrimination on the basis of gender identity and sex variations.²³ This framework was updated based on extensive consultations with cis and trans athletes and other key stakeholders and is in alignment with internationally recognised human rights. Overall, the framework provides a new and much more progressive understanding and approach to inclusion and conveys a strong message that the inclusion of transgender athletes and athletes with sex variations and the adoption of a rights-based approach is not mutually exclusive to fairness and safety.

On the national level, the German Olympic Sports Confederation (Deutscher Olympischer Sportbund), went through an extensive human rights due diligence process in 2023, which included multiple rounds of stakeholder engagement. The goal of this process was to develop a human rights policy. National civil society organizations that represent LGBTI people and their rights have been part of this engagement and participated in workshops and an online survey. As a result, the policy makes explicit reference to LGBTI people and the need for specific measures to prevent discrimination and protect their rights.²⁴

On the international level, the fact that in 2021, for the first time ever, a number of openly transgender and non-binary athletes competed at the Olympic Games could be an indicator that there is a gradual shift towards inclusion.²⁵ However, after the release of the IOC framework in late 2021, what was observed was a significant pushback from a number of international federations, which made their gender eligibility regulations stricter, imposing a practical ban on transgender or intersex athletes.

4. What challenges and opportunities exist for trade unions to play a positive role in upholding the rights of LGBTI people in the workplace, including in relation to their right of freedom of association and the ability to engage in collective bargaining?

²³ See

<https://stillmed.olympics.com/media/Documents/Beyond-the-Games/Human-Rights/IOC-Framework-Fairness-Inclusion-Non-discrimination-2021.pdf>

²⁴ See

https://cdn.dosb.de/user_upload/www.dosb.de/uber_uns/Menschenrechte/DOSB-23004_Menschenrechte_Policy_WEB.pdf

²⁵ See

<https://www.forbes.com/sites/roberthart/2021/07/30/here-are-the-first-openly-transgender-and-nonbinary-olympians-making-history-in-tokyo/?sh=1bfb1c50a9c8>



Player unions generally play a key role in promoting and protecting rights of athletes in sports. This equally applies to LGBTI athletes. Unions like FIFPRO, EU Athletes, NFLPA, MLBPA, and others, have direct contacts with LGBTI athletes and can educate professional athletes about their rights. At the same time, they are an important means for athletes to organize and have their voice heard and represented. However, while player unions have been notable voices on broader anti-discrimination campaigns to promote safe environments for players, attention on LGBTI rights has not yet received the same degree of attention as dedicated to other issues such as racism and gender equity.

5. Are there any positive practices of meaningful and equal participation of LGBTI persons, movements and organizations in State and business led decision making initiatives and processes on business and human rights?

Between 2019 and 2021, the IOC conducted an unprecedented extensive consultation process to develop its framework on fairness, inclusion and non-discrimination. They conducted 60+ in-person consultations and a dozen of calls, virtual meetings and conversations, which involved a wide array of stakeholders, including LGBTI experts, male and female cisgender athletes, transgender and intersex athletes, human rights organisations, the IOC Women in Sport Commission, among many others²⁶.

Following the IOC footsteps, FIFA is also working on a review of its own Regulations on Gender Eligibility. In 2022, FIFA initiated a consultation process with various stakeholders and experts with the aim of making the new regulations as inclusive as possible and foster processes that preserve the dignity, health, and privacy of athletes.

Regarding FIFA's events, in the run-up to the 2022 FIFA World Cup in Qatar organisers regularly met with LGBTI civil society groups active in the space to discuss how to address the human rights risks LGBTI people face when attending major events in states that pose significant material risks to LGBTI people, although the categorical assurances sought specifically by LGBTI groups were not made.²⁷ The FIFA Women's World Cup 2023 incorporated various meaningful steps to ensure the inclusion of the LGBTQI+ community in the planning, delivery, and operation of the tournament. This was achieved by creating an internal LGBTQI+ working group, providing all-gender toilets for spectators at 80% of stadiums (with unisex toilets available for the remaining two stadiums), and organizing Pride events and awareness-raising campaigns through FIFA's "Unite for Inclusion" initiative.

²⁶ See

<https://stillmed.olympics.com/media/Documents/Athletes/IOC%20Framework/Presentation-IOC-Framework.pdf>

²⁷ See

<https://www.ilgaasia.org/news/briefing-note-lgbtiq-rights-and-the-fifa-mens-world-cup-qatar-2022>



Furthermore, to demonstrate the tournament's ability to make a positive impact beyond the stadiums, an asylum-seeker and trafficking triage program was introduced, including research on women's rights and LGBTQ+ rights in different countries.

6. Please share any positive examples at national, regional and international levels that proved useful to promote protection and respect of the rights of LGBTI people in the business context.

The [Outsport toolkit](#), a toolkit to support sport educators in creating and maintaining an inclusive sport community based on diversity of gender identities and sexual orientations. Specifically, it is addressed to coaches, PE teachers and sport managers, and provides guidance on how to effectively tackle forms of discrimination in a preventative way and to foster long-term LGBTI inclusion in sport. It is based on extensive research into the experiences of LGBTI people in sport, including the voices of LGBTI people.

Additionally, Laureus's "Beyond the Gender Binary: A first steps guide toward transgender and non-binary inclusion in Sport for Development" is the outcome of a research with nine sport for development organisations attempting and struggling to include trans and non-binary children and youth in their programmes.²⁸

The Northern Ireland Sport & Human Rights Forum was established in May 2019, and in 2021, it addressed the inclusion of trans and intersex athletes in sport.²⁹ Following the event, the Northern Ireland Human Rights Commission funded the production of the tool "Including Transgender People in Grassroots Sport"³⁰, developed by the NGO Gendered Intelligence. The booklet targets grassroots clubs, teams, and other grassroots sporting organisations willing to make their sport, club or team more welcoming to transgender people. The Northern Ireland Human Rights Commission also produced a "Transgender Inclusion in Sport: A Legal Analysis" document which provides a human rights analysis of rights, under international and domestic frameworks, relevant to the inclusion of transgender persons participation in sport.³¹ The Northern Ireland Human Rights Commission also produced a "Transgender Inclusion in Sport: A Legal Analysis" document which provides a human rights analysis of rights, under international and domestic frameworks, relevant to the inclusion of transgender persons participation in sport.³²

²⁸ See here:

<https://laureusuk.blob.core.windows.net/laureus/laureus/media/laureus/pdf%20folder/lsgf-transinclusio nguide-aw-digital-singles.pdf>

²⁹ See <https://www.youtube.com/watch?v=21395A2RWOA>

³⁰ See <https://nihrc.org/our-work/other-sites/sport-human-rights>

³¹ See <https://nihrc.org/our-work/other-sites/sport-human-rights>

³² See <https://nihrc.org/our-work/other-sites/sport-human-rights>



The previously mentioned IOC Framework on Fairness, Inclusion and Non-Discrimination is another example of a guidance on the international level to promote protection and respect of LGBTI rights.

Campaigns such as Pride Sports' Football versus Homophobia and Football versus Transphobia have advocated for the inclusion of LGBTI people in sport, influenced the international debate and the development of international toolkits, such as the one prepared by the Enlarged Partial Agreement on Sport, of the Council of Europe.³³

Some civil society organisations such as Athlete Ally and Fare Network are fully dedicated to advocacy for the inclusion of LGBTI people in sport, and others, such as ILGA, have a sports focal point among their personnel to support advancing LGBTI rights in sport.

It is also worth noting that some organisations focused on the inclusion of women in sport, such as Women's Sports Foundation³⁴, the International Working Group on Women and Sport, WomenSport International, International Association of Physical Education and Sport for Girls and Women³⁵, and the Global Observatory for Women and Sport³⁶, have been important vocal allies for the inclusion of transgender athletes and athletes with sex variations in women's sport.

The European Union's publication "Towards more gender equality in sport: Recommendations and action plan from the High Level Group on Gender Equality in sport" also accounts for specific needs and extra vulnerabilities of LGBTI athletes in sport and recommends sports organisations to adopt an intersectional approach to properly address those.³⁷

7. Please provide any comments, suggestions or additional information that you consider relevant to the 2024 thematic report of the Working Group on respecting the human rights of LGBTI people in business operations.

As a general remark, we consider it important that the UN Working Group on Business and Human Right includes sport as a business sector within its efforts on clarifying responsibilities and obligations under the UNGPs. Consequently, more clarity is needed on the role of states to regulate sports and sport bodies. States are in a strong position to address many of the human rights risks and challenges within

³³ See here: <https://www.coe.int/en/web/sport/diversity-conference> and here: <https://www.eusa.eu/epas-webinar-tackles-human-rights-of-trans-and-intersex-athletes>

³⁴ See <https://www.womenssportsfoundation.org/advocacy/25-organizations-join-wsf-letter-to-ncaa-regarding-transgender-athlete-participation-policy/>

³⁵ See <https://iwgwomenandsport.org/iwg-wsi-and-iapesgw-respond-to-letter-from-iaaf/>

³⁶ See <https://iapesgw.com/2023/02/02/int-conference-on-inclusive-gender-equality-in-lausanne/>

³⁷ See <https://op.europa.eu/en/publication-detail/-/publication/684ab3af-9f57-11ec-83e1-01aa75ed71a1>



sports. In particular, while sufficient evidence is there and numerous studies in the past years have confirmed that there are structural challenges to respecting the rights of LGBTI people within sports, more research is needed into pragmatic and practical approaches to end discrimination and exclusion of LGTBI people in sports, which states should support. States are also in a good position to support those LGBTI athletes that have come out and are using their platform for advocating for LGBTI rights.

There remains much untapped potential for sports bodies and leading sport administrators to embrace human rights as a core value of sport and leverage sport's unique role in society as a place where human rights and those of LGBTI people can be promoted.

