



Dignity, Equality and Freedom



Statement on the CAS/IAAF discriminatory ruling against Caster Semenya

Iranti and Intersex South Africa

2/5/2019

In a blow to the ongoing battle for equality in sports; the Court of Arbitration in Sport (CAS) ruled on 1 May 2019 that Caster Semenya will have to artificially lower her natural testosterone levels in order to compete professionally against other women in a number of middle-distance running events. This is the latest in a decade-long mission by the International Association of Athletics Federations (IAAF) to punish and exclude Semenya for having above-average levels of naturally occurring testosterone.

This decision, which goes against the recent United Nations resolution for the “Elimination of Discrimination against Women and Girls in Sport”, comes after a week-long hearing by the CAS in Lucerne, Switzerland, in which Semenya’s legal team fought against the discriminatory proposal. Semenya is a woman despite the ongoing harassment by the IAAF and has the full backing of Iranti, Intersex South Africa, and many of our comrades in LGBTI+, sporting and womens’ advocacy spaces.

We are not only saddened by the CAS decision but enraged. By legitimising discrimination against Semenya, the IAAF is complicit in the ongoing human rights abuses against not only Semenya, but countless other vulnerable persons. History, we believe, will judge them most harshly.

By singling Semenya out initially to undergo gender verification testing, and then allowing her medical records to be released to the public, the IAAF has robbed her of her right to privacy and dignity.

It is telling, perhaps, that of the three arbitrators on the panel dealing with this case, there was unanimous agreement that the IAAF’s new regulations “are in fact discriminatory against certain women”. The CAS, however, moved forward with the verdict regardless, as such discrimination was deemed necessary by all but one arbitrator.

We cannot and will not recognise the authority of any group which openly admits and tries to justify discrimination against a black African female athlete.

“It is insulting that the IAAF and CAS would disregard expert testimonies, activists, and the South African Athletics Federation in this matter,” says Jabulani Pereira, Director at Iranti.

Caster Semenya, with endless positivity and poise, has stated publicly that she will not let this hold her back, and is reportedly in discussion with her legal team to appeal the ruling.

“For a decade the IAAF has tried to slow me down, but this has actually made me stronger. The decision of the CAS will not hold me back,” she said in a statement released by her representatives. “I will once again rise above and continue to inspire young women and athletes in South Africa and around the world.”

We at Iranti and Intersex South Africa stand with Caster Semenya, and will continue to support her through her appeal. We know that many in our community are hurt and disillusioned by this outcome but the battle for equality continues. There is nothing that will stop us. We call on the public to stand with us and to stand in solidarity with Caster Semenya and her team.

We call on the CAS and IAAF to reverse this unethical decision and redeem themselves.

“The blatant discrimination against Caster Semenya calls for everyone to stand up and fight with Caster,” says Crystal Hendricks of Intersex South Africa. “This is not the end but only the beginning. We do not have to change who we are to please society.”

For more information, contact:

Kellyn Botha

Writer and Social Media Officer, Iranti

kellyn@iranti.org.za

+27 11 339 1476