

What is a woman? Science answers the IOC

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The last Olympics began with the IOC president's announcement that they would be the most egalitarian, with exact numerical parity between women and men being achieved for the first time in history, but this was a trick. As the Olympics unfolded, we were able to see that [there was no such exact parity](#), that the IOC was applying a [double standard](#) to the detriment of women's rights and equity and, more seriously, that it was promoting foul play against women, sacrificing the female category to create the "[diversity category](#)", which includes diverse men.

In this article, we focus on the most relevant legal issues, to give Bach the scientific answer he needs to know what a woman is and to exclude diverse males from the female category, as is legally required and demanded by female athletes, organizations in defense of women's sport (including the [International Consortium on Female Sport](#)) and the same scientists who respond to the IOC.

IOC says it does not know what a woman is

In the controversial case that has marred the Paris Olympics, where the IOC allowed [two males with differences in sexual development \(DSD\)](#) to fight in the women's boxing events against eight women, the IOC president validated the fraud of the golden rule of fair play, saying he considered them eligible because, according to him, "*there is no scientific system to identify a woman*".

Prima facie, we are facing a categorical lie on the part of Thomas Bach, because sex is not only an ostensible biological fact, observable by the senses that anyone can appreciate and allows him to distinguish a woman from a man; but, in case of doubt, there are ways to prove it scientifically and conclusively. And Bach knows this, but feigns confusion, alleges supine ignorance and appears to be unaware of the scientific evidence, such as the evidence on the sex of the boxers that the [International Boxing Association \(IBA\)](#) had communicated before the start of the games.

In law, this is bad faith, because it implies acting in the knowledge that such conduct involves the violation of IOC rules on eligibility criteria, which he had delegated to the federations, as well as the duty of due diligence that required checking the sex of the competitors, as this was a determining factor for the

validity of the boxing match, since it endangered the eight women who were going to be beaten by two men with DDS, violating all the rules of fair play, the Olympic Charter and other mandatory rules and demonstrating that he is not up to his position.

The main reading to be made of the fallacious and misogynistic discourse that “there is no scientific system to identify a woman” is that the IOC boss is not only trying to redefine us, but is denying who we women are. And, therefore, it is denying us our dignity and our specific rights recognized in the [Convention on the Elimination of All Forms of Discrimination Against Women \(CEDAW\)](#), where it is unequivocally recognized that women's rights are based on sex, that is, on the fact of being born a girl, of having XX chromosomes. And this is something that the IOC, nor any State or international organization can legitimately do, because the rules of the IOC have no derogatory effect on the CEDAW, nor the other rules that protect women, much less on biology.

The rationale of the female category in sports

CEDAW recognizes that the practice of sports is a human right of women, which must be exercised under equal conditions. Since there are evident and significant competitive advantages for men, for anatomical, physiological, biomechanical and socialization reasons, this right imposes the duty to have segregated categories between men and women, in order to guarantee equity, fair play and the physical, emotional and mental integrity of women.

Unfortunately, the IOC and many States and international organizations are developing illegitimate regulations that deny the biological reality of sex, with the aim of recognizing *diverse* men the right to be women. And they do so using as a pretext the idea that males who do not fit the hegemonic idea of masculinity are not men and, therefore, should be considered “women in law”, forcing them into the female legal category, whether they are XY people with DSD or self-transidentified.

This is what is known as the legal erasure of women, where the “law” is illegitimately instrumentalized in the name of “inclusion”, to violate the HR of women, excluding us from our own legal category and putting us in a situation of defenselessness, as happened with the eight female boxers who were forced to compete against two men who did not meet the eligibility criteria in women's boxing. The right to exercise the defense of our interests is also a human right under the CEDAE (art. 15).

The IOC president accepted as true the fallacy that Khelif and Lin met the eligibility criteria because their passports said so and, according to him, because it could not be known who we women are. However, the truth is that

neither legally nor scientifically being a woman depends, nor can it depend, on legal documentation per se, nor on one's internal experiences. Sex is a factual matter, empirically demonstrable; and, moreover, sex self-determination laws are openly illegitimate, as they violate the Declaration of Human Rights, the CEDAW, the Constitutions of the respective countries and the entire legal corpus that protects women's rights. Sex determination as something that is verifiable by scientific methods is so undeniable that even the IOC knows about it, since in its press conference its president pointed out that, if it knows about it, *"we will be the first to use it"*.

Science answers the IOC

Well, in response to the implausible argument of the IOC President that "there is no scientific system to identify a woman", a group of renowned scientists have just published an article entitled "[Fair And Safe Eligibility Criteria For Women's Sport](#)", led by [Emma Hilton](#), where they explain: the factual fact of sex, how it can be checked in the light of science, what are the competitive advantages that those born male have; what would be the most appropriate, ethical and fair protocol to check the sex of athletes, recommending that the eligibility criteria should include genetic screening of sex, which should be done at an early stage of federated sports practice. Likewise, there is also a reasonable justification for the women's category to be for women only, in the interest of ensuring that the sport is fair and safe. Among its conclusions are:

[Today] "there is ample evidence that biological sex is a crucial differentiator in ensuring fairness and influencing safety for female athletes. The participation of male-born competitors (e.g., transgender women) and athletes with certain XY DSDs in female sport is a growing concern. These athletes experience male-typical development from testes producing testosterone, with resultant physiological differences creating athletic advantages and safety risks, even in athletes with XY DSDs who might have been observed as female at birth".

"The ethical framework that governs modern genetic testing is thorough and, importantly to overcome the shortcomings of the past, it emphasizes individual consent, confidentiality, and dignity. Current technology enables a screening procedure for "sports sex" that involves a simple cheek swab to determine sex chromosomes. This screen can be performed reliably and quickly and should be done in duplicate to ensure reliable results".

"The results of this sex chromosome screening should be used to indicate the need for follow-up tests as part of standard medical care, including counseling and psychological support as part of the ongoing duty of care to the athlete".

Being a woman, that is, having karyotype XX and the primary and secondary sexual characteristics that identify us as females of the human species, is what makes us vulnerable to the physical superiority of men and to the oppression, violence and discrimination we suffer as women. This is what has determined that, as a result of the tireless and long feminist struggle, women have been recognized as subjects of rights, and that we are holders of specific rights based on sex (among others, in the CEDAW) which require that for certain issues, such as sports and spaces of intimacy, there is a segregation establishing differentiated categories based on sex.

When Pierre de Coubertin was opposed to women competing in the Olympics, we were limited by our lack of rights. A century later, we have formally achieved equality in treatment, rights and opportunities. Now, we will not allow those rights we have fought so hard for to be infringed upon, disregarded or undermined. We women will defend them with firmness, and we will not let them redefine us, usurp our rights, erase our history or distort our cause. We will fight with the same strength with which we have conquered every right, every space, every achievement, because our voice is irrevocable, and our place and rights are non-negotiable.

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