



Commission for Gender Equality
A society free from gender oppression and inequality

10 December 2023

Media Statement

To: All Media Houses

COMMISSION FOR GENDER EQUALITY RALLIES BEHIND CASTER SEMENYA IN PURSUIT OF JUSTICE

As the world observes International Human Rights' Day, the Commission for Gender Equality (CGE) notes that there are still many discriminatory hurdles that intersex persons must overcome. The European Court of Human Rights (ECHR) made a ruling on the Caster Semenya's case in July this year, it found that World Athletics is bound by international law and may not discriminate without compelling reasons for doing so. The ruling provides hope in overcoming discriminatory practices in sports. The CGE fully supports the judgment of the European Court of Human Rights as it reaffirms the right to equality, dignity and bodily integrity for Caster Semenya irrespective of her sexual orientation.

Ironically, despite the aforesaid judgment, Semenya and many other women athletes may still be banned from competing in sports under World Athletics regulations, as World Athletics' recent Regulations are more restrictive and accordingly degrades women athletes by violating their rights to bodily integrity, dignity and equality.

The Commission is aware that the case of Semenya will be heard by the ECHR Grand Chamber for a final ruling following a referral from the Swiss government. It is not specified when the case would be re-examined, and this raise concerns in view of the continued restriction and exclusion of athletes who refuse to take medication to lower their testosterone levels. This continued discrimination is in contrast to the International Human Rights' Day that reminds us of the inalienable rights that everyone is entitled to as a human being, regardless of race, colour, religion, sex or other status.

In line with South Africa's obligations under the Convention on the Elimination of All Forms of Discrimination against Women, the Commission will lobby the Minister of



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International Relations and Cooperation, the Minister of Sports, Arts & Culture and the South African ambassador to Switzerland in Berne to advocate for the withdrawal of the referral of the above matter at the Grand Chamber of the European Court of Human Rights.

The CGE reaffirms its commitment to promoting inclusivity and equality in sports and beyond, and to strive for a world where every individual can pursue their athletic aspirations without fear of discrimination or prejudice.

End,

Issued by Commission for Gender Equality

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