

**SEMENYA, WORLD AQUATICS “OPEN” CATEGORY  
AND AMENDMENTS TO THE OLYMPIC CHARTER.  
IS SPORT MOVING TOWARDS MORE EFFECTIVE PROTECTION  
OF HUMAN RIGHTS AND GENDER EQUALITY?\***

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*ABSTRACT: The paper focuses on the protection of human rights of non-binary athletes (transgender athletes and athletes with sex variations). Starting from the Semenya case and the ruling of the European Court of Human Rights, the Author analyses the most recent initiatives adopted by the sports movement, i.e. International Olympic Committee (IOC) and International Federations (IFs). In particular, the Author underlines the complexity of the issue at hand and the importance of tackling it with an approach free from any ideological prejudice.*

*Il lavoro affronta il tema della tutela dei diritti umani degli atleti non binari (atleti transgender e atleti con variazioni di sesso). Partendo dal caso Semenya e dalla sentenza della Corte Europea dei Diritti dell’Uomo, l’Autore analizza le più recenti iniziative adottate dal movimento sportivo, ovvero dal Comitato Internazionale Olimpico (CIO) e da alcune Federazioni Internazionali (FI). In particolare, l’Autore sottolinea la complessità del problema in questione e l’importanza di affrontarla con un approccio libero da ogni pregiudizio ideologico.*

**Keywords:** *Transgender athletes – Disorders of Sex Development (DSD) – Eligibility rules – Human Rights – Sex discrimination – Abuse.*

*Atleti transgender – Disturbi dello sviluppo sessuale (DSS) – Norme di ammissibilità – Diritti umani – Discriminazione sessuale – Abusi.*

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\* Abuse in sport and violation of athletes’ human rights are different, but strictly linked topics. Indeed, any time athletes’ human rights are violated, this violation can be seen as abuse in a broad sense. Similarly, an abuse of athletes represents a violation of one or more human rights. The fight for a safe sports’ environment is an extraordinary challenge for both the sports sector and the society. A system unable to safeguard athletes’ human rights and protect athletes from abuse is a shame for the surrounding society. This paper represents the Author’s modest contribution to a cause that can no longer be postponed and requires everyone’s commitment.

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