The Charter of Fundamental Rights (Article 21) prohibits any form of discrimination, based on any ground, including sex and sexual orientation.

In the lesbian, gay, bisexual, transgendered, intersexual or queer (LGBTIQ) Equality Strategy 2020-2025 of November 2020, the Commission aims to combat inequalities affecting LGBTIQ people in several areas of life, including in sport. The strategy states that ‘sport sectors are powerful tools changing attitudes and challenging gender biases and other stereotypes’, as sports events are important to raise broad societal awareness on equality.

The specific nature of sport is recognised in Article 165 of the Treaty on the Functioning of the EU, which mandates the Union to aim at developing the European dimension in sport. In the field of sport policy, fostering a sense of social inclusion and integration through sport, eliminating racism and xenophobia and supporting gender equality are among the priorities of the Commission’s action and among the key objectives of the Erasmus+ Programme.

International sport federations are competent to decide on the modalities of organising sport competitions at European and international levels – provided they respect EU law and the principles of good governance. In November 2021, the International Olympic Committee issued a “Framework on Fairness, Inclusion and Non-discrimination on the basis of gender identity and sex variations” to help sporting bodies – particularly those in charge of elite-level competitions – in developing the relevant criteria applicable to their sport.

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