

FOUNDATION FOR AFRICAN CULTURAL HERITAGE (FACH)

A coalition of values-driven NGOs based in Lagos, NIGERIA

IN THE MATTER OF: **GENDER, SEXUAL ORIENTATION AND GENDER IDENTITY**

- We are flabbergasted that the United Nations appointed Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (SOGI) is now championing the promotion of LGBTQ1+ across the world trying to reinterpret the concepts of “gender” and “gender equality” beyond the longstanding understanding of male and female and equality between the sexes which would erase all sex-based rights and protections for women and girls. This is a big scandal.
- All nations are sovereign nations. They have a right as sovereign nations to decide for themselves the kind of laws they can enact for themselves and for their own good. We should reject anything which compromises territorial sovereignty of nations. No foreign country, no United Nations body has a right to interfere in the way nations run their nations or enact their laws. If the U.S. or any other country or any United Nations body is bent on stopping the financial assistance to others nations simply because they have declared LGBTQ1+ illegal, the U.S or that other country or the United Nations body can go ahead. LGBTQ1+ is against the culture and tradition and against the beliefs of many nations especially we African nations.
- The terms “gender” and “gender equality” are common terms used throughout the UN system and in multiple UN documents and resolutions adopted by consensus by UN Member States to advance the equality of women and girls and were never intended to advance highly controversial transgender polities.
- We are opposed to the efforts of the Independent Expert on SOGI to redefine “gender equality” specifically in UN Sustainable Development Goal 5 to encompass special rights based on sexual orientation and gender identity that would supersede women’s rights and then to mainstream these alleged “rights” throughout the 2030 Agenda.
- The attitude of the United States, Britain and United Nations Agencies in imposing LGBTQ1+ on nations especially on African countries is sadly reminiscent of the sentiments of superiority that led to centuries of slavery and the emasculation of black people world over. It is a sentiment of white supremacy based on the idea that since the black man is not capable of rational, positive, value driven thinking, we have to think for him. This narrative is confirmed in the words of Nafiz Sadik, the former executive director of the United Nations Fund for Population activities who once said;
"If culture and tradition are invoked to block change, and we hear this all the time, then culture and tradition must give way."

- But the question to ask is: whose culture and tradition? And most importantly, who gets to define and make a value judgment on such cultures and traditions. And do the indigenous people have a say over the matter? The statement of Al Gore, former vice-president of the United States and prominent global warming campaigner provides an answer. While speaking on the population issue in Africa, He said;

"It is the job of global philanthropists to IMPOSE fertility management on Africa. The key word is the word 'impose,' meaning that the African has no say on what powerful nations and people do on the continent. Our sentiments do not matter, our Constitutions and laws do not matter, our religious views are irrelevant. Our duty is to comply, just like slaves were and are obligated to comply to any, and all instructions, no matter how inimical and injurious. We say no to this latest attempt at cultural imposition, while being conscious of the fact that Africa's weakness today was made possible by the activities of centuries of international conspiracies against the continent, a practice that continues till today.

- International law binds upon consent. Outlawing of LGTBQ1+ in many nations is not derogation from international legal obligations because there is no known domestic or international law which obliges nations to refrain from enacting laws against LGTBQ1+. Even though some countries have legalized LGTBQ1+, other nations are not obliged to join in their madness. The binding nature of international law is a matter of consent of sovereign States. There is no international Supreme Court that can force a sovereign State to legalize LGTBQ1+. The binding nature of international law is a matter of consent of sovereign States. In other words, international law binds upon consent not by imposition.
- We are concerned by what appears to be an imposition of controversial notions outside the internationally agreed human rights legal framework in ways that contradict the fundamentals of universality.
- We are deeply concerned that your current and past reports have and will go far beyond the content and scope of your mandate in harmful ways. Specifically, the thrust of your work is not in conformity with the principles as listed in HRC Res 5/1 which require "universality," "impartiality," "objectivity," "non-selectiveness," and a "gender perspective" as understood by States to mean a women's equality perspective and not a transgender perspective.
- In their respective Reports, the Law Reform Commissions of Nigeria and many other African countries stated that same-sex pseudo-marriage should be prohibited in different African countries through EXPRESS LEGISLATIVE PROHIBITIONS. Furthermore, same-sex pseudo-marriages contracted in other jurisdictions where they are legal should not be recognized as marriages while either or both of the parties are resident in African countries. According to the Reports of these Commissions: "the very notion of same-sex cohabitation or marriages, as the case may be is abhorrent to African sensibilities, and quite contrary to the norms of African society...it is our view that it would be a great disservice to our society, which is currently bedeviled by so many societal ills, to accord

more than a passing mention to such unions in the course of a family reform exercise. Despite our awareness of the assurance to the contrary by authorities in some of the developed countries, our view is that homosexuality is an acquired habit that ought to be eradicated and not be transformed into an acceptable human conduct by law...OUR RECOMMENDATION with regard to same-sex marriage is absolute prohibition..."

- "Gender equality" seeks to mainstream homosexuality and lesbianism into all spheres of society: schools, businesses, churches and so forth. As we speak, there are about seven (7) genders recognized at the United Nations proceedings and deliberations. There is male gender, female gender, gay gender, lesbian gender, transgender female, transgender male and bisexual gender. The list could be endless. This is why the African Group always rejects the phrase "gender equality" at all United Nations proceedings and deliberations.
- "Gender equality" requires that the social and cultural pattern of conduct of men and women should be modified to avoid "gender stereotyping". "Gender stereotyping" connotes homosexual and lesbian rights. This clearly seeks to legalize gay practices and gay marriage in Nigeria contrary to the anti-gay laws of most nations. That is why many United Nations Member States kick against the phrase because they know that it has to do with legalization of gay practices and gay marriage.
- The questions listed in the submission guidance by the Independent Expert on SOGI reveal that the main goal of his upcoming report is to change the world's commonly held biological understanding of male and female and replace it with the radical concept of "gender identity." This is the antithesis of the UN's mandate to provide rights and protections to women and girls.
- How can we create policies based on characteristics that are subjective, changeable, self-defined and that cannot be measured or quantified? For example, "Adamasgender" is defined as "a gender which refuses to be categorized," and "Affectugender" is defined as "a gender that is affected by mood swings?" How can governments be expected to regulate policies based on an individual's internal or individual experience of gender?
- Allowing biological males to opt in to the category of "girl" and "woman" by claiming a female identity will erode the many rights and protections currently extended to girls and women by governments worldwide as the categories of women and girls will become utterly meaningless if a man can be considered to be a woman too.
- Girls and women have been extended special protections and rights because of the disproportionate amount of discrimination, harassment, and violence that girls and women experience—not because they identify as "girls" or "women" but due to the biological reality of being female and the inherent differences between the sexes.

- Gender identity protection policies operate under the false assumption that people with gender confusion are better off being encouraged to identify as something other than their biological sex. The website SexChangeRegret.com has multiple testimonies from people who have strongly regretted their cross-sex surgeries and who are desperately trying to reintegrate with their biological sex, despite the altered conditions of their body. Some have even had their genitals or breasts removed and become completely infertile in their attempt to become the opposite sex. This is why Dr. Paul McHugh, University Distinguished Service Professor of Psychiatry at Johns Hopkins Medical School, who once supported and oversaw many cross-sex surgeries, after seeing the end results warned: “...policymakers and the media are doing no favors either to the public or the transgendered by treating their confusions as a right in need of defending rather than as a mental disorder that deserves understanding, treatment and prevention.”
- The American College of Pediatricians (ACPeds) calls “gender dysphoria” a “mental disorder in which an individual experiences distress over a deeply felt desire or belief that he or she is the opposite sex.” When the dysphoria is severe enough to cause a child to insist on amputating their sex organs, without question, this should be considered a mental disorder.

Thanks

Yours Faithfully

FOUNDATION FOR AFRICAN CULTURAL HERITAGE (FACH)

Signed

Dr. Obi Ideh