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UN Independent Expert on SOGI

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**SUBJECT: RESPONSE ON THE “CALL FOR INPUT TO A THEMATIC REPORT:
GENDER, SEXUAL ORIENTATION AND GENDER IDENTITY” BY THE
UN INDEPENDENT EXPERT ON SOGI**

We, the Catholic Legislators in the Kenyan Parliament, under the Catholic MPs Spiritual Support Initiative-Kenya (CAMPSSI), recognize and support the protection of all fundamental human rights of all persons regardless of sexual orientation and gender identity. We denounce all “violence” and unjust “discrimination” regardless but we are persuaded to challenge your definitions of these two terms which go far beyond UN consensus agreements in harmful ways.

However we are greatly concerned that among other issues, the Call for inputs on the Gender, sexual orientation and gender identity which clearly is a biased attempt to justify the Report of the Independent Expert on the same themes. The very questions and definitions you (the SOGI Independent Expert) have used to illustrate is a gross overstepping of your mandate and the leading questions and rhetoric used in your call for submissions demonstrate are a clear bias in favor of radical sexual and gender theories and policies, which have been rejected by a large grouping of UN Member States on multiple occasions.

Whereas the SOGI Independent Expert’s mandate is to advance the rights of persons to be free from violence or unjust discrimination based on “sexual orientation” or “gender identity,” your report undermines the very foundation upon which sex-based rights and protections are established. Your report is clearly aimed at, among other things, advancing radical gender theories and ideologies that seek to erase all biological differences between men and women and undermine the hard-earned gains for women in the area of human rights. Hence, this report will result in an imposition of controversial notions outside the internationally agreed human rights legal framework in ways that contradict the fundamentals of universality.

We urge you to consider the following concerns:-

- The term “gender identity” does not appear in any binding international agreements negotiated by the full body of UN Member States and whenever it has been proposed, it has been rejected by UN Member States because it is too controversial;
- We reject your interpretations of the terms “violence” and “discrimination” as encompassing any criticism of radical gender theory or policies that protect women’s private spaces;

- The UN social policies with regard to gender equality were specifically designed to protect sex-based rights, not controversial transgender ideology;
- Intersectionality, gender theory and queer theory are akin to religious beliefs and should not be the underpinnings for UN policies nor international law;
- We oppose the SOGI Independent Expert's distorted definition for gender and gender-based terms at the UN to encompass radical and unscientific gender ideology and queer theory;
- The SOGI Independent Expert is attempting to establish as a protected class by force of law the controversial concept of "gender identity" (i.e., transgender identity).

Why we are rejecting the Gender Ideology

It is clear that the Independent Expert on SOGI is actively trying to identify individuals, groups and countries that do not accept his ideology. We are concerned that this might be used to profile such countries for possible incited reprisals for not accepting radical transgender ideology?

We are greatly concerned that the Independent Expert on SOGI aims at interpreting 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 for example even in sporting activities and competition for economic opportunities.

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. They were never intended to advance highly controversial transgender policies and should not be used in that manner!

We oppose the efforts of the Independent Expert on SOGI to redefine "gender equality" specifically in UN Sustainable Development Goal No.5 to include special rights based on sexual orientation and gender identity that would supersede women's rights.

The Independent Expert on SOGI should not redefine the term "gender" and gender-based terms in UN documents which define gender as male and female based on biological sex, and instead is incorporating the concept of "gender identity" based on unscientific gender ideology.

The Independent Expert on SOGI is attempting to mainstream queer theory throughout the UN system and to pressure UN Member States to do the same. His intent is to make all States accountable to his radical concept of a "gender framework" that would mainstream SOGI ideology in all laws and policies.

The idea that a biological male becomes a girl or woman simply by adopting stereotypical female behavior and dress is regressive and harms girls and women by reinforcing the very stereotypes that have resulted in the harassment, discrimination, and violence against girls and women.

The idea that a biological male can or should try to become or impersonate a girl or woman if they reject stereotypically male behavior or that a female can or should try to become or impersonate a boy or a man is regressive and can damage those who are gender non-conforming or those who reject male or female stereotyped roles.

The elective, transgender hormonal or surgical interventions that your transgender gender framework would establish as universal rights are prohibitively expensive and would take critical limited resources away from those in developing countries who require basic support for survival.

Adopting of a “gender identity” policy would create a big controversy among UN Member States as there are more than 112 different gender identities as reported on Tumblr and they would all need to be protected under that gender identity policy.

While every individual is entitled to basic human rights, stabling a protected class of people based on the conceptualized gender identities” would result in chaos. For example. The New York City Commission on Human Rights “gender identity” policy now recognizes 31 genders and several complaints have been filed against individuals or businesses accused of discriminating against these “identities.” If found guilty, these individuals or entities could be forced to pay fines up to \$250,000. This is punitive and unnecessary.

It will be practically impossible for governments to create policies based on characteristics that are subjective, changeable, self-defined and that cannot be measured or quantified and furthermore, it is impossible to regulate policies that are based on an individual’s internal or individual experience of gender.

Instead of trying to create special protections for people based on their internal perceptions of themselves which can change over time, we should enforce existing laws and policies calling for the elimination of violence against anyone.

Concerns on Women Protection

The Independent SOGI Expert’s report is an attempt to undermine the hard-gained advancements of women and girls whose rights and private spaces are being violated by men who identify as women.

Where “gender identity” non-discrimination policies are in place, women and girls are being denied their right to privacy in public female spaces, such as bathrooms and showers. Some women and girls have even been sexually assaulted.

These differences that put women at higher risk than men for oppression, sexual harassment, and rape must be acknowledged and protected because they just cannot opt out of this biological realities.

The Independent SOGI Expert’s conception of a “gender framework” which incorporates radical transgender ideology will lead to discrimination, harassment and violence against women and girls as your proposed framework will erase the very rights and protections designed for them.

In private spaces and sports, bodies matter for the privacy, safety, and fairness to girls, male and female biological embodiment and realities must be respected.

Historically as well as currently, women/girls have been exploited for their reproductive capacity. The global reality for many women/girls is that they still suffer under enforced gender roles used as justification to exploit their bodies in practices like female infanticide, FGM, child marriages, trafficking, forced pregnancy, forced sterilizations, surrogacy camps, enforced dress codes, corrective rape, lack of access to certain transportation, lack of access to participation in public and political life, etc. The UN can’t fight sexism in all of these areas if the category of sex is erased and replaced with “gender identity.”

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.

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.

Concerns about "Gender Identity" Policies and Abuse/Violence Against Women and Girls

There is no evidence to support claims that there is an epidemic of violence against biological males who want to appropriate womanhood, yet allowing biological males to opt in to the category of girls and women puts girls and women at an increased risk of harassment and violence.

Gender confusion, previously called "gender identity disorder" and now called "gender dysphoria" can be a serious mental health issue. We also understand that there is an entirely different mental condition called "autogynephilia." A male who has autogynephilia experiences intense sexual arousal by cross-dressing as a female or by the thought or image of themselves as female. How will governments be able to determine under a "gender identity" non-discrimination policy whether the man identifying as a female has true "gender dysphoria" or if he has "autogynephilia," especially with regard to bathroom policies?

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.

The American College of Pediatricians (ACPed) 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. What these children really need is help in overcoming their disorder, not policies to protect their confused "gender identity" or "identities" or that push them further and further into an opposite-sex identity, putting them at risk for a large array of mental, social, and physical problems throughout their lives.

The Independent SOGI Expert's Report will harm children

This radical gender framework would encourage the medical transitioning of vulnerable children with medical and surgical interventions that have been shown to increase mental distress and cause lifelong physical harms including infertility.

The “gender framework” proposed by the SOGI expert would indoctrinate children into a belief system through comprehensive sexuality education, something that is fundamentally at odds with the UN’s Charter.

The American College of Pediatricians (ACPeds) warns: “A number of mental health professionals who have successfully treated gender dysphoria in youth stress that the ‘affirmation’ of children’s gender confusion by allowing them to behave and be treated as the opposite sex reinforces this mental disorder and renders the success of therapy less likely.” What we should be adopting is a policy calling upon medical and mental health professionals and school officials to assist children in resolving their gender dysphoria by accepting their permanent biological sex, not policies that affirm children in their confusion.

Most children lose their feelings of gender confusion as they grow older. According to Dr. Paul McHugh, “When children who reported transgender feelings were tracked without medical or surgical treatment at both Vanderbilt University and London’s Portman Clinic, 70%-80% of them spontaneously lost those feelings.”⁴ However, when children are affirmed in their gender confusion by parents, schools, the community and others, the chance that they will normally outgrow this gender confusion is greatly diminished. Our position is that “gender identity” affirming policies, while wellintentioned, are misguided, because they harm the very children that need our help.

Cross-Sex Hormones and Surgery concerns

Among the many facts which make it impossible to support “gender identity” policies is the fact that where gender-confusion-affirming policies are adopted, they can serve to encourage cross-sex hormone therapies and surgeries, and we know such interventions cause harm.

“Sex-change” surgery increases health risks, including suicide rates. A long-term Swedish study following more than 300 sex-change surgery patients for up to 30 years was published in 2011. The study concluded: “Persons with transsexualism, after sex reassignment, have considerably higher risks for mortality, suicidal behavior, and psychiatric morbidity than the general population.” The study found suicide rates 10 years after surgery were nearly 20 times that of the general population.⁷

Cross-sex surgery does not solve underlying mental health problems. Under Dr. McHugh, Johns Hopkins University, the first American medical center to venture into “sexreassignment” surgery, launched a study in the 1970s comparing the outcomes of transgendered people who had the surgery with the outcomes of those who did not. Dr. McHugh explained that John Hopkins stopped doing “sex-reassignment” surgery since “producing a ‘satisfied’ but still troubled patient seemed an inadequate reason for surgically amputating normal organs.”⁹

Surgically removing or altering children’s genitals could be considered child abuse. Dr. McHugh warned: “Given that close to 80 percent of such children would abandon their confusion and grow naturally into adult life if untreated, these medical interventions come close to child abuse.”

Concerns Comprehensive Sexuality Education

We reiterate that “Comprehensive Sexuality Education” has never been accepted in a binding treaty or major UN consensus document. Member States who have expressed strong objections to CSE should be respected by the SOGI mandate holder.

The Independent Expert on SOGI is seeking to sexualize and indoctrinate children and mainstream queer theory despite the fact that the concepts of “comprehensive sexuality education” and “sexual orientation and gender identity” were specifically rejected from the 2030 Agenda by many UN Member States.

The establishment of this SOGI expert’s mandate is a deliberate attempt to override the positions of States opposed to such and coerce them into accepting SOGI rights. This is a direct assault on the sovereignty of UN Member States and an abuse of the UN system.

Harmful Components of the CSE:

1. Sexualizes children
2. Teaches children how to consent to sex
3. Normalizes anal & oral sex
4. Promotes homosexual/bisexual behavior
5. Promotes sexual pleasure
6. Promotes solo and/or mutual masturbation
7. Promotes condom use in inappropriate ways
8. Promotes early sexual autonomy
9. Fails to establish abstinence as the expected standard
10. Promotes transgender ideology
11. Promotes contraception/abortion to children
12. Promotes peer-to-peer sex education or sexual rights advocacy
13. Undermines traditional values and beliefs
14. Undermines parents or parental rights

We therefore strongly discourage the SOGI expert to refrain from promoting CSE.

We are deeply concerned that question #4 of the SOGI expert’s call for submissions promotes “comprehensive sexuality education,” which has been rejected by many States. More specifically, at the time of the adoption of the UN 2030 Agenda, the African Group stated as part of its reservation (see A/69/PV.101), “With regard to information and education in the context of sexual and reproductive health services, as referred to under Goal 3 and target 3 ... the African Group does not think that comprehensive sexual education should be included as part of it.” The SOGI expert’s push to find obstacles to CSE, therefore disrespects the African Group position.

Children who become sexualized through CSE, among other harms, are less likely to be able to form and maintain stable families as adults. We strongly oppose the attempt by the Independent Expert on SOGI to push harmful and ineffective “comprehensive sexuality education” as a major tool to indoctrinate the world’s children and mainstream radical sexual and gender ideologies into the rising generation.

Our concerns about the violation of Parental Rights through the “Gender Identity” Policies

“Gender identity” non-discrimination policies are one of the greatest threats to parental rights and are putting children and families at risk everywhere.

The implications and consequences of adopting non-discrimination “gender identity” policies are far reaching with grave consequences for children and the family and ironically, are fraught with negative consequences for the very people they were designed to help.

We are deeply concerned by the Independent Expert on SOGI’s overstepping of his mandate and reject the underlying assumptions upon which this request for input have been made.

In order to uphold the rights and protections of girls and women we reject the false assumptions regarding gender in the Independent Expert on SOGI’s call for input for his upcoming “thematic report.”

The reason girls and women have been extended special protections and rights is 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. Adopting the “gender framework” which is based upon the Independent Expert on SOGI’s beliefs is privileging one belief system over others, which is a violation of the UN’s mandate to protect individuals’ freedom of thought, conscience, and religion.

In order to uphold the rights and protections of girls and women, we reject the false assumptions regarding gender in the Independent Expert on SOGI’s call for input for his upcoming “thematic report.”

The Independent Expert on SOGI is attempting to identify political and religious leaders who speak out publicly against “gender ideology.” We are concerned that such a list could be used to incite reprisals against people who exercise free expression, speech and religious liberty rights.

Attempts are being made by UN entities including treaty bodies and special procedures to redefine “gender” and “gender equality” to encompass controversial concepts related to “gender identity” that run counter to the culture, values, religion, laws and policies of billions of the world’s people.

CONCLUSION

As Catholic legislators we note that the great majority of people identify themselves as either male or female. This is based on their biological characteristics. In our African tradition, it would be impossible to have it differently. The Independent Expert aims at imposing a right of a person to self-determine his/her sex orientation. No UN treaty forces or even encourages member States to recognize personal gender in the way the Report suggests.

This report will result in an attack to the family. It is a way of undermining the parental rights and duties to educate, guide and foster their children.

Persons who cannot identify with their biological gender of these persons have either mental or biological disorders. These must be addressed medically and should not constitute a base for special legislation.

We reject calls to recognize the never-ending lists of possible genders because to accept this kind of gender identity style will undermine the roots of our human family. No society can properly function when extreme situations are dealt with as normalcy. We should not forget that no more than 0.3% of the World population identifies as transgender. Yet, the UN Report wishes to give this tiny minority equal status as any other citizen.

We find disturbing that the Report accuses local traditions, cultures and religious feelings to support discrimination. This is an intent to mute positive traditions and impose an ideologized view of sexual determination.

We therefore:-

Denounce in the strongest terms the Independent Expert on SOGI's attempts to redefine "gender," "gender equality" and other gender-based terms, especially in the UN 2030 Agenda to encompass radical and harmful concepts and gender ideologies that go beyond the concepts of male and female based on biological sex;

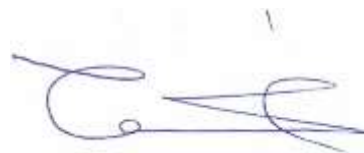
Denounce Independent Expert on SOGI's most recent call to identify political and religious leaders worldwide who speak out publicly against harmful and unscientific "gender ideology" [

Denounce the Independent Expert on SOGI's actions seeking to identify States that are not implementing harmful "comprehensive sexuality education" designed to indoctrinate children and mainstream radical sexual and gender identities and ideologies into our societies;

Call upon all UN Member States to reject the past and forthcoming reports issued by the UN Independent Expert on SOGI and to censure him for his aforementioned ultra vires actions that will only serve to denigrate and abolish the many hard-won sex-based rights for women and girls, lead to the destruction of the natural family, and damage children who will receive harmful comprehensive sexuality education designed to indoctrinate them in radical gender and sexual ideologies and queer theories;

We denounce any and all efforts by unaccountable UN mandate holders to retroactively reinterpret longstanding UN consensus terms or UN agreements related to gender and sex, that have been used in countless UN consensus agreements, resolutions and treaties, undermine the entire collaborative UN negotiation process and international human rights framework with serious implications for all peoples.

Signed:



Hon. Dr. Chrisantus Wamalwa,(Ph.D) CBS, MP
Chairman
Catholic MPs Spiritual Support Initiative – CAMPSSI(K)