

Joint Submission to UN SOGI Expert's Call for Input

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Office of the UN High Commissioner for Human Rights
via email ie-sogi@ohchr.org

Dear Mr. Madrigal-Borloz,

Thank you for the opportunity to provide input for the forthcoming thematic report: Gender, sexual orientation and gender identity.

Family Watch International, a non-governmental organization accredited with the Economic and Social Council of the United Nations,¹ and the UN Family Rights Caucus² promote and protect fundamental human rights for all people in accordance with the nine core international human rights instruments and the founding documents of the UN. We unequivocally condemn violence, harassment and unjust discrimination against all individuals.

While we promote equal rights and treatment for all, we oppose the creation of *special* rights or treatment based on behaviors or feelings related to sexual orientation and gender identity, which are increasingly being put forward as legitimate rights in UN fora, often at the expense of the well-established rights of women and girls.

Gender theory is exactly that—theory—the unproven assumptions or speculation covering a spectrum of unverified beliefs regarding the existence of a myriad of self-perceived genders that should be recognized and protected by force of law. New York City legally recognizes 31 genders.³ Facebook recognizes over 50.⁴ There is no scientific evidence whatsoever that supports the notion that individuals are “born in the wrong body” and are therefore entitled to special rights, especially when based on self-perception of a gender that does not reflect biological reality.

On the other hand, sex is a biological, observable, quantifiable reality of which there are two: male and female. Intersex conditions or other extremely rare disorders of sexual development do not constitute a third sex.

In eight of the nine core international human rights instruments mentioned previously, taken together, the word “gender” appears exactly one time (only in the context of mandating balanced representation on the CPED committee).⁵ Further, the Charter of the United Nations and the Universal Declaration of Human Rights also make no mention of “gender.” However, the word

“sex” or “sexes” appears in these 10 documents a total of 22 times, which says a great deal about the intent of the framers of these foundational UN documents.

Moreover, the more recent use of the term “gender” in multiple, nonbinding UN consensus documents clearly shows that the term was intended to encompass the two sexes, male and female only, and not to advance unscientific “gender theory.” Indeed, the Rome Statute of the International Criminal Court has clearly defined the term “gender” in Article 7(3) stating that “gender refers to the two sexes, male and female, within the context of society.”

This is the definition of gender in international law.

Therefore, the SOGI mandate holder’s attempt to redefine “gender” or gender-based terms to encompass unscientific gender theory or to encompass transgender-identifying individuals clearly is not a product of the consensus of UN Member States but rather is something invented by unelected, unaccountable treaty bodies and transgender activists within the UN system.

We adamantly oppose the ultra vires attempts by the SOGI mandate holder to redefine such terms as “gender framework,” “gender mainstreaming,” “gender responsive,” and “gender equality” to encompass radical notions related to “gender theory” and self-proclaimed transgender identities.

Indeed, unaccountable UN special procedures and mandate holders have no right to redefine UN consensus terms for all UN Member States. The right does not exist no matter how often they try and no matter how many non-binding treaty body comments they cite and no matter if they have the support of a minority of UN Member States in pushing this agenda to bolster their ill-advised attempts.

Of grave concern to us is the Independent Expert’s call to identify individuals including “political and/or religious leaders” whose public expressions have resulted in the “modification or suppression” of any activity by gender activists or application of gender frameworks, or who use the term “gender ideology” to describe the actions of human rights defenders or LGBT activists.

Does this call by the Independent Expert support established international human rights instruments and founding UN documents that have enshrined the “freedom of thought, conscience, and religion” or the right “in public or private, to manifest his religion or belief in worship, observance, practice and teaching” worldwide?⁶ It does not. In fact, it does the opposite and constitutes a gross violation of the human rights he purports to uphold and a gross overstepping of his mandate.

In yet another ironic twist, the Independent Expert asks if these individuals who use the term “gender ideology” (accurately, we might add) to describe the work of LGBT activists have impacted the human rights of women and girls. The reality is that *his* work is destroying the human rights of women and girls whose previously sex-segregated private spaces and athletic teams have been infiltrated by biological males who wish they were female. His advancement of radical gender theories and ideologies that seek to erase all differences between men and women

undermine the hard-earned gains and sex-based rights for which women have tirelessly worked for decades.

Further, the Independent Expert calls for the resistance of “gender stereotypes,” yet this is exactly what happens when a biological male identifies as a female and adopts stereotypical female behavior and dress, thus reinforcing the very stereotypes he is calling to extinguish.

Girls and women have been extended special protections and rights because of the disproportionate amount of discrimination, harassment and violence that they 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.

Also of grave concern is the Independent Expert’s call to implement comprehensive sexuality education designed to indoctrinate children and mainstream queer theory, an unhealthy belief system that encourages children to disassociate from their biological sex in harmful ways. It should be noted the concepts of “comprehensive sexuality education” and “sexual orientation and gender identity” were specifically rejected from the 2030 Agenda by many UN Member States and that 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.

Comprehensive sexuality education (CSE) 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.

Comprehensive sexuality education programs have an obsessive focus on sexual pleasure for children and encourage sexual promiscuity and experimentation at the expense of sexual health. This, despite numerous peer-reviewed studies showing that sexually active youth are more likely to experience many negative outcomes including:

- Less likely to use contraception⁷
- More likely to experience an STI⁸
- More concurrent or lifetime sexual partners⁹
- More likely to experience pregnancy¹⁰
- Lower educational attainment (not necessarily linked to pregnancy)¹¹
- Increased sexual abuse and victimization¹²
- Decreased general physical and psychological health, including depression¹³
- Decreased relationship quality, stability and more likely to divorce¹⁴
- More frequent engagement in other risk behaviors such as smoking, drinking and drugs¹⁵
- More likely to participate in antisocial or delinquent behavior¹⁶
- Less likely to exercise self-efficacy and self-regulation¹⁷
- Less attachment to parents, school and faith¹⁸

The claim by CSE advocates that school-based CSE programs delay sexual debut, increase condom use and decrease pregnancy or STD rates has been shown to be false according to peer-reviewed research that is consistent with standards derived from the field of prevention research.¹⁹

Most comprehensive sexuality education programs (that claim to be “medically accurate” and “evidence based”) are riddled with unscientific and medically inaccurate gender ideology that is presented to impressionable young children as fact. (See examples of these CSE programs at ComprehensiveSexualityEducation.org.)

Transgender rights activists pushing this same gender ideology also disseminate widespread misinformation regarding puberty blockers and cross-sex hormone treatments for children. These harmful, untested, experimental procedures are doing untold damage to children and youth across the world who are often told these procedures are completely reversible and perfectly safe.

We declare 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.

We 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.

We 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.

¹ Family Watch International is the DBA for Global Helping to Advance Women and Children.

² The mission of the United Nations Family Rights Caucus (UNFRC) is to protect and promote the natural family as the fundamental unit of society as called for in Article 16 of the UN Declaration of Human Rights. UNFRC membership includes concerned citizens, government, religious, and civil society leaders, and non-governmental organizations representing every region of the world and over 10 million people worldwide.

³ The 31 genders recognized by the New York City Commission on Human Rights are: Bi-gendered, Cross-dresser, Drag King, Drag Queen, Femme Queen, Female-to-Male, FTM, Gender Bender, Genderqueer, Male-to-Female, MTF, Non-Op, HIJRA, Pangender, Transsexual/Transsexual, Trans Person, Woman, Man Butch, Two-Spirit, Trans, Agender, Third Sex, Gender Fluid, Non-Binary Transgender, Androgyne, Gender Gifted, Gender Blender, Femme, Person of Transgender Experience, and Androgynous. Local Law No. 3 (2002); N.Y.C. Admin. Code § 8-102(23).

⁴ Genders recognized by Facebook include Agender, Androgyne, Androgynous, Bigender, Cis, Cisgender, Cis Female, Cis Male, Cis Man, Cis Woman, Cisgender, Female, Cisgender Male, Cisgender Man, Cisgender Woman, Female to Male, FTM, Gender Fluid, Gender Nonconforming, Gender Questioning, Gender Variant, Genderqueer, Intersex, Male to Female, MTF, Neither, Neutrois, Non-binary, Other, Pangender, Trans, Trans*, Trans Female, Trans* Female, Trans* Male, Trans Man, Trans* Man, Trans Person, Trans* Person, Trans Woman, Trans* Woman, Transfeminine, Transgender, Transgender Female, Transgender Male, Transgender Man, Transgender Person, Transgender Woman, Transmasculine, Transsexual, Transsexual Female, Transsexual Male, Transsexual Man, Transsexual Person, Transsexual Woman, Two-Spirit.

⁵ International Convention for the Protection of All Persons from Enforced Disappearance, Article 26(1).

⁶ Universal Declaration of Human Rights, Article 18, International Convention on the Elimination of All Forms of Racial Discrimination, Article 5.d(vii), International Covenant on Civil and Political Rights, Article 18(1), Convention on the Rights of the

Child, Article 14(1), International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Article 12(1).

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