



Women's Declaration International

WDI Statement on accusations by AWID against Special Rapporteur on Violence Against Women, Ms. Reem Alsalem

The recent statement by the Association for Women's Rights in Development (AWID), [There Is No Place for Anti-Trans Agendas in the UN](#), denouncing the Special Rapporteur on Violence Against Women, contains baseless allegations and unsupported assertions, in direct conflict with their claimed mandate of supporting women's rights. The most notable aspect of this letter is that nowhere in it does the statement even attempt to engage with the SR's concerns, instead using circuitous language and a stream of unconnected assertions. Women's Declaration International (WDI) points out that organisations supporting women's sex based rights do not demand immediate agreement from all organisations in the women's sector. At the very least, there should be an honest attempt to engage, and answer concerns. With AWID's statements (both the current as well as previous one) there is no such attempt, instead preferring to simply make accusations.

In a manner resembling tabloid journalism more than the statement of a rights organisation, the statement opens with loaded (and unsupported) language about 'harmful consequences' of the Special Rapporteur's concerns. (line1)

It expresses dismay that the SR has called for obstacles to 'legal gender recognition as opposed to bodily autonomy', falsely presenting such measures as pertinent to *bodily autonomy*, when by definitions used even by the proponents of such measures, 'gender identity' is not related to the body. Even according to [Independent Expert Madrigal Borloz](#), gender identity is defined as a 'deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body and other gender expressions, including dress, speech and mannerisms. Thus, it is a self perception, a psychological sense of oneself, at best. Positing opposition to 'legal gender

recognition' as opposition to 'bodily autonomy', especially *by* organisations like AWID and proponents of legal 'gender', is disingenuous at best, a malicious falsity at worst, because according to them, gender refers to a mental state rather than a physical one (hence also the claim for physical alteration to better fit the internal sense of self).

The letter goes on to accuse the SR of misusing a position created by virtue of feminist movements, while steadfastly denying a basic human right of women - to disagree with certain political movements and demands, if they find it objectionable. Instead, AWID's stream of irresponsible accusations are in fact a form of authoritarianism on women - that all women must agree, without question, if a certain segment of organisations purporting to be for 'gender justice' such as AWID, IWRAW, say so. It also accuses the SR of misapplying human rights frameworks, when in fact the demand for legal gender self recognition, a relatively new demand in the history of human rights, threatens the protections based on sex contained in significant human rights treaties (CEDAW (Article 1), ICCPR (Article 2), ECHR (Article 14), among others). If any party here is misapplying human rights frameworks, it is AWID.

The letter follows the by now classic 'smear' tactics - claiming the SR is 'weaponising' women's rights. It also, falsely claims that there is a *scientific consensus* that sex is socially constructed. This is categorically false. While certain writers in a few scientific fields have claimed sex is not binary based on the existence of disorders of sexual development the existence of DSDs, in fact, prove the binary - all are either male or female. The [mainstream scientific perspective](#) still acknowledges that sex is biologically determined, binary, and immutable. The deliberate misrepresentation is becoming emblematic of organisations of a certain ideological persuasion - claiming that 'transphobic' people use 'sex' and 'gender' wrongly, while they are the ones using it interchangeably and creating a confusion. This tendency has had many harmful ramifications, with important scientific and [academic research about sex disrupted](#) and confused by 'gender' activists, claiming to be militating against transphobia.

The smear attempt by AWID continues to expose its own inconsistencies. It claims the SR's statement is in ignorance of 'evolved' human rights standards, which also address discrimination based on gender - and *cites the definition of gender as a social construct justifying inequality, providing a means to categorize and order power relations*. This is in direct contradiction to the first claim that 'sex' is socially constructed (if gender is a social construct, and it is different from sex, how is sex also a social construct?). Moreover, legal 'gender' recognition would then entail legal protection for a system of inequality that reifies power relations? The incoherence in their claims is evident from their own statement.

The letter continues with its irresponsible claims - stating that the SR's concern for sex based rights is equivalent to justifying harmful policies against men who state they are transgender. It then goes on to accuse the SR of using strategies used by states who oppose the use of 'gender' in negotiations, another bizarre claim given that according to their own definition, gender is a social construct justifying inequality.

The letter baldly, without evidence or support, simply rejects the concern that there is a conflict between the rights of women and the privileges demanded by men who claim to be transgender. The weakness of their position is clear in this strategy, where, rather than try to factually refute or allay the SR's concerns or those of other women's rights organisations, their best response is a mere 'rejection'. It should be pointed out here that aside from feminist concerns, authorities, [including some governments](#) and those in other

domains have started to acknowledge that there *is* a conflict of ~~rights~~ between women's rights and the demands of men who state they are transgender. One such domain is [sports](#), where, without specific feminist mandates, it is recognised that , biologically-determined differences between the sexes are very significant, obvious, and relevant to issues of women's safety, fairness and dignity. While denouncing the SR's understanding of intersectionality, the statement in fact misuses the concept, in the following way:- It is widely acknowledged (even in AWID's [own source](#) on intersectionality) that it is an understanding of oppression that urges consideration of other aspects of identity that drive oppression (such as race, class etc.) *in addition to sex*. That is, intersectionality points out that women (the historically disadvantaged sex) who belong to marginalised races or ethnic groups or economic groups, suffer additional oppression - on the basis of sex and other grounds. Intersectionality does not, therefore militate against sex-based rights, just the recognition of other sources of oppression. Of course, AWID does not try to substantiate their accusation.

AWID states that feminist organisations, and "LGBTQ+" organisations have disagreed with the SR. While this is true, it is also true that there are feminist organisations supporting her, which the SR has noted. AWID 's statement simply ignores the existence of the opposing feminist organisations. It simply notes that several have disagreed with the SR, and implies that therefore the SR should have changed her position. In a disturbing display of authoritarianism, AWID claims that they have attempted to give 'constructive feedback' to the SR, with no acknowledgment of her expertise or an attempt to meaningfully parse the concerns. Since she has failed to change her position pursuant to their 'constructive feedback' AWID continues with smearing her as 'perpetuating narratives that uphold outdated and non scientific understandings of binary (an untrue claim) of biological sex.

In an ironic twist, the AWID statement notes the regressions of women's rights worldwide, including the increasing restrictions on the right to abortion. Abortion rights affect women - the human female sex, because of the capacity of the female body to become pregnant. The denial of abortion rights is intrinsically and indivisibly an oppression inflicted on the human female body *precisely because of its biological particularity - to carry a pregnancy, a consequence of biological sex and accompanying physiological characteristics*. To simultaneously claim concern about the restriction on rights to abortion (a right fundamentally connected to the female sexed body) while terming women's 'sex based rights' as outdated and against existing human rights norms is laughable.

Ms. Alsalem is courageously performing the functions of her mandate, and far from denouncing policies or positions, has simply called for an environment where women and girls are free to express concerns, given that her mandate is violence against women. To accuse her of compromising her mandate because a certain segment of LGBTQ+ and rights organisations have disagreed with her, when she has simply called for women to be allowed to express concerns, is disgraceful.

Unlike the style of AWID and the other organisations denouncing the Special Rapporteur and ignoring the concerns of many women and feminist organisations, this letter does not propose to merely make unfounded, baseless assertions. Instead, we would pose the following series of questions to organisations that make these assertions.

1. Since gender is understood as a social construct that justifies inequality, why is the demand for it to gain 'legal recognition' a legitimate one?

2. On what basis is the claim made that it is 'outdated and unscientific' to acknowledge sex as binary? Is the claim that there is a third gamete possible in human biological configuration (since biological sex relates to the two types of gametes that mammals like us use in reproduction)?
3. Is it not a fact that women and girls worldwide experience child marriage and forced pregnancy *precisely because of the fact that the female body carries a pregnancy to term - a reality connected to the female sexed body*? If so, how can it be tenable to claim that sex based rights are in violation of international human rights norms?
4. Is it not true that aside from feminist concerns about single sex spaces, and women's rights, sporting authorities have had to acknowledge massive differences in the physiology between men and women, even when some men attempt to artificially lower their testosterone? In light of these determinations by sporting bodies, (including in [swimming](#), [rugby](#), [athletics](#) and [boxing](#)) how can AWID justify its blanket 'rejection' of any conflict of rights between women and men who claim to be transgender?
5. If, as AWID states, sex is 'socially constructed', then how do they differentiate it from the concept of 'gender'? If they treat these two concepts as synonymous, and sex is legally recognised, why militate for 'legal gender recognition'?
6. If they are acknowledged to be different concepts, yet, according to AWID, an understanding of sex on the basis of fixed, immutable physiological characteristics is 'outdated and unscientific', how is sex understood? (While continuing to be different from gender?)
7. While calls for legal self-recognition of 'gender identity' at best find mention in recent resolutions of the UN (soft law), the recognition of sex as a basis of oppression, inequality and discrimination is entrenched in international treaties (hard law) that most countries in the world have signed and ratified. How is their position that international human rights law itself has changed tenable or defensible?



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