



Women's Declaration International

Submission to CEDAW Committee on CEDAW GR 41 Gender Stereotypes – 6th December 2024

We note that the CEDAW Committee agreed at its 81st session in February 2022 to start elaboration of a General Recommendation (GR 41) on the impact of “gender stereotypes” on the enjoyment of the rights enshrined in the Convention, and we submit the following to the Committee on this Concept Note:

On behalf of 38,858 individual signatories and 541 organisations across 160 countries, Women's Declaration International (WDI) calls on the Committee to reject the term “gender stereotypes” and return to the language of “sex stereotypes” as written in the Convention itself and agreed to by 189 member States.

The Convention uses the language of “sex” three times in its text:

- The Preamble declares that “all humans are born free and equal in dignity and rights” without distinction “based on sex.”
- Article 1 defines discrimination as “any distinction, exclusion or restriction made on the basis of sex.”
- Article 5 is named “Sex Role Stereotyping” in the Convention's Table of Contents, and the text of part (a) of the Article clarifies the meaning: “To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.”

The “social and cultural patterns” described in Article 5 are what are termed “gender” in Article 7(3) of the Rome Statute. It is thus an ambiguous misnomer to refer to “gender stereotypes”, as gender itself *is* the agreed term for the stereotypes.

“Gender”, as noted by member States in discussions on its use in UN documents, is a highly elastic term that allows States latitude in its application. “Sex”, on the other hand, is not: it is a quality that can be observed in material reality and remains consistent across time and culture. Because of its elasticity, States now use the term “gender” in law and policy to avoid granting protection on the basis of sex, and to instead privilege the gender stereotype with which an individual ‘identifies’. This reifies and protects the oppressive stereotype, not the material sexed body underneath. Women are oppressed on the basis of this body, *by* the very stereotypes being protected by the word “gender”.

Article 2(f) of the Convention calls on all member States “To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.” Use by the Committee of the term “gender” is the mechanism by which States are undercutting the Article 2 mandate.

On 2 December 2024, Reem Alsalem, UN Special Rapporteur on Violence against Women and Girls, published an informal statement on x.com expressing her concern with this trend:

I am very concerned by the increasing onslaught on women-specific language, which seeks to erase the reality of womanhood itself and deny its innate and sex-related specificity. A number of influential media outlets, organizations, academic and health institutions, and experts are complicit in what can only be described as a new form of #ViolenceAgainstWomen. It must be stated that words such as “non-transgender women”, “cis women” and the like do not reflect any UN- or otherwise internationally-agreed standards. I call on media and all stakeholders to uphold the dignity of women and respect their human rights.

If the Committee endorses the term “gender stereotypes” in GR 41 it will license the contemporary fad of ignoring the reality of the sexed body, undermine protections for girls and women on the basis of their sex, and unwittingly participate in the *reification* of the oppressive sex-role stereotypes that the Rome Statute terms “gender”.

We ask that the Committee use its 2025 deliberations to re-name GR 41 using the internationally-agreed term “sex role stereotypes”.

From the WDI UN working group

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About WDI

Women's Declaration International is a group of volunteer women who are dedicated to preserving our sex-based rights. Join us in defending women and girls.

Women's Declaration International Ltd

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