



OUTRIGHT
ACTION INTERNATIONAL

Gender, Sexual Orientation, & Gender Identity

Submission to United Nations Independent Expert on Protection Against Violence and Discrimination Based on Sexual Orientation & Gender Identity

Introduction

OutRight Action International (OutRight) is an ECOSOC accredited civil society organization working at the international, regional and national levels to research, document, defend, and advance human rights for lesbian, gay, transgender, and intersex (hereinafter, “LGBTI”)¹ people. This submission is a response to the United Nations Independent Expert on Protection Against Violence and Discrimination Based on Sexual Orientation & Gender Identity’s call for inputs for a thematic report documenting the increased instances of violence and discrimination based on sexual orientation and gender identity at a global level owing to the popularization of anti-gender narratives which seek to eliminate gender as a framework within international law.

Through this submission, we aim to emphasize the need to adopt a comprehensive gender theory lens in the evolution of international law and policy so as to combat the current challenges of eliminating stigma around LGBTI populations. This would further efforts towards securing all the human rights for LGBTI persons, and holding governments accountable for the historical social injustices carried out against the community. Moreover, the submission focuses on OutRight’s findings and observations as noted from the responses to an online survey² about the anti-gender narrative that exists in the Caribbean, where religious and cultural beliefs have been noticed as the driving forces behind weaponizing the term “gender” to oppose the adoption of a gender perspective in law and policies.

¹ OutRight Action International uses the acronym LGBTI to denote the lesbian, gay, bisexual, transgender, queer and intersex community. We believe this acronym is inclusive of a broad range of people across our community. It is not exhaustive, nor is it universally accepted or used.

² OutRight International disseminated an online questionnaire that sought responses from activists, independent consultants and allies working in the Caribbean region on the presence of an anti-gender narrative in the respective countries, the main proponents and target groups of this narrative, how the same has been popularised, and the extent to which the adoption of this anti-gender position has impacted legal and policy changes, especially in the domain of the rights of LGBTI persons.

Gender

Gender is understood to encompass social beliefs about behaviors and qualities of individuals, as well as their role in society based on their perceived sex characteristics.³ Such a narrow framing of the concept has resulted in stereotypes that cause or perpetuate substantive or de facto discrimination by creating a false hierarchy among human beings. These stereotypes affect all persons and create barriers to fulfill the rights for all to be free and equal. They underscore gender-based violence and discrimination and are hence condemned at the highest possible level.⁴

Gender-based discrimination is not only linked to deep-rooted patriarchal and gender stereotypes, but also unequal power relations, manifesting in harmful and discriminatory attitudes, perceptions, customs, and practices targeting vulnerable members of society. In order to combat discrimination, International Human Rights Law establishes several anti-discrimination clauses in treaties that are reaffirmed in the international, regional and domestic sphere. This means that States and other stakeholders are bound by such international, regional and domestic obligations to take necessary measures to prevent, diminish and eliminate patriarchal and gender stereotypes that cause or perpetuate substantive or de facto discrimination, and to adopt an intersectional approach to genuinely respond to the needs of those affected.

Moreover, wrongful gender stereotypes are also based on the false premise that there are only two genders in the world—male and female. While the construct of a gender binary is prevalent in many societies, there are notable examples of other genders around the globe, such as two-spirits, *muxe*, *fafafine*, and many more⁵. The creation of a gender binary erases all those whose gender identities fall outside this order, such as intersex and nonbinary individuals, as well as those who transgress prescribed gender roles, including other members of the LGBTI community.

LGBTI individuals acutely suffer from gender-based violence and discrimination. They face a variety of human rights violations specific to their sexual orientations and gender identities, such as efforts to change their sexual orientation and gender identity, involuntary medical interventions, and social stigmatization which are rooted in gender-based violence and discrimination. Therefore, efforts to combat gender

³ UNICEF, Gender Glossary, Glossary of Terms and Concepts, 2017, available at: <https://www.unicef.org/rosa/media/1761/file/Gender%20glossary%20of%20terms%20and%20concepts%20.pdf>

⁴ E.g. CEDAW's Article 5 (a) requires States Parties to take "all appropriate measures" to "modify the social and cultural patterns of conduct of men and women" in an effort to eliminate practices that "are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women."

⁵ Office of the United Nations High Commissioner for Human Rights, *Born Free and Equal*, 2012 HR/PUB/12/06.

discrimination must fully address the struggles and experiences of LGBTI individuals. For instance, UN Women defines “gender” as:

“the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys... These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/ time-specific and changeable (...) Gender is part of the broader socio-cultural context”.⁶

Similarly, the Committee on the Elimination of Discrimination against Women expresses that:

“The term “sex” here refers to biological differences between men and women. The term “gender” refers to socially constructed identities, attributes and roles for women and men and society’s social and cultural meaning for these biological differences resulting in hierarchical relationships between women and men and in the distribution of power and rights favouring men and disadvantaging women. This social positioning of women and men is affected by political, economic, cultural, social, religious, ideological and environmental factors and can be changed by culture, society and community”.⁷

This definition is also widely accepted in regional mechanisms, such as the Organization of the American States, which defines gender as ‘*socially constructed identities, attributes and roles for women and men and society’s social and cultural meaning for those biological, hormonal, anatomical, and physiological characteristics on whose basis one is labeled at birth as differences*’.⁸ Similarly, the Council of Europe defines gender as ‘*the socially constructed roles, behaviors, activities and attributes that a given society considers appropriate for women and men*’,⁹ and the Southern African Development Community defines gender as ‘*the roles, duties and responsibilities which are culturally or socially ascribed to women, men, girls and boys*’.¹⁰ The Association of

⁶ UN Women, *Concepts and Definitions*, available at: <https://www.un.org/womenwatch/osagi/conceptsanddefinitions.htm>

⁷ United Nations, Committee on the Elimination of Discrimination against Women – CEDAW, General recommendation No. 28 on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women, CEDAW/C/GC/28, 16 December 2010, para. 5.

⁸ OAS, Permanent Council of the Organization of American States, Committee on Juridical and Political Affairs. Sexual orientation, gender identity and gender expression: key terms and standards. Study prepared by the Inter-American Commission on Human Rights, OEA/Ser.G. CP/CAJP/INF. 166/12. April 23, 2012, para. 14.

⁹ Council of Europe, Council of Europe Convention on preventing and combating violence against women and domestic violence, article 3C.

¹⁰ Southern African Development Community, *Protocol on Gender and Development*, 17 August 2008, art 2.

Southeast Asian Nations affirms its commitment to gender-mainstreaming and the Convention on the Elimination of all Forms of Discrimination Against Women,¹¹ hence indirectly endorsing the constructivist definition of gender embraced in International Human Rights Law.

These definitions can be limiting in that some of them often are predicated around a gender binary. However, by defining gender as a mutable social category emanating from cultural norms, they also allow for categories of gender that are neither male, nor female, such as non-binary and intersex people. A more substantive definition is provided by the Yogyakarta Principles, which defines gender identity as:

each person's 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 (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms.¹²

Several United Nations Mechanisms and bodies have increasingly noted the importance of including LGBTI individuals in their work against gender-based discrimination. This inclusion has led to a comprehensive and intersectional gender analysis that has influenced the interpretation of rights recognized in International Human Rights Law. The recognition that gender is a socio-cultural construct increasingly informs United Nations advocacy around eliminating gender discrimination. Firstly, State parties to the CEDAW are obligated to ensure the elimination of gender-based—and not merely sex-based—discrimination. This is clarified by the Committee in General Recommendation No. 28, which states that:

“Although the Convention only refers to sex-based discrimination (...) the Convention covers gender-based discrimination against women...The application of the Convention to gender-based discrimination is made clear by the definition of discrimination contained in article 1. This definition points out that any distinction, exclusion or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women of human rights and fundamental freedoms is discrimination, even where discrimination was not intended. This would mean that

¹¹ ASEAN Declaration on the Gender-Responsive Implementation of the ASEAN Community Vision 2025 and Sustainable Development Goals, preamble.

¹² Yogyakarta Principles - Principles on the application of international human rights law in relation to sexual orientation and gender identity, March 2007, p. 6.

identical or neutral treatment of women and men might constitute discrimination against women if such treatment resulted in or had the effect of women being denied the exercise of a right because there was no recognition of the pre-existing gender-based disadvantage and inequality that women face”.¹³

The Committee’s General Recommendations on the application of CEDAW increasingly have begun to incorporate the recognition of lesbian, bisexual, transgender and intersex individuals.¹⁴ For instance, in General Recommendation No. 32, the Committee affirms that:

“Discrimination against women based on sex and/or gender is often inextricably linked with and compounded by other factors that affect women, such as race, ethnicity, religion or belief, health, age, class, caste, being lesbian, bisexual or transgender and other status”.¹⁵

On General Recommendation No. 33, the Committee states:

Discrimination against women, based on gender stereotypes, stigma, harmful and patriarchal cultural norms and gender-based violence, which affects women in particular, has an adverse impact on the ability of women to gain access to justice on an equal basis with men. In addition, discrimination against women is compounded by intersecting factors that affect some women to degrees or in ways that differ from those affecting men or other women. Grounds for intersecting or compounded discrimination may include ...[those who] *identity as a lesbian, bisexual or transgender woman or intersex person*. These intersecting factors make it more difficult for women from those groups to gain access to justice.¹⁶

¹³ United Nations, Committee on the Elimination of Discrimination Against Women – CEDAW, General recommendation No. 28 on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women, CEDAW/C/GC/28, 16 December 2010, para. 5.

¹⁴ UN Committee on the Elimination of Discrimination Against Women (CEDAW), General Recommendation No. 35 (2017) on Gender-based Violence Against Women, Updating General Recommendation No. 19, 26 July 2017, CEDAW/C/GC/35, paras 12 and 29; UN Committee on the Elimination of Discrimination Against Women (CEDAW), General Recommendation No. 37 (2018) on the Gender-related Dimensions of Disaster Risk Reduction in the Context of Climate Change, 13 March 2018, CEDAW/C/GC/37, paras 57(e); 68(f).

¹⁵ UN Committee on the Elimination of Discrimination Against Women (CEDAW), General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, 5 November 2014, CEDAW/C/GC/32, para 6.

¹⁶ Para UN Committee on the Elimination of Discrimination Against Women (CEDAW), *General recommendation No. 33 on women’s access to justice*, 3 August 2015, CEDAW/C/GC/33, para 8.

Many States have also adopted gender as a key lens of analysis in developing laws and policies aimed at protecting women and LGBTI persons against violence and discrimination.

A recent example of the same is the legal recognition of the right to self-determination of one's gender identity by the Congress in Uruguay in 2018.¹⁷ The enactment of the Comprehensive Law for Trans Persons in Uruguay recognizes the right to gender identity of trans persons based on self-determination and through administrative procedures that take into account self-perceived gender identity, without imposing pathologizing or stigmatizing requirements, including for children and adolescents under the age of eighteen. It also introduced affirmative action measures for transgender persons in the country and recognized that access to health services like gender-reassignment surgery and hormonal therapy are a matter of right, the obligation to provide the same being on the national government.

However, the advances made by the movements for gender equality face a rising and imminent threat owing to the pushback from regional and multilateral groups and organizations that seek to eliminate the gender framework from International Human Rights Law and domestic legislative and policy documents. In the last three decades in particular, populist, conservative movements have increasingly mobilized to oppose issues pertaining to gender and sexuality, be it women's reproductive rights¹⁸, same-sex marriage¹⁹ and adoption, and comprehensive sexuality education.²⁰ A common technique these groups use is to "systematically misrepresent insights from feminist theory and gender studies in order to mobilize constituents"²¹. As such, this pushback poses a significant threat to the successes made at the national and international level when it comes to advancing the rights of women and LGBTI persons. It could also setback civil society organizations, feminists, human rights defenders, and LGBTI groups.

The so-called "Gender Ideology"

¹⁷ Uruguay, Ley N° 19684, LEY INTEGRAL PARA PERSONAS TRANS, <https://www.imo.com.uy/bases/leyes/19684-2018>

¹⁸ Creely, Sian, and André Blackburn. "Beyond the Culture Wars: 'Gender Ideology' and Discourses of Homophobia in Latin America, the Caribbean and Europe." *IFAIR*, 30 Aug. 2020, ifair.eu/2020/08/30/beyond-the-culture-wars-gender-ideology-and-discourses-of-homophobia-in-latin-america-the-caribbean-and-europe/.

¹⁹ Kováts, Eszter. "Questioning consensus: Right-wing populism, anti-populism, and the threat of 'gender ideology'." *Sociological Research Online* 23.2 (2018): 528-538.

²⁰ McEwen, Haley. "Un/knowning & un/doing sexuality & gender diversity."

²¹ Gallo, Michelle. *Anti-gender movements*. No. BOOK. The Graduate Institute of International and Development Studies, Gender Centre, 2020.

The term “gender ideology” emerged in the late 20th Century in the backdrop of the global movement for the protection of women’s rights, especially with sexual and reproductive rights being formally recognized by the United Nations.²² It was used by anthropologists in the 1980s to describe the unequal status of gender and gender roles in society and was later adopted by feminists who demanded that the State recognize the distinct ways that gender shapes people’s lived experiences, particularly in developing legislation or policies that sought to address such inequalities. The adoption of a gender perspective, it was noted, is instrumental to combat violence and discrimination faced by women and other sexual and gender minorities that do not fall within the heteronormative, binary conceptualization of gender.

However, the concept which sought to raise awareness on issues concerning systemic injustices and structural inequalities based on one’s gender has, over the last few decades, been co-opted by conservative forces and right-wing groups, and anti-gender movements. These groups deploy this hostile narrative to propagate a narrow and restrictive definition of families rooted in stereotypes that exclude diverse families and families of choice to create an environment conducive to the development of discriminatory speech and attitudes toward LGBTI persons. These groups critique gender theory as a gateway to mainstreaming issues like abortion and sexual liberation, issues that faced opposition by extremists religious and anti-rights groups.

Consequently, over the last few decades, the term “gender ideology” has been used by religious extremists and anti-feminist and anti-rights groups to mean a harmful ideology that is disconnected from science and nature.²³ The publication of Dale O Leary’s ‘The Gender Agenda’ in 1997,²⁴ a text that propagates the idea that the introduction of the concept of gender at international forums like the United Nations is part of a larger attempt by feminists to attack the family as it existed so as to accomplish the diabolical agenda of rebuilding society,²⁵ serves as an example of these attempts to mainstream this terminology. American philosopher and gender theorist Judith Butler notes that the anti-gender rhetoric that has come to be associated with the so-called “gender ideology” emerges from the fear that gender theory destabilizes traditional gender norms and has

²² Corrêa, S. 2017. “Theologies” and Contexts in a Latin American Perspective. *Religion and Gender*. 6(2): 256. <https://doi.org/10.18352/rg.10175>

²³ Obst, Marcel, et al. “How Opposition to Gender & Feminism Emerged in Spain: Gunda-Werner-Institut.” Heinrich-Böll-Stiftung, 7 Dec. 2020, www.gwi-boell.de/en/node/10395.

²⁴ See DALE O ‘LEARY, THE GENDER AGENDA (1997) (where the author notes the Catholic perspective and describes the process by which the Vatican and other religious participants opposed the feminist use of the term —gender at the 1994 International Conference on Population and Development in Cairo and the 1995 Fourth World Conference on Women in Beijing).

²⁵ “‘Gender Ideology’: Big, Bogus and Coming to a Fear Campaign near You.” *The Guardian*, Guardian News and Media, 30 Mar. 2018, www.theguardian.com/global-development/2018/mar/30/gender-ideology-big-bogus-and-coming-to-a-fear-campaign-near-you.

the potential to erode the so-called 'natural' distinction between the sexes along binary lines of male and female that has come to form the structural basis of organizing societies.²⁶

Any conversation on the term "gender ideology" must take note of the fact that the term, in itself, does not carry a fixed meaning or definition, but is a narrative that has been adopted by anti-rights groups in different cultural and social contexts to popularize hostile messaging around the mainstreaming of gender equality issues. The malleable nature of the concept has cleared the path for its usage in differing contexts to push for restrictive ideas and policies, be it anti-immigration policies in Europe,²⁷ or mobilization around the need to preserve religious and cultural practices in Latin America,²⁸ among others. A recent example of the latter is the Colombian Peace Process of 2016, where the so-called "gender ideology" narrative was deployed by opponents of the peace process to dissuade people from backing efforts to address issues like gender-based violence and discrimination based on sexual orientation and gender identity for the reason that they were an attack on Colombia's Christian values.²⁹ The entire peace process was put into jeopardy due to this discourse and campaign, showing how this can have even bigger consequences to other areas, such as the rule of law.

The Emergence of an Anti-Gender Rhetoric: Notes from the Caribbean

As mentioned above, the anti-gender movement has pushed against several human rights, such as women's reproductive health and rights, LGBTIQ rights, sexual education, prevention of gender-based violence, and trans rights. Claiming that they are defending the traditional norms and values of sexuality, gender and family, the

²⁶ Butler, Judith. Judith Butler: the Backlash against "Gender Ideology" Must Stop, 21 Jan. 2019, www.newstatesman.com/2019/01/judith-butler-backlash-against-gender-ideology-must-stop.

²⁷ See "Gender Ideology: Big, Bogus and Coming to a Fear Campaign near You." The Guardian, Guardian News and Media, 30 Mar. 2018, at:

www.theguardian.com/global-development/2018/mar/30/gender-ideology-big-bogus-and-coming-to-a-fear-campaign-near-you. (discussing the anti-immigrant and anti-Muslim policies that are being pushed for by rightwing populists, under the anti-gender rhetoric, arguing that Muslims and LGBT groups benefit from anti-discrimination policies because it serves their interest of destroying western society.

²⁸ "Beyond the Culture Wars: 'Gender Ideology' and Discourses of Homophobia in Latin America, the Caribbean and Europe." IFAIR, ifair.eu/2020/08/30/beyond-the-culture-wars-gender-ideology-and-discourses-of-homophobia-in-latin-america-the-caribbean-and-europe/.

²⁹ See "The Fear of the 'Gender Ideology': Erasing Sexual and Gender Minorities from the Colombian Peace Process." Latin America Working Group, 8 Aug. 2019, www.lawg.org/the-fear-of-the-gender-ideology-erasing-sexual-and-gender-minorities-from-the-colombian-peace-process/ (Noting how voters narrowly rejected the peace accords, in substantial part because of efforts by some evangelical pastors and conservative members of the Colombian Congress to mobilize groups around an anti-gender narrative.); See also, Álvarez, et al. "'Gender Ideology': a Spoiler for Peace?" OpenDemocracy, 26 Oct. 2016, www.opendemocracy.net/en/democraciaabierta/gender-ideology-spoiler-for-pe/.

proponents of the movement have established a stronghold throughout the world, even influencing legislation and policies in many countries. In recent years, a clear manifestation of the so-called gender ideology narrative has been witnessed as a new backlash against LGBTI rights in the Caribbean region. Extremist religious and anti-rights groups have mobilized as the defenders of the region against the so-called “gender ideology” in an attempt to paint LGBTI rights as a nefarious ideology, a foreign imposition, and an attack on what they refer as the “traditional family” and the State. Consequently, the term “gender ideology” has been increasingly used by social conservatives to counter advances in women’s and LGBTI rights.

These movements for are clearly LGBTIQphobic and have pushed for legal and policy measures like criminalization of homosexuality, and pathologization of trans persons. In this backdrop, the usage of the term “gender ideology” is a new way for anti-rights groups to couch their opposition to issues such as marriage equality, improved sex education in schools or adoption by same sex couples. It plays on fears that positive depictions of LGBTI persons run the risk of corrupting society and exhort antiquated gender roles. The anti-rights groups claim to be acting in defense of the traditional family and protecting children from confusing concepts such as gender roles, gender identity or sexual orientation. These ideas are falsely sold as ‘western imports’ that have the potential of destabilizing existing social structures and in effect undoing the foundations of society as it exists in the region, with those opposed to gender theory couching their hostile messaging as an anti-colonization agenda to garner support.

This section thus focuses on the emergence of an anti-gender rhetoric in the Caribbean region, relying on the research conducted by OutRight to highlight the adverse impact of the anti-gender campaigns and the push for the adoption of a binary concept of gender.

A. Methodology

The findings recorded in this section are the result of primary research conducted by OutRight by means of an online questionnaire that sought responses from activists, independent consultants and allies working in the region, namely in the countries of Antigua and Barbuda, Bahamas, Barbados, Belize, Caribbean Netherlands, Cayman Islands, Curacao, Dominica, Dominican Republic, Guyana, Haiti, Jamaica, Puerto Rico, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, and the United States Virgin Islands.

The questionnaire sought responses on the growing anti-gender movement in recent years, particularly the groups and organizations who were responsible for this, as well as the specific groups they sought to target. It further sought information on the rationale that was being used to perpetuate this narrative and the values that those

opposed to the adoption of a gender perspective in legal and policy developments sought to propagate. Further, through the questionnaire, an attempt was made to identify the role that the State and other public functioning bodies played in either aiding or combatting the anti-gender movement, be it through the introduction of recent legislative measures or amendments to existing laws. OutRight also looked to what extent were these legislative developments influenced by the anti-gender narrative, and whether such a narrative had been successful in undoing the progress made in the region, especially to the extent that it may have undone any advances made in securing equal rights for LGBTI persons.

B. Findings

The online questionnaire received a total of 52 responses from independent activists and individuals, including persons working or volunteering with an LGBTI organization, consultants to organizations in the relevant field, and LGBTI or human rights allies. Some of the key findings of the survey have been summarized below:

- Of the total responses received, an overwhelming 72% noted that an anti-gender movement in their country is not only active but has also increased in visibility in the last two years.
- A majority of respondents stated that the anti-gender rhetoric is being adopted by anti-rights groups ranging from politicians to faith-based groups and other religious institutions--a notable group that was mentioned several times was the World Congress of Families.
- The anti-gender movement in the region seems to mostly target LGBTI persons and their right to equality, particularly in the domain of family and marriage. There have been anti-gender mobilizations around issues like same-sex marriage, the rights of transgender persons, decriminalization of sex work, among others.
- One of the most popular narratives that anti-gender groups use is that it is in the 'best interest of the child' that LGBTI persons not be granted marriage equality and parental rights. For example, multiple independent activists in Belize noted the use of slogans such as "God made Adam & Eve, not Adam & Steve." Another independent activist in Saint Lucia also cited slogans like "Save the family, same-sex is an abomination."
- It was perceived that religious groups and leaders are among the majority of those creating spaces for such anti-gender rhetoric, with LGBTI persons, activists

and human rights defenders being the primary targets of such hostile messaging. Their support is one of the key factors as to why this narrative has been successfully adopted in policies that guarantee LGBTI persons' rights.

- Respondents fear that the anti-gender movement may potentially setback sexual and reproductive health rights in the long-term. The promotion of what they call the “traditional family values” has been followed by demands to prohibit comprehensive sexuality education (CSE) and to ban abortions completely in the region.
- Respondents also noted that such anti-gender messaging gains more visibility around events like sessions of parliament, national Pride events, religious occasions, or around the time when important legislative changes or enactments are being debated. For instance, a respondent in Belize cited that there was greater mobilization at the time when the Equal Opportunities Bill was to be read in the House of Representatives, which used slogans like “Kill the Bill” to voice opposition.
- The visibility of anti-gender movements seems to be successfully influencing legislative or policy reforms to block LGBTI rights advances. In Puerto Rico, for instance, a respondent mentioned that all the material regarding transgender rights were deleted from an administrative letter seeking the inclusion of a gendered perspective in education. In Belize, anti-gender messaging influenced the Equal Opportunities Bill to be withdrawn until after elections.
- Through the survey, respondents also pointed to external sources of funding that support the anti-gender movement. Responses overwhelmingly cited Evangelical or Christian churches, associations, and pastors - mainly from the United States. While many recalled specific names like Pastor Scott Stirm and C-FAM, others simply noted their undeniable presence in the region.

Overall, the survey points to a growing anti-gender movement in the Caribbean region. This success is largely due to support from anti-rights groups. These groups seem to be fueled by overseas funding from religious associations, mainly from the United States. The anti-gender rhetoric mostly targets LGBTI people, using the wrongful argument that they are acting in the ‘best interest of the child’. Additionally, the movement has also targeted sexual and reproductive health rights, with calls to ban abortion and to prohibit comprehensive sexuality education. Anti-gender messaging gains more visibility during

national Pride events, religious occasions, and most notably sessions of parliament, particularly when legislative amendments related to gender or LGBTI peoples are being debated. They have been successful in influencing legislative and policy changes in this regard and pose a potentially significant threat to the advancement of LGBTI equality, as well as sexual and reproductive health rights.

C. Conclusions and Recommendations

Gender has existed and continues to exist outside of a binary for individuals and cultures throughout the global community, and to oppose the adoption of an expansive gender responsive mainstreaming approach to law and policy formulation is to exclude voices that do not fit into those stereotypes.

The anti-gender narrative is incompatible with International Human Rights Law. To fully address the issues of gender discrimination and gender inequality, the inclusion of all who are affected by patriarchal norms and gender stereotypes is a necessity. To this end, legislative and advocacy efforts on a regional and international scale must look to address the challenges stemming from the rise of far-right populist regimes that adopt an anti-gender narrative and perpetuate a culture of impunity which lacks accountability for violence and discrimination perpetrated against LGBTI persons.

Therefore, we recommend that all international stakeholders adopt the following actions:

- Create and implement gender inclusive non-discrimination laws and policies, as well as ban violent and harmful practices against women and LGBTI persons.
- Apply a gender-mainstreaming approach embedding the rights of LGBTI persons, including them into key decision-making organisms, and allows for their meaningful participation.
- Create and implement policies that address the hurdles, blockages, biases that are the result of hostile, anti-gender messaging and other forms of discrimination that prevent the achievement of gender parity and equality.

- Condemn anti-rights groups seeking to propagate anti-rights rhetoric, which feeds into violence and discrimination against women and LGBTI persons.
- Adopt discursive strategies that counter the narrative of cultural clashes that posits LGBTI issues as a 'western' concept or a 'foreign imposition' and reframe the conversation around issues of gender equality.
- Support civil society, including LGBTI human rights defenders, through targeted and robust funding opportunities and capacity building training to ensure that communities furthest left behind are meaningfully included in all aspects of gender parity interventions.
- Ensure that, LGBTI voices are included in all decision-making processes from its conceptualization, through implementation and monitoring and evaluation.
- Take all measures to create opportunities and spaces for LGBTI persons to participate in all aspects of public life.