



Outright International United Nations Program

Report on colonialism and sexual orientation and gender identity

Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

I. Introduction

Outright International (Outright) is pleased to present this submission to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (IE SOGI) on the historic and ongoing impacts of colonialism on the enjoyment of human rights by lesbian, gay, bisexual, and transgender (LGBT) persons.

Outright's United Nations Program understands that many other organizations and programs are providing the IE SOGI with information on the impact of colonial laws on LGBT persons. We are therefore focusing this submission to an analysis of how a colonialism narrative is misused by anti-LGBT actors in the UN context. We first discuss the main actors using the language of colonialism to challenge LGBT human rights. Next, we explore the main arguments anti-LGBT rights organizations and country missions make at the United Nations. We then explain the chilling effect of these narratives on the advancement of LGBT human rights in UN fora. Finally, we provide recommendations.

II. Anti-LGBT Actors Operating at the United Nations

The anti-LGBT rhetoric at the UN appears to be primarily driven by conservative U.S. organizations, often purporting to represent Christian values. Outright has observed the following groups to be particularly active in New York UN spaces (although there are more): the Center for Family and Human Rights (C-FAM)¹, the Alliance Defending Freedom,² and Family Watch International.³ These and other like-minded organizations accuse the “West” of forcing LGBT rights on “traditional” societies in a neo-imperialist project. However, these very organizations use strategies of colonization themselves to

¹ The Center for Family and Human Rights (C-FAM) is a U.S.-based group with an anti-LGBT, anti-sexual and reproductive rights platform at the UN. See C-FAM's webpage, available at: <https://c-fam.org>. C-FAM was founded as the “Catholic Family and Human Rights Institute” in 1997. See Julian Borger & Liz Ford, *Revealed: The Fringe Rightwing Group Changing the UN Agenda on Abortion Rights*, Guardian (16 May 2019), available at: <https://www.theguardian.com/global-development/2019/may/16/cfam-rightwing-white-house-anti-abortion-un>.

² The Alliance Defending Freedom is a U.S.-based group advocating against LGBT rights and sexual and reproductive rights. See Alliance Defending Freedom's webpage, available at: <https://adflegal.org/>; *Alliance Defending Freedom*, Southern Poverty Law Center, available at: <https://www.splcenter.org/fighting-hate/extremist-files/group/alliance-defending-freedom>.

³ Family Watch International is a U.S.-based group advocating against LGBT rights and sexual and reproductive rights. See Family Watch International's webpage, available at: <https://familywatch.org>; *Family Watch International*, Southern Poverty Law Center, available at: <https://www.splcenter.org/fighting-hate/extremist-files/group/family-watch-international>.

oppose the rights of women and LGBT people by “exporting hate to Africa and other parts of the world, along with U.S.-style culture wars and polarisation over issues relating to gender and sexuality.”⁴

Countries within the Global South have become targets for U.S. conservative groups attempting to regain ground on LGBT issues. Frank Mugisha, the executive director of Sexual Minorities Uganda, pointed out that, as the U.S. has liberalized its policies on same-sex relations, conservative U.S. organizations have looked to African countries to push their agenda: “they have lost support in their home country. Now they are looking for countries where they can dump their ideologies.”⁵

Likewise, as the United Nations has gradually strengthened a rights-based position on topics relating to gender, right-wing organizations have been pushing back on women’s and LGBT rights by attempting to engage countries in the Global South within the UN. Far from working with constituencies in the Global South through a decolonised framework (for instance, by listening first to rights-holders on the ground, and centering local activists as the experts of their own lived experiences before coming to the United Nations), right-wing U.S. conservative organizations make “an opportunistic use of Africans.”⁶ By trying to harness the political power of States in the Global South, conservative organizations aim to reverse gains on gender and sexuality at the UN: as Frederick Clarkson - a researcher at Political Research Associates, which studied and exposed connections between U.S. religious activists and anti-LGBT laws in Uganda - puts it: “Take the power of individual nations, even poor nations, and align it with conservative American and European interests. That changes the balance of power and moves it in a conservative direction.”⁷

In this “opportunistic” vein, organizations like C-FAM, the Alliance Defending Families, and Family Watch International are instrumentalizing Global South UN Missions to push against LGBT rights in UN spaces. For example, Family Watch International conducts annual trainings for African diplomats and ambassadors to the United Nations focused on opposing LGBT rights and comprehensive sexuality education (CSE).⁸ The trainings include sessions on negotiating at the United Nations.⁹

Simultaneously, some U.S.-based conservative groups are attempting to influence the global narrative on gender and sexuality by investing large amounts of money into anti-LGBT and anti-sexual and reproductive rights initiatives. A study found that between 2007 and 2018, a small number of conservative U.S. Christian groups together spent \$280 million USD across all global regions to fuel campaigns

⁴ Lydia Namubiru & Khatondi Soita Wepukhulu, *Exclusive: US Christian Right pours more than \$50m into Africa*, Open Democracy, (29 October 2020), available at: <https://www.opendemocracy.net/en/5050/africa-us-christian-right-50m/> (quoting a researcher at the Wits Centre for Diversity Studies at the University of the Witwatersrand in Johannesburg, South Africa).

⁵ Id. (citing Jessica Horn, an Afro-feminist expert on Christian fundamentalism in Africa).

⁶ Id.

⁷ Id.

⁸ Kerry Cullinan, Zarina Geloo & Tuyeimo Haidula, *US Christian right group hosts anti-LGBT training for African politicians*, Open Democracy (27 October 2020) available at: <https://www.opendemocracy.net/en/5050/us-christian-right-group-hosts-anti-lgbt-training-african-politicians/>

⁹ Id.

against women's and LGBT rights.¹⁰ The Alliance Defending Freedom spent over \$21 million USD, and Family Watch International spent over \$89,000.¹¹

According to The Other Foundation, a gender rights group in South Africa, the result of these tactics has been to “stir a backlash to the pursuits for freedom, dignity and equality of LGBTIQ people.”¹² This is a colonial tactic: investing time, money, power and influence to create a local demand and then advance your own interests in a place in need of resources. Jedidah Maina, executive director of the Kenyan NGO Trust for Indigenous Culture and Health, has noted that African leaders are now using the same talking points as white evangelicals from the U.S., and that “African officials’ opposition to CSE is pitting them against young grassroots activists on the continent, including student movements.”¹³

Conservative groups often seek to paint a simplified binary picture of Global South countries as “traditional.” This colonial narrative denies the complex reality within all societies of people with diverse and evolving values and a range of political, cultural, and religious opinions. Further, by seeking to pit one type of society against another, it also promotes a “culture wars” narrative. Any addressing of the protection of the rights of LGBT persons should rather be an objective rights-based and rights-centered analysis, free of emotional fear tactics.

In sum, organizations like C-FAM, the Alliance Defending Freedom, and Family Watch International take a specific debate primarily from the U.S. context and play it out on an international stage, including at the United Nations. Instead of taking the lead from communities across the world whom they claim to represent, these organizations center their own grievances with gender and sexuality discourse in international fora under the guise of speaking for the Global South. These anti-LGBT actors accuse UN missions and agencies attempting to protect LGBT persons through a rights-based framework of engaging in colonizing behaviors. Below are some of the arguments they use.

III. Arguments Co-opting Colonial Narratives at the United Nations

Anti-LGBT actors misuse colonial narratives by making the following three arguments at the UN:

- Argument One: Efforts to protect LGBT human rights violate the national sovereignty of UN member states;
- Argument Two: LGBT identities are Western concepts which countries from the Global North attempt to export to the Global South and to so-called “traditional” societies;
- Argument Three: Western countries unfairly influence UN agencies and attempt to coerce African states into LGBT-inclusive decisions at the UN.

¹⁰ Nandini Archer, Claire Provost, *Revealed: \$280m ‘dark money’ spent by US Christian Right groups globally*, Open Democracy, (27 October 2020), available at:

<https://www.opendemocracy.net/en/5050/trump-us-christian-spending-global-revealed>

¹¹ Id.

¹² Id.

¹³ Kerry Cullinan, Zarina Geloo, & Tuyeimo Haidula, *US Christian right group hosts anti-LGBT training for African politicians*, Open Democracy (27 October 2020) available at:

<https://www.opendemocracy.net/en/5050/us-christian-right-group-hosts-anti-lgbt-training-african-politicians/>

Below we unpack each of these arguments and provide examples of their use at the United Nations.

1. Argument One: Efforts to Protect LGBT Human Rights Violate the National Sovereignty of UN Member States

Anti-LGBT actors allege that efforts to protect LGBT human rights in UN spaces violate the national sovereignty of UN member states. Under international law, sovereignty refers to the right of States to determine their own internal affairs without interference.¹⁴ Colonialism is a violation of sovereignty as it necessarily interferes in a nation's exercise of self-determination.¹⁵ When member states or UN agencies adopt decisions that are inclusive of diverse sexual orientations, gender identities and expressions, and sex characteristics, anti-LGBT actors allege that these decisions violate the sovereignty of states unsupportive of LGBT rights. Further, anti-LGBT rights actors allege that the push for LGBT-inclusive language comes from Western states, thus the West is attempting to influence the behavior of Global South states in a continuation of colonial power dynamics.

However, upholding the human rights of LGBT people through UN mechanisms is not only consistent with the UN Charter's instruction to "respect the sovereignty, territorial integrity, and political independence of other States,"¹⁶ but is in fact imperative to respecting the human rights of all. The Vienna Declaration and Programme of Action is clear on this point: "while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms."¹⁷ Therefore, while states may have cultural and societal differences that affect their views on a variety of topics, these views may not be utilized to deny the human rights and fundamental freedoms of LGBT people.

Furthermore, the assertion that LGBT human rights are only supported by countries in the West is inaccurate. States from all regions have upheld LGBT rights at the UN. For example, the UN LGBTI Core Group, a group of 42 states working to ensure respect for the human rights and fundamental freedoms of LGBTI people at the United Nations, includes Member States from Africa, Asia, and Latin America in addition to North America and Europe.¹⁸

Examples of the argument that efforts to protect LGBT rights at the UN violates the sovereignty of UN member states include:

¹⁴ UN General Assembly, *Declaration on the Granting of Independence to Colonial Countries and Peoples*, res. 1514 (XV) (14 December, 1960) at ¶7.

¹⁵ *Id.* at preamble.

¹⁶ United Nations Charter, art. 2.

¹⁷ World Conference on Human Rights in Vienna, *Vienna Declaration and Programme of Action* (25 June 1993) at s.1, ¶5.

¹⁸ As of June 5, 2023, the following States are members of the UN LGBTI Core Group: Albania, Argentina, Australia, Belgium, Bolivia, Brazil, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Denmark, Dominican Republic, Ecuador, Finland, France, Germany, Honduras, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Malta, Mexico, Montenegro, Nepal, Netherlands, New Zealand, North Macedonia, Norway, Peru, Portugal, South Africa, Spain, Sweden, Timor Leste, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay, the European Union.

- On March 10 2023, during the 67th Commission on the Status of Women (CSW), Guatemala co-hosted an event with C-FAM, Asociación La Familia Importa¹⁹, The Global Center for Human Rights²⁰, The Institute for Women’s Health²¹, and Heartbeat International²² entitled *How Embracing the Geneva Consensus Declaration Advances the Well-being of Families, Women and Girls*.²³ The Geneva Consensus is a non-binding, non-negotiated text created in 2020 by the U.S. under the Trump administration.²⁴ The Consensus is anti-abortion and advances a narrow definition of “family” which has been used to undermine LGBT rights.²⁵ The Consensus contains a statement that: “each nation has the sovereign right to implement programs and activities consistent with their laws and policies.”²⁶ At the CSW side event, speakers emphasized “sovereignty,” stating that the Geneva Consensus “backs a strategic international coalition to **protect the sovereign right of nations** to support **their own core values** through national policy and legislation” (emphasis added).²⁷
- In 2023, during a CSW parallel event co-sponsored by the Permanent Mission of Nigeria to the UN and C-FAM, a representative of Family Watch International remarked that the Africa, Caribbean and Pacific trade agreement with the European Union violates state sovereignty and will destroy “the family” because it contains language on sexual and reproductive rights.²⁸
- On November 11 2022, during a vote on a UN General Assembly resolution on extrajudicial, summary or arbitrary executions which contained a reference to sexual orientation and gender identity, the representative of the mission of Saudi Arabia said:

the concepts of sexual orientation and gender identity run counter to the constitutional principles of Saudi Arabia and the values of our society which are represented in our overall legislation. Sexual orientation and gender identity also are not included in the

¹⁹ Asociación La Familia Importa is a Guatemalan-based group advocating for a narrow definition of “family” and against LGBT rights. See Asociación La Familia Importa’s webpage at: <https://afiguatemala.com>.

²⁰ The Global Center for Human Rights is a U.S.-based group advocating against abortion and LGBT rights. See the Global Center for Human Rights’ webpage at <https://globalcenterforhumanrights.org>.

²¹ The Institute for Women’s Health is an anti-abortion advocacy group based in the United States. The President of the Institute for Women’s Health, Valerie Huber, was a political appointee under the Trump administration and played an active role in establishing the Geneva Consensus. Rebecca Oas, *UN Event Promotes Maternal Health, Pro-Life Consensus*, C-FAM (18 March 2023) available at: https://c-fam.org/friday_fax/un-event-promotes-maternal-health-pro-life-consensus/.

²² Heartbeat International is a U.S.-based organization advocating against abortion. See Heartbeat International’s webpage at <https://www.heartbeatinternational.org>.

²³ *How Embracing the Geneva Consensus Declaration Advances the Well-being of Women and Girls (CSW67 side event)*, UN Web TV (10 March 2023), available at: <https://media.un.org/en/asset/k18/k18b3n6zwb>.

²⁴ *Geneva Consensus Declaration denies human rights, a statement from Ipas*, Ipas (23 October, 2020), available at: <https://www.ipas.org/news/geneva-consensus-declaration-denies-human-rights-a-statement-from-ipas/>.

²⁵ Julian Borger, *US signs anti-abortion declaration with group of largely authoritarian governments*, Guardian (22 October, 2020), available at <https://www.theguardian.com/world/2020/oct/22/us-trump-administration-signs-anti-abortion-declaration>.

²⁶ *Geneva Consensus Declaration on Promoting Women’s Health and Strengthening the Family*, available at: <http://c-fam.org/wp-content/uploads/geneva-consensus-declaration-english.pdf>.

²⁷ Andrea Trudden, *Global organizations present at the United Nations in support of the Geneva Consensus Declaration*, Pregnancy Help News (13 March 2023), available at: <https://pregnancyhelpnews.com/global-organizations-present-at-the-united-nations-in-support-of-the-geneva-consensus-declaration/>.

²⁸ *Anti-Rights Groups Take Aim at Transnational Trade Agreement*, Ipas (2022), available at: <https://www.ipas.org/resource/anti-rights-groups-take-aim-at-transnational-agreement/>.

commitments of my country under international conventions. *Forcing the acceptance of these concepts and related practices run contrary to our laws.*²⁹ (emphasis added)

2. Argument Two: LGBT identities are Western concepts which countries from the Global North attempt to export to the Global South and to so-called “traditional societies.”

Anti-LGBT actors argue that LGBT identities are concepts created by Western countries in the Global North. Western countries are accused of exporting LGBT ideologies into the Global South and so-called “traditional” societies, in a continuation of colonial domination.

The argument that the West exports LGBT rights into the global South subverts the history of colonial laws: in fact, colonial powers were responsible for exporting *anti*-LGBT laws into colonized countries which hitherto had been more accepting of diverse sexual orientations and gender identities.³⁰ Further, as expounded above, the very same U.S.-based right-wing groups alleging LGBT ideologies are neo-colonial constructs are themselves actively engaged in a well-funded effort to export the U.S.-style “culture wars” framing of LGBT rights and women’s rights globally.³¹

Examples of the argument that LGBT identities are Western concepts which the Global North is attempting to export into the Global South and so-called “traditional” societies include:

- On March 18, 2023, in a newsletter reviewing the 67th Commission on the Status of Women, C-FAM’s Vice President for Legal Studies wrote:

The **Biden administration and Western countries** pushed **traditional countries** to the brink at the UN Commission on the Status of Women last night. In the end, **traditional countries** repelled every push to add “comprehensive sexuality education” and the homosexual/trans agenda in the annual agreement adopted early this morning.³² (emphasis added).

- On March 9, 2023 the UN Group of Friends of the Family, C-FAM, Family Watch International, and Campaign Life Coalition held an official CSW side event entitled *Embracing the benefits of digital technology while keeping children safe*.³³ During the event, speakers said that social media

²⁹ *Third Committee, 48th plenary meeting - General Assembly, 77th session*, UN Web TV (11 November 2022) available at: <https://media.un.org/en/asset/k1d/k1dvyjvt8j>

³⁰ *A History of LGBT Criminalization*, Human Dignity Trust (last updated in 2023), available at: <https://www.humandignitytrust.org/lgbt-the-law/a-history-of-criminalisation/>.

³¹ Lydia Namubiru & Khatondi Soita Wepukhulu, *Exclusive: US Christian Right pours more than \$50m into Africa*, Open Democracy, (29 October 2020), available at: <https://www.opendemocracy.net/en/5050/africa-us-christian-right-50m/>.

³² Stefano Gennarini, *Crushing Feminist Defeat at the UN*, C-FAM (18 March 2023), available at: https://c-fam.org/friday_fax/crushing-feminist-defeat-at-un/

³³ *Embracing the benefits of digital technology while keeping children safe*, C-Fam (9 March 2023), available at: <https://c-fam.org/event/embracing-the-benefits-of-digital-technology-while-keeping-our-children-safe/>. The UN Group of Friends of the Family is a coalition of UN Member States advancing a narrow and binary definition of “family.” C-FAM helped to create the coalition in 2015. See Julian Borger and Liz Ford, *Revealed: the fringe rightwing group changing the UN agenda on abortion rights*, Guardian (16 May 2019), available at: <https://www.theguardian.com/global-development/2019/may/16/cfam-rightwing-white-house-anti-abortion-un>. The Campaign Life Coalition is a Canadian organization advocating against abortion, sex education, and LGBT rights. See Campaign Life Coalition’s webpage at <https://www.campaignlifecoalition.com/home/>.

was being harnessed as part of “**western homosexual transgender propaganda**” and an “**international agenda to sexualize children.**”³⁴ (emphasis added). In a review of the event, C-FAM’s Executive Vice President characterized protests of the event by LGBT activists as disrupting “an event hosted by a group of **traditional countries** that make up a coalition that advocates for family policy at the United Nations in line with international human rights law” (emphasis added).³⁵ Absent from C-FAM’s review was the fact that the protester at the event was from the Global South.³⁶

- On November 11, 2022, during a UN General Assembly vote on extrajudicial, summary or arbitrary executions which contained a reference to sexual orientation and gender identity, the representative of the mission of Yemen said: “We are simply calling for **respect for our national constitution and our traditions, our cultures, our identities**, and that is why we will abstain from the vote, and we disassociate ourselves with all non-consensual language, we respect countries that do take into account these orientations, but **that doesn’t mean they can be imposed upon us.**” (emphasis added).³⁷

3. Argument Three: Western countries unfairly influence UN agencies and attempt to coerce African states into LGBT-inclusive decisions at the UN.

Anti-LGBT actors accuse Western countries of unfairly influencing UN agencies and coercing African States into LGBT-inclusive decisions in UN spaces, evoking a narrative of the West “strong-arming” less powerful regions.

The allegation that anti-LGBT actors are coerced into inclusive decision making due to a lack of resources is disingenuous: as discussed above, a number of U.S.-based conservative groups have contributed hundreds of millions of dollars to global anti-LGBT and anti-women’s rights campaigns³⁸ and provided coaching to UN representatives on opposing LGBT and sexual and reproductive health advances in UN negotiations.³⁹ It is likely that even more funding has been funneled to anti-LGBT initiatives, but this funding cannot be tracked because many Christian conservative organizations are registered as church organizations, which do not have to report this type of spending and donation information.⁴⁰

³⁴ Women’s Rights Caucus Opposition Monitoring Group, *Opposition Monitoring CSW67 Week 1 Update* (14 March, 2023) (available via Outright International email records).

³⁵ Lisa Correnti, *LGBT Activists Disrupt UN Event on Protection of Children*, C-FAM (11 March 2023), available at: https://c-fam.org/friday_fax/lgbt-activists-disrupt-un-event-on-protection-of-children/.

³⁶ The protester was from India. Source: Outright was present in the room.

³⁷ *Third Committee, 48th plenary meeting - General Assembly, 77th session*, UN Web TV (11 November 2022) available at: <https://media.un.org/en/asset/k1d/k1dyjovt8j>

³⁸ Nandini Archer, Claire Provost, *Revealed: \$280m ‘dark money’ spent by US Christian Right groups globally*, Open Democracy, (27 October 2020), available at: <https://www.opendemocracy.net/en/5050/trump-us-christian-spending-global-revealed>

³⁹ Kerry Cullinan, Zarina Geloo & Tuyeimo Haidula, *US Christian right group hosts anti-LGBT training for African politicians*, Open Democracy (27 October 2020) available at: <https://www.opendemocracy.net/en/5050/us-christian-right-group-hosts-anti-lgbt-training-african-politicians/>

⁴⁰ Nandini Archer, Claire Provost, *Revealed: \$280m ‘dark money’ spent by US Christian Right groups globally*, Open Democracy, (27 October 2020), available at: <https://www.opendemocracy.net/en/5050/trump-us-christian-spending-global-revealed>

Examples of the argument that Western countries wield unfair control over UN agencies, and attempt to coerce African States into LGBT-inclusive decisions at the UN, include:

- On March 20, 2023, The Heritage Foundation, a self-described American “conservative” think tank⁴¹, wrote of the 67th Commission on the Status of Women:

The governments driving the agenda at CSW are from the West; leading the way are the U.S., European Union, and Nordic countries. **These countries contribute the most funding to U.N. agencies and programs, which lends their voices extra weight.** They are pushing for a CSW outcome document that reflects this sexual agenda. This would be another step toward their goal of giving the U.N. system itself a mandate to promote abortion and gender ideology (emphasis added).⁴²

The Heritage Foundation went on to encourage countries “lacking the resources and clout of Europe and the U.S.,” to reject “the sex agenda of the West.”⁴³

- On March 10, 2023, C-FAM partnered with the Permanent Mission of Nigeria to the United Nations to screen an anti-trans film. Before the 67th CSW began, C-FAM was denied permission to screen the film by NGO-CSW, a group organizing parallel events during CSW. Covering the film screening, the editors of the Daily Wire (an American conservative media company) quoted C-FAM’s executive vice president saying: “the screening was important for delegates **facing pressure to accept loaded gender terminology in UN negotiation documents**” which “carry different connotations in societies that have not been **influenced by woke westerners.**” Further, the C-FAM representative stated that countries in Africa will only be able to “shield their children from harmful gender ideology” by “blocking ambiguous terminology in negotiations” and “preventing **UN agencies and Western countries from including it in development and humanitarian assistance**” (emphasis added).⁴⁴
- In 2022, in an address to the African Bar Association, President of Family Watch International Sharon Slater claimed that UN agencies, including UNICEF, UN Women, the UN Population Fund, UNESCO, and the World Health Organization have been “**hijacked by Western donor countries** and have a hidden sexualized agenda to sexualize children, to legalize and destigmatize abortion, and to mainstream homosexuality and transgender ideology.”⁴⁵

⁴¹ *About Heritage*, Heritage Foundation, available at: <https://www.heritage.org/about-heritage/mission>.

⁴² Grace Melton, *Radical Agenda Eclipses Women at the U.N.’s Commission on the Status of Women*, Heritage Foundation (20 March, 2023), available at <https://www.heritage.org/gender/commentary/radical-agenda-eclipses-women-the-uns-commission-the-status-women>.

⁴³ Id.

⁴⁴ African Delegation Screens ‘*What Is A Woman?*’ In Defiance Of UN Commission, Daily Wire (10 March 2023), available at: <https://www.dailywire.com/news/african-delegation-screens-what-is-a-woman-in-defiance-of-un-commission>

⁴⁵ Ipas, *False Pretenses: The Anti-Comprehensive Sexuality Education Agenda Weaponizing Human Rights* (2023) at p. 5, available at <https://www.ipas.org/wp-content/uploads/2023/03/False-Pretenses-The-Anti-Comprehensive-Sexuality-Education-Agenda-Weaponizing-Human-Rights-OPPCSEE23b.pdf>.

- On April 4th 2018, a representative of the Alliance Defending Freedom argued in an article that UN negotiations commonly “lapse into a **‘West knows best’ mentality**, with developed countries exerting tremendous pressure as they attempt to instruct developing countries on how best to proceed.”⁴⁶ The article accused Western countries operating within the UN of continuing “persistent **strains of colonialism**” seeking to “force an ideological agenda on the developing world,” forcing developing countries to “spend a great deal of time, money and effort to resist **cultural imperialism**” (emphasis added).⁴⁷

IV. Chilling Effect on the Advancement of LGBT People’s Rights at the United Nations

The misuse of colonial narratives has a chilling effect on UN member states that wish to protect LGBT people’s human rights at the UN. In closed-door conversations, UN missions have told Outright they have trouble speaking about LGBT rights in UN spaces because they are consistently met with the narrative that they are pushing LGBT rights into formerly colonized countries and other countries in the Global East and South.⁴⁸

It is imperative that cross-regional groups, including formerly colonized territories, push for LGBT inclusion in UN spaces. Examples abound of states from all global regions upholding LGBT rights at the UN: to ensure cross-regional representation, the UN LGBTI Core Group only considers applications for membership in pairs of a country from the Global South and a country from the Global North.⁴⁹ Mozambique recently used its presidency in the UN Security Council to make space for an Arria Formula meeting on integrating LGBTI persons into the Security Council’s work.⁵⁰ Each time resolutions containing language on sexual orientation and gender identity come to a vote in the UN General Assembly, countries from all global regions vote against amendments to remove language on sexual orientation and gender identity, and vote for the resolution’s passage.⁵¹ However, the co-optation of a colonial narrative to curtail speech around LGBT people’s human rights prevents comprehensive discussions taking place within the United Nations.

⁴⁶ Elyssa Koren, *Western Nations Try to Impose Radical ‘Sexuality Education’ at the UN*, Daily Signal (4 April, 2018) available at: <https://www.dailysignal.com/2018/04/04/western-nations-tried-impose-radical-sexuality-education-un/>

⁴⁷ Id.

⁴⁸ Source: Outright meetings.

⁴⁹ *UN LGBTI Core Group: How to Become a Member*, available at: <https://unlgbticoregroup.org/how-to-become-a-member/>.

⁵⁰ Franck Kuwonu, *Mozambique assumes presidency of UN Security Council, sets priorities*, Africa Renewal (1 March 2023), available at: <https://www.un.org/africarenewal/magazine/march-2023/mozambique-un-security-council>; *Arria-formula Meeting on Integrating the Human Rights of LGBTI Persons into the Work of the Security Council*, Security Council Report (19 March 2023), available at: <https://www.securitycouncilreport.org/whatsinblue/2023/03/arria-formula-meeting-on-integrating-the-human-rights-of-lgbti-pers-ons-into-the-work-of-the-security-council.php>.

⁵¹ For example, in 2022 when a group of States introduced an amendment which would have removed a reference to sexual orientation and gender identity as one of a group of qualities that put individuals at a higher risk of extrajudicial executions, the following countries voted to keep the reference to SOGI in the resolution: Albania, Andorra, Argentina, Armenia, Australia, Austria, Barbados, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Carbo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Federated States of Micronesia, Monaco, Mongolia, Montenegro, Nepal, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom, United States of America, and Uruguay.

V. Recommendations

We make the following recommendations to the Independent Expert in the preparation of his report:

- That he highlight the misuse of colonial narratives by those seeking to avoid human rights commitments towards LGBT persons;
- That he continues to have a rights-based approach to the issue of LGBT people's human rights, highlighting the challenge in doing this in a heightened climate of misinformation;
- That he center the importance of States and other actors listening to decolonised perspectives from within a population, and that they should scrutinize whether the perspective is truly decolonised;
- That he encourage all States to continue to be sensitive to their own colonial histories, and that those who were colonizing powers be encouraged to be sensitive but also bold in promoting the rights of LGBT persons by encouraging Global South partner governments to listen to the rights perspectives of their own populations.