



Human Rights Council, 47<sup>th</sup> session  
24 June 2021

**Item 3**  
**ID with Independent Expert on SOGI**

Statement by International Lesbian and Gay Association

***Delivered by: Kseniya Kirichenko***

Madam President,

It is my true honor to open the round for civil society statements. Especially, as this interactive dialogue marks ten years of the Human Rights Council's resolution on human rights, sexual orientation and gender identity.

We welcome the Independent Expert's report on gender theory, the recognition of gender and gender identity and expression in the international human rights law, in connection with violence and discrimination. This report has long been awaited by many of us, particularly those from LGBT and feminist movements. As Audre Lorde stated, 'there is no ... single-issue struggle because we do not live single-issue lives'. Our lives embody a collection of intersectional experiences from our genders, race, sexualities and identities.

Historically, human rights were about the rights of men. However, thanks to years of dedicated pioneers, feminist struggles, feminist activism, feminist legal scholarships and feminist institutional changes within the United Nations, we not only recognise that women's rights are human rights, but we contextualize gender as a social construction.

This understanding of gender has been developed in international human rights law – from Vienna and Beijing Declarations, to the Rome Statute, to the Istanbul Convention. This understanding is supported by a number of United Nations treaty bodies and special procedures. Moreover, gender as a diverse category not confined to the Western-based binary, has also been reflected in the international human rights law practice.

The Independent Expert's report is based on one of the core principles of his work – intersectionality. And it is important to look at intersectionality in terms of both identities and systems of oppression. This should be reflected in international human rights law and in national laws and policies.

Intersectionality of identities means paying attention to how gender influences experiences of LGBT individuals. For example, lesbian women and couples are at higher risk of poverty and generally earn less than gay men and couples. Masculine lesbian women are at higher risk of physical violence. Trans women face disproportionate levels of violence, including a very high murder rate.

Intersectional systems of oppression involve dynamics between different systems, notably patriarchy and cisheteronormativity. These systems perpetuate each other and thus should be targeted in a complex way, including through structural and institutional changes.

Intersections between gender and SOGI is also about intersectionality of movements and human rights mechanisms.

Feminist and LGBT movements are fighting against patriarchy and cisheteronormativity hand in hand. In fact, many of us cannot choose between these movements as we are both feminist and LGBT personally and politically. Trans and lesbian women have been contributing to feminism from the very beginning, and LGBT movement in all parts of the world have feminist and women's organisations as the most consistent allies.

The establishment of human rights mechanisms focusing on women – including CEDAW Committee and the two special procedures mandates on discrimination and violence against women – has been an important victory and recognition of historical wrongdoing. Today, all these mechanisms consistently address violations and protect the rights of lesbian and bisexual women, as well as trans and gender non-conforming persons. One of the latest examples is the decision of CEDAW on lesbophobic hate crimes and the state's due diligence obligations in this regard.

In 2021, there is no country in the world free from misogyny and patriarchy. Women, as a class, are still facing disproportionate level of violence and discrimination, and effective measures are needed to mitigate this problem. However, the protection of LGBT persons' rights, including trans women's rights, does not jeopardize the rights of women in general. It is not a competition but complementarity of our common struggles and victories.

I thank you, Madam President.