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Joint Statement Concerning the Call for Input by the Special Rapporteur on Violence Against Women and Girls

We, the undersigned feminist, human rights and social justice organizations committed to gender equality and social justice, express deep concern regarding the framing of the call for a thematic report by the Special Rapporteur on Violence Against Women and Girls (SRVAW), which adopts a “sex-based” rather than a “gender-based” approach. This framing undermines decades of progress in advancing human rights and gender equality and risks confining cisgender women to patriarchal, protectionist policies by interpreting violence as rooted in biology. It further marginalizes vulnerable groups, including trans and gender-diverse persons, increasing the risk of violence and hatred.

The Strategic Shift of the Focus from Real Perpetrators to an Oppressed Group

The current mandate holder has unfortunately dedicated her tenure to attacking trans and gender-diverse people. Many of her calls and statements have indirectly framed trans people as an obstacle for cis women in achieving safety and equality. This dangerous narrative shifts focus away from patriarchal systems and cis-normative gender roles as the primary sources of violence, discrimination, and inequality. Instead, it positions trans people as scapegoats, enabling the very systems responsible for violence and oppression to avoid accountability. This approach undermines the broader fight for gender equality and harms cis women by reinforcing paternalistic and protectionist policies that uphold patriarchal power structures. Such policies, presented as “women’s protection,” constrain women within patriarchal systems rather than breaking away from patriarchal power dynamics altogether and empowering them, inter alia, through autonomy and equitable redistribution of power and resources. It is telling that anti-gender actors¹²³ have often welcomed the current mandate holder’s reports and positions and have used her framing and recommendations to push for retrogressive language and to argue against the inclusion of gender-related language in resolutions. This alignment reveals how such framing serves regressive agendas, patriarchal systems, and anti-rights actors rather than advancing human rights for all.⁴

The current mandate holder has a history of efforts that have caused tangible harm, including:

- **Undermining National and Regional Reforms:** unsolicited interventions on rights-affirming reforms, such as the Scottish Gender Recognition Reform Bill and the Council of Europe resolution on sex workers’ rights.

- **Opposing UN Evidence-Based Policies:** Ignoring and attacking established UN positions supporting trans and gender-diverse persons⁵ and sex workers,⁶ attempting to insert her mandate into resolutions at the Human Rights Council in violation of the mandate's independent nature.
- **Manipulating data:** Erasing and ignoring contributions from rights holders and affected communities including sex workers, trans persons, and allied organizations in her thematic reports.⁷

Why Framing Violence as “Sex-Based” is a Problematic Lens

The Special Rapporteur's call framing violence as “sex-based” imposes a limited lens for understanding systemic violence, overlooks the structural root causes of such violence, thereby undermining access to an effective remedy and seeks to erase the well-established understanding of gender-based violence (GBV) within the UN system and international law.

As defined by the World Health Organization:

“Gender refers to the characteristics of women, men, girls and boys that are socially constructed. This includes norms, behaviours and roles associated with being a woman, man, girl or boy, as well as relationships with each other. As a social construct, gender varies from society to society and can change over time.”⁸

Gender has been the subject of decades of feminist scholarship and organizing, as well as the work of human rights mechanisms. It captures both biological elements and the social interpretations of those elements, as well as the systems of regulation surrounding them. Feminists have long argued that sex is always gender

because power imbalances stem not from sexual (biological) elements themselves but from societal interpretations and regulations of those elements. Consequently, discussions about sex are inherently discussions about gender.

The “sex-based” approach reduces the complex social and structural dynamics of violence to a rigid, biological understanding of sex, ignoring lived realities. By promoting a Western colonial patriarchal worldview that insists on the binary nature of sex, it disregards the lived experiences of millions of people. The notion of binary sex stems from Western colonial patriarchy, which historically used strict sex distinctions to assert white supremacy. Under this framework, Black and other racialized women were labeled as inherently gender non-conforming with catastrophic consequences on their health and rights. The category of “woman” has always been racialized, with white women expected to enforce binary gender norms violently upon anyone deemed non-conforming. This legacy underpins the harmful positions now advanced by the current mandate holder.

In the real world, neither sex nor gender is binary. Sex comprises many elements, manifesting differently in individuals.⁹ The Special Rapporteur’s positions oversimplify these realities and perpetuate an alternative worldview rooted in exclusion and erasure. Even though Special Procedures have a crucial role in upholding the universality and indivisibility of human rights, the current mandate holder’s stance undermines progress on gender equality and reinforces harmful narratives that perpetuate violence and discrimination.

Established Norms

In the call for input, the mandate holder directly contradicts her position by justifying her use of “sex-based” violence with the following statement:

“While the term ‘sex’ has not been defined in international law, Article 31 of the Vienna Declaration on the Law of Treaties (1969) mandates that treaties be interpreted ‘in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose.’ The same article also specifies that States shall take into account—together with the context in which a treaty was concluded—‘any relevant rules of international law applicable in the relations between parties’ and any subsequent practice. Based on the aforementioned, sex is to be understood as a ‘biological category’ and a distinction between women and men as well as boys and girls. This is the understanding that the Special Rapporteur has for the purposes of the report.”

Human rights mechanisms have clarified as early as 1989 that the prohibition of sex-based discrimination, as enshrined in core international human rights treaties, includes gender-based discrimination.¹⁰ In its General Recommendation 35, CEDAW reaffirmed this interpretation as including gender-based violence, which it defines as “violence which is directed against a woman because she is a woman or that affects women disproportionately”. This definition has been accepted and recognised by over 30 years of State practice and now forms a principle of customary international law.¹¹ Furthermore, the term “gender-based violence” is recognised by CEDAW as a more precise and preferred term to “violence against women” as it makes explicit “the gendered causes and impacts of the violence”, and emphasizes the social structures and causes of the violence. This is a position that previous mandate holders have always endorsed.¹²

These standards cover all women, including trans and intersex women and gender-diverse people,¹³ who are disproportionately targeted for social control based on their perceived transgressions of established gender roles and sexuality.¹⁴ UN agencies, Treaty Bodies, and past Special Procedures mandate holders have long promoted a gender-based lens to address violence, rooted in the principles of non-

discrimination, universality, and interdependence of rights. Gender as a concept was not developed at the time when human rights law was created. Feminist scholarship and human rights mechanisms have redefined the concept of “sex.” Unfortunately, the current mandate holder misinterprets “sex” in bad faith by ignoring decades of feminist scholarship and the work of human rights mechanisms in defining the concept of sex and gender, undermining decades of coherent UN agency, Treaty Body, and Special Procedures’ analysis of gender.

Call to Action

We urge all human rights mechanisms and bodies, including UN Treaty Bodies, Special Procedures Mandate Holders, and UN Agencies to:

1. **Adopt an inclusive, evidence-based gender lens**, recognizing that violence is rooted in structural inequalities and social norms, expectations and stereotypes, not biology alone.
2. **Refrain from divisive and biologically deterministic narratives** that undermine the rights of cis women and trans and gender-diverse persons.
3. **Center the autonomy, agency, and voices of all rights-holders**, especially those directly impacted by patriarchal violence.

Our Position on Participation

We respectfully call on civil society organizations, academics, and other stakeholders not to validate the problematic “sex-based” framing, but instead to

engage through advocacy and submissions to this call for inputs which challenge the flawed premise and reaffirms the indivisibility and universality of human rights.

Violence against women and girls cannot be addressed without an intersectional and inclusive gender-based framework. Rights belong to all humans; there are no separate or special categories of rights beyond those grounded in universal principles. Let us collectively uphold this vision.

Signed by:

1. Action contre la Faim – France
2. AFDA Familias Diversas
3. AFEMTRAS
4. Aidos
5. Akina Mama wa Afrika
6. Alianza Si Podemos
7. APROSEX
8. Arachnapoid
9. Asamblea Feminista de Madrid
10. Asamblea Nacional Trans No binarie
11. ASEAN SOGIE Caucus
12. Asia Pacific Alliance for Sexual and Reproductive Health and Rights (APA)
13. Asia Pacific Transgender Network
14. Asociación de Servicios Integrales por la Equidad en la Sociedad A.C.

15. Asociación por las Infancias Transgénero
16. Association of LGBTI People in Zimbabwe- GALZ
17. ASTRA Network
18. Athens Pride
19. Australian Women's Health Alliance
20. Austrian Family Planning Association
21. AWID
22. Balance A.C.
23. BearHands Amsterdam
24. Bonhishikha
25. Bundesverband Trans* / Federal Association Trans (Germany)
26. CAN-Myanmar
27. Canadian Alliance for Sex Work Law Reform
28. CARAM Asia
29. Casa CoMadreja y Circulo de Parteras en apoyo a migrantes
30. Casa de las Muñecas Tiresias AC
31. Center for Reproductive Rights
32. Centre for Sexualities, AIDS and Gender, University of Pretoria
33. CEPESJU
34. Charity Foundation Woman health & Family Planning , IPPF MA Ukraine

35. Chirapaq/ECMIA
36. CHOICE for Youth and Sexuality
37. COC Nederland
38. Colectiva Tzitzimiyotl
39. Colectiva unidas somos más
40. Colectivo de Prostitutas de Sevilla
41. Colectivo TLGB Tarija
42. Colors Rainbow
43. COMCAVIS TRANS
44. Comitato per i Diritti Civili delle Prostitute APS
45. Common Action for Gender Development COMAGEND
46. Community Care Collective
47. Comunidad Cultural de Tijuana LGBTI A.C.
48. Controla tu Gobierno A.C.
49. Cooperativa Sociale Parsec a r.l.
50. Copenhagen Pride
51. Correlation-European Harm Reduction Network
52. Council for Global Equality
53. Count Me In! consortium, consisting of AWID, CREA, JASS, Mama Cash, UAF Africa, UAF for Feminist Activism
54. Courageous Sisters Ghana

55. Creación Positiva
56. CSD Olpe e. V.
57. DASTAK Foundation
58. Democracia sin barreras
59. DIOTIMA – Centre for Gender Rights and Equality
60. Diverlex
61. DRACHMA MALTA
62. DSIL Designing for Systems Innovation and Leadership
63. EcST-Espert* contro la Tratta
64. Edge Effect
65. EL*C – EuroCentralAsian Lesbian* Community
66. ELLA Mexico
67. End FGM EU
68. Equal Asia Foundation
69. EquiLabs
70. Equipop
71. Esquerra Republicana de Catalunya
72. ESQUERRA REPUBLICANA DE CATALUNYA
73. Esquerra Republicana de Catalunya
74. European Network for the Rights and Health among Migrant Sex Workers-
TAMPEP

75. European Sex Workers Rights Alliance
76. Family Planning Association of Nepal
77. Fédération Laïque de Centres de Planning Familial (FLCPF – BE)
78. Feminist Gender Equality Network
79. Feminist Task Force, FTF
80. Feministas en Holanda
81. FILIA Center
82. FLIRT
83. Fórum 50%
84. Fòs Feminista
85. Foundation for Women and Family Planning FEDERA
86. Foundation for Women's Solidarity
87. FPES
88. French Family Planning
89. FRI – The Norwegian Organisation for Sexual and Gender Diversity
90. Fundacion Arcoiris por el respeto a la diversidad sexual
91. Fundación MUJER & MUJER
92. Fundheg
93. GALA Queer Archive
94. Gender Concerns International

95. Gender Dynamix
96. Gestos – Soropositividade, Comunicação e Gênero
97. GIRLxGIRL
98. Global Alliance against Traffic in Women
99. Global Justice Center
100. Groupe pour l'Abolition des Mutilations Sexuelles féminines (GAMS Belgique)
101. HILFE-FÜR-JUNGS e.V.
102. Hivos
103. Hola Amigue
104. Hope beyond foundation
105. Human Right, Women and Migration
106. ILGALAC
107. Impulso Trans
108. Independent Filmworks Inc.
109. Iniciativa Alianza EnBy Mx
110. Instituto de Investigación y Estudios para la Atención de la Violencia hacia NNA
REHILETE A.C
111. Instituto Prios
112. International Federation of Medical Students' Associations (IFMSA)
113. International Lesbian, Gay, Bisexual, Trans, and Intersex Association (ILGA
WORLD)

- 114. IPPF
- 115. International Women's Development Agency (IWDA)
- 116. Intersex Asia
- 117. Intersex Philippines
- 118. IYAFP
- 119. Jóvenes por una salud integral
- 120. Kaos GL
- 121. KFUK-KFUM Global
- 122. Kolektyw Kamelia
- 123. Konsent
- 124. Kwathu Ndi Kwanu
- 125. La Revuelta
- 126. LAIN Laboral Interseccional
- 127. Lake Region Womxn Health and Equal Rights
- 128. Lazos por la Diversidad, México
- 129. LEDESER, A.C. (Litigio Estratégico en Derechos Sexuales y Reproductivos, Asociación Civil.) México
- 130. LEFÖ – Information, Education und Support of Migrant Women
- 131. Life Quality Improvement Organisation FLIGHT
- 132. LIRAD NIGERIA
- 133. Lobby Europeo de Mujeres en España- LEM España

134. Malta LGBTIQ Rights Movement (MGRM)
135. Mama Cash
136. MANODIVERSA
137. MAP Foundation
138. MOVIMIENTO DE MUJERES DOMINICO HAITIANAS MUDHA.
139. Movimiento Trans Feminista Bolivia
140. Naked Eye Productions Ltd
141. NAmibia Diverse Women's Association (NDWA)
142. National Trans Coalition human rights NGO
143. NESEHNUTÍ
144. NGO KYIVPRIDE
145. NGO WA Sphere (Ukraine)
146. Ni Una Menos
147. NIJUDI A.C
148. Northumbria University
149. ODRI – Office against Discrimination, Racism and Intolerance
150. OII Chinese (Organizational Intersex International – Chinese)
151. OII Europe
152. Orgullo Ecatepec A.C
153. OTRANS-RN, REDLACTRANS .

154. Our Voices, Our Futures (OVOF) Programme
155. Outright International
156. PION – Sex Workers’ interest organization in Norway
157. Planet Ally
158. Planned Parenthood Global
159. Platform Self-Determination and Residence Rights
160. Población Diversa e Incluyente
161. Population Services and Training Center (PSTC)
162. Pride in UA
163. Profamilia Colombia
164. Promoting Empowerment Through Awareness for Lesbian and Bisexual Women
165. Promsex – Centro de Promoción y Defensa de los Derechos Sexuales y Reproductivos
166. Prostitution Information Center (PIC)
167. Q-Initiative C.B.O. Kenya
168. Queer.red
169. RAÍCES Análisis de Género para el Desarrollo A.C.
170. Red de familias trans
171. Red de Juventudes Trans México
172. RED GUATEMALTECA MUJERES EN ACCION
173. Red Nacional de abogadas feministas Mexico

174. Red Umbrella Sweden
175. Reimagining Sex Work (NL)
176. RFSL – The Swedish Federation for LGBTQI Rights
177. RFSL Ungdom – Queer Youth Sweden
178. Roter Stöckelschuh
179. Rutgers
180. SAIH – The Norwegian Students’ and Academics’ International Assistance Fund
181. SAVE sex workers rights (NL)
182. savie asbl NGO LGBTQI DRC
183. Sdružení pro integraci a migraci, o.p.s.
184. SEED Malaysia
185. SekswerkExpertise
186. Sensoa
187. SERAC-Bangladesh
188. Sex og Politikk (IPPF Norway)
189. Sex Workers Alliance Ireland
190. Sexual Reproductive Justice Coalition – Southern Africa
191. SHOP (Stichting Hulp en Opvang Prostitutie en Mensenhandel)
192. SHOP the Hague
193. Sindicato OTRAS

194. SistersLab – Association of Women in Science and Technology
195. Skeiv Ungdom / Queer Youth Norway
196. Society of Gender Professionals
197. Solidarity Yaad International
198. Somos Manada México
199. STAR-STAR Skopje
200. Success Capital Organisation
201. Surkuna Ecuador
202. Survivor Exit Foundation
203. Tamtang Group
204. The Canadian Association of Elizabeth Fry Societies
205. The Federation of the Women Associations in Turkiye
206. The Global Interfaith Network For People of All Sexes, Sexual Orientations, Gender Identities and Expressions (GIN SSOGIE)
207. The May 17 Association
208. The Regional Collective of Women who Use Drugs
209. The Society for Education on Contraception and Sexuality
210. Trans Hälsoplattformen (Trans Health Platform)
211. Trans-Difusión Asociación Civil
212. Transammans
213. Transcontingenta

- 214. Uluntu Africa
 - 215. United Belize Advocacy Movement
 - 216. Urgent Action Fund for Feminist Activism
 - 217. Vaqueros CDMX
 - 218. Vecinas Feministas por la Justicia Sexual y Reproductiva en América Latina
 - 219. VIHve Libre
 - 220. WO=MEN Dutch Gender Platform
 - 221. Women & Girls Capabilities & Empowerment Organization Nigeria
 - 222. Women Enabled International
 - 223. Women Deliver
 - 224. Women for Green Economy Movement Uganda
 - 225. Women for Women's Human Rights – WWHR
 - 226. Women Make Movies
 - 227. Women's Rehabilitation Centre
 - 228. Womens leadership center
 - 229. Young Feminist Europe
 - 230. Youth Association for Development (YAD) Pakistan
 - 231. YUWA
 - 232. Zamara Foundation
-

[1] For example, the infamous anti-gender organization Center for Family and Human Rights welcomed the report, particularly for Alsalem’s “strong position against prostitution, as well as her criticism of some aspects of transgenderism as being harmful to women and girls,” which can be accessed via this link: https://c-fam.org/friday_fax/human-rights-expert-advocates-abolishing-prostitution-abortion-groups-upset/?utm_source=Eye+on+the+Rights&utm_campaign=f997123dbf-EMAIL_CAMPAIGN_2023_05_10_01_23_COPY_01&utm_medium=email&utm_term=0_-ce66757f0f-%5BLIST_EMAIL_ID%5D&mc_cid=f997123dbf&mc_eid=83c36e4361

[2] She was also praised by anti-gender organization Sex Matter, which can be accessed via this link: https://sex-matters.org/posts/freedom-of-speech/let-the-un-special-rapporteur-on-vawg-deliver-her-mandate/?utm_source=Eye+on+the+Rights&utm_campaign=41bc4de84c-EMAIL_CAMPAIGN_2023_05_10_01_23_COPY_01&utm_medium=email&utm_term=0_-ce66757f0f-%5BLIST_EMAIL_ID%5D&mc_cid=41bc4de84c&mc_eid=83c36e4361

[3] The Special Rapporteur has also appeared on panels and been supported by Alliance Defending Freedom, a listed hate group by the Southern Poverty Law Center. <https://adfinternational.org/news/un-women-in-sports>

[4] On October 16, 2024, at the 79th session of the United Nations General Assembly, the Southern Poverty Law Center designated anti-LGBTI hate group, Alliance Defending Freedom, co-hosted a session on “Upholding Safety and Fairness in Female Sports,” with the permanent representative of Paraguay to the UN. The event was sponsored by the governments of Cameroon, Malaysia, and Morocco, and moderated by ADF’s legal and communications director, Alyssa Koren. Unsurprisingly, the featured speaker was the UN Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem.

[5] Response by the SR VAWG to WHO call for inputs on proposed guidelines on the health of trans and gender diverse people. 4 January 2024.
<https://www.ohchr.org/sites/default/files/documents/issues/women/sr/statements/sr-vaw-letter-04-01-2024-04-01-2024-3.pdf>

[6] During the HRC56 interactive dialogue with the SR VAW, following the WHO's statement outlining its evidence-based guidelines for the decriminalization of sex work and requesting the Council to consider its submissions alongside the SR's report, the SR responded "Moving forward, I also call on different organizations, including the WHO, to do a full assessment on the consequences before continuing to adopt partially informed positions." 9th Meeting – 56th Regular Session of the Human Rights Council. Interactive dialogue with the SR on violence against women and girls. 24 June 2024.
<https://webtv.un.org/en/asset/k1o/k1onom08en?kalturaStartTime=65891>

[7] Fried, S. T., Miller, A. M., Mallik, R., Radačić, I., & Restrepo-Saldarriaga, E. (2024). The (mis)use of evidence in contested rights: commentary on the UN Special Rapporteur on violence against women and girls' report on "prostitution and violence." *Sexual and Reproductive Health Matters*, 32(1).
<https://doi.org/10.1080/26410397.2024.2425530>

[8] World Health Organization, "Gender and Health" https://www.who.int/health-topics/gender#tab=tab_1

[9] These are: chromosomes, gonads, hormones, internal genitalia, external genitalia, and secondary sexual characteristics.

[10] Committee on the Elimination of Discrimination Against Women, General Recommendation No. 35 (2017), Committee on the Elimination of Discrimination Against Women, General Recommendation No. 12 (1989), Committee on the

Elimination of Discrimination Against Women, General Recommendation No. 19 (1992). “Although the Convention only refers to sex-based discrimination, interpreting article 1 together with articles 2 (f) and 5 (a) indicates that 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.” Committee on the Elimination of Discrimination Against Women, General Recommendation No. 28 (2010).

^[11] Committee on the Elimination of Discrimination Against Women, General Recommendation No. 35 (2017), pp. 2.

^[12] Report of the Special Rapporteur on violence against women, its causes and consequences: Report celebrating 25 years of the mandate of the Special Rapporteur on violence against women (2019) <https://www.ohchr.org/en/special-procedures/sr-violence-against-women/report-celebrating-25-years-mandate-special-rapporteur-violence-against-women>

^[13] UNGA (2024): A/79/299 Report of the Special Rapporteur in the field of cultural rights <https://documents.un.org/doc/undoc/gen/n24/235/12/pdf/n2423512.pdf> , par. 74. Rosanna Flamer-Caldera v Sri Lanka (CEDAW): Views adopted by the Committee under article 7 (3) of the Optional Protocol, concerning communication No. 134/2018 Para. 11 (ii), <https://www.humandignitytrust.org/wp-content/uploads/resources/CEDAW-C-81-D-134-2018-English-clean-copy.pdf>

^[14] A/HRC/23/50 Report on discrimination against women in public and political life with a focus on political transition (2013) para. 47.

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