

# JOINT STATEMENT

## States and the UN must take action to Strengthen and Defend the Special Procedures

### Why UN Special Procedures are important and why should we support their mandates.

- UN Special Procedures play a **crucial role in upholding and strengthening human rights standards and norms** within the United Nations (UN) human rights system. Through meaningful consultation with feminist, LGBTIQ, and other human rights and social justice movements, the UN Special Procedures have exposed and highlighted systemic trends impacting rights related to gender and sexuality globally, while making concrete recommendations to states and key stakeholders concerning their obligations to respect, promote, protect and fulfill human rights. As independent experts with reporting and monitoring functions on thematic and country level issues, the Special Procedures contribute to ensuring accountability for human rights violations globally and nationally.

### Contributions by UN mandate holders in advancing gender and sexuality rights

- The COVID-19 pandemic with its economic and social fallout has revealed that the existing political, economic and legal structures **have completely left behind those that are most vulnerable and marginalized** in our communities. This includes persons facing discrimination and marginalization on the grounds of gender and sexuality. The Special Procedures have persistently called on states to uphold rights related to gender and sexuality from a systemic and intersectional lens that addresses the root causes of discrimination.
- The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Working Group on discrimination against women and girls **have consistently called on states to address the nature and impact of discrimination** based on gender, socioeconomic status, minority and ethnic status, religion, race, sexual orientation, gender identity and expression, disability, occupation, etc. on marginalised communities in enjoying the full scope of sexual and reproductive health and rights (SRHR), including accessing SRHR services, goods and facilities.
- The Special Procedure mandates have also highlighted the necessity of a **human rights approach in responding to impacts of fascisms, fundamentalisms, and neoliberalism on rights related to gender and sexuality**. In their 2020 report, the Special Rapporteur on freedom of religion or belief called on states to counter misleading anti-rights attempts to appropriate freedom of religion and instrumentalise the discourse of freedom of religion in order to justify violations of rights related to gender and sexuality. In their 2018 report, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance urged States to actively reject the reinforcement of patriarchy and heteronormativity through laws that, in the name of national or traditional values, undercut the autonomy of women, and gender and sexual minorities.

## Systemic Attacks against Special Procedure Mandates

- Recent years have seen an unprecedented **rise in the activities of anti-rights actors within the international human rights system**. This includes both active engagement in the processes of the system as well as heightened mobilization on the peripheries of the system by anti-rights actors. It is crucial to highlight that this phenomenon is inextricably linked to the current global political-economy that is characterized by intensified economic inequalities, the rise of authoritarian, nationalist and xenophobic political leaders in power, and the rolling juggernaut of the military-industrial complex, which in turn drives the anti-rights movements to regional and international policy spaces in search of increased impact.
- Special Procedure mandates are facing **on-going attacks from anti-rights and regressive actors that tactically skew and manipulate concepts of fundamental rights and the scope of accountability** of UN human rights mechanisms. These attacks impact the ability of Special Procedures to carry out their mandates most effectively. They also are intended to threaten their very existence; many anti-rights actors seek to challenge the existence of the mandates and advances in their work.
- Anti-rights actors frame authoritative interpretations of UN treaty bodies and UN Special Procedure mandates on rights related to gender and sexuality as “creating new rights.” By propagating inaccurate readings of human rights standards, anti-rights actors and regressive states often **aim to invalidate altogether the work of Special Procedures mandate holders and the work of other independent experts** within the UN system. This tactic side-steps the reality of how international human rights law is created and interpreted, denies core human rights concerns and uses flawed analysis: these are not, in fact, “new rights”, nor are they the rights of “special interests”. They are valid human rights interests affecting groups of people whose lives or needs are often rendered invisible, and have been persistently reaffirmed and upheld in global, regional and national systems.
- While some of these strategies are aimed at pushing back against the progress made related to rights on gender and sexuality, we must also recognise these moves to undermine the Special Procedures for what they are: part of a **larger systemic anti-rights attack on the very content and structure of our human rights concepts, institutions, and protections** which aims to dismantle state accountability for human rights abuses.
- We have repeatedly witnessed anti-rights and regressive actors trying to delegitimize Special Procedure mandate holders by claiming they are partisan or that their work is not relevant to international human rights. We have seen **anti-rights actors advocate against the renewal of mandates or for sharp limitation of their purview by describing their work as ultra vires or duplicative of the work of other UN bodies**. Ultimately, these lines of argumentation allow these actors to defend and continue their human rights violations with impunity, on the basis that the reviewing mechanism is itself faulty. This strategy has far-reaching implications for State accountability.  
*(In 2015 and 2016 several Member States were highly critical of thematic reports from the Special Rapporteur on Violence against Women and the Working Group on Discrimination against Women, arguing, for example, that their reports took insufficient account of religious and cultural differences)*
- By instrumentalising discourse related to gender and sexuality and relying on arguments defending state sovereignty, **anti-rights actors aim to support a broader attempt to**

**defund the UN human rights systems as a whole.** As it is, the UN human rights mechanisms are chronically underfunded, with less than 4% of the overall UN budget is allocated to human rights mechanisms. In September 2020, the Coordination Committee of Special Procedures highlighted their concern about the impact of the UN funding crisis on the functioning of the system of independent experts appointed by the Human Rights Council. Special Procedures mandate holders work on a voluntary basis, are severely understaffed and under-supported, making them even more exposed to anti-rights attacks.

- Feminists and social justice movements have been at the forefront of action in affirming and reclaiming and pushing back against hostile initiatives to protect our rights. **We continue to support the Special Procedures mandates as space to progress human rights norms and language** - including on rights related to gender and sexuality. However, we cannot do this alone without the political will of those holding power within the systems. The UN must recognise and meaningfully address the impact of anti-rights actors and discourses that aim to erode our fundamental rights and the scope of accountability from inside and outside of the system. States must fully comply with their financial and international commitments to the UN's regular budget and ensure on-going support for strong and well-resourced special procedures mandates, while holding anti-rights actors to account at all levels.

**Prepared and endorsed by: The Observatory on Universality of Rights (OURs)**

#### **OURs Members include:**

- Asian-Pacific Resource and Research Centre for Women (ARROW)
- Association for Women's Rights in Development (AWID)
- Association for Progressive Communications (APC)
- ARC International
- Católicas por el Derecho a Decidir Mexico (CDD-Mexico)
- Coalition for Sexual and Bodily Rights in Muslim Societies (CSBR)
- Cynthia Rothschild (independent expert)
- Due Diligence Project
- FEMENA
- Global Interfaith Network for People of All Sexes, Sexual Orientation, Gender Identity and Expression (GIN-SSOGIE)
- International Civil Society Action Network (ICAN)
- International Women's Rights Action Watch Asia Pacific (IWRAP-AP)
- Ipas
- Musawah
- Muslims for Progressive Values
- Planned Parenthood (PPFA)
- Sexual Rights Initiative
- Soulforce
- Synergia- Initiative for Human Rights
- World Council of Churches (WCC)

## Organisational signatories

- AASES- Asociación Argentina de Sexología y Educación Sexual
- Action Canada for Sexual Health and Rights
- Adéquations
- Africa Earth Environment and Wildlife Defenders
- African Girls Empowerment Network
- AKAHATA A.C.
- Antonella Mancini consultancy
- APUVIMEH
- Articulación Feminista Marcosur
- ASI No
- Asia Pacific Forum on Women Law and Development
- Asociación Ciudadana ACCEDER
- Asociacion Civil Cambio y Accion.
- Asociacion Transvida
- Association ESE, Republic of North Macedonia
- Autism South Africa & Commonwealth Disabled Peoples Forum-Executive member-represent Neurodiversity
- Autistic Minority International
- Balance Promocion para el desarrollo y Juventud AC
- Beautiful Hearts Against Sexual Violence NGO from Mongolia
- Bliss without Risk ROZKOS BEZ RIZIKA
- Build Her
- Cairo Institute for Human Rights Studies
- Canasta Comunitaria Utopia
- Caribbean Vulnerable Communities (CVC)
- Caribe Afirmativo
- Casa das Pretas
- Catolicas pelo Direito de Decidir
- Católicas por el Derecho a Decidir - Colombia
- Catolicas por el Derecho a Decidir Peru
- CEFA/ CLADEM PANAMA
- Centre for Human Rights, University of Pretoria
- Centro de Promoción de Defensa de los Derechos Sexuales y Reproductivos - PROMSEX
- Centro de Promoción y Desarrollo Rural Amazónico
- CFEMEA - centro feminista de estudios e assessoria
- CICADES, AC
- Circuit Pointe
- CIVICUS: World Alliance for Citizen Participation
- CLACAI, Consorcio Latinoamericano Contra el Aborto Inseguro
- Co coordinadora de la Comision Equidad de Género del Consejo Consultivo de la Sociedad Civil para Canciller
- Coalición Nacional de Mujeres del Ecuador

- Coalition of African Lesbians
- CODISE -Cohesión de Diversidades para la Sustentabilidad, Asociación Civil-
- Colectiva Feminista para el Desarrollo Local
- Colectivo "Género y Teología para el Desarrollo"
- Colectivo Coalición nacional de Mujeres del Ecuador
- Colectivo Diversa-CODIVER
- Colectivo Seres, A.C.
- Colectivo Vallarta Lgbt
- Colectivo Votó Incluyente
- Coletivo Puta Davida - Brasil
- Collective for Research and Training on Development - Action
- Committee Human Rights Initiative (CHRI)
- Communit uplift and welfare development-CUWEDE
- Comunidad Organizada por San Isidro
- Contra Nocendi International
- Corporación Miles Chile
- Cotidiano Mujer/AFM
- CREA
- DAWN (Development Alternatives with Women for a New Era)
- Defensa Jurídica y Educación para Mujeres "Vereda Themis"
- Derechos Digitales
- Dignidad + Derechos. Grupo de Trabajo por los Derechos Humanos de Mujeres y Niñas
- Diverlex Diversidad e Igualdad a Través de la Ley
- Diversidad Dominicana
- DM Gender Consulting
- Eastern Caribbean Alliance for Diversity and Equality (ECADE)
- Ecumenical Commission for Human Development
- ELA - Equipo Latinoamericano de Justicia y Género
- Emmaus International
- EMPOWER Malaysia (Persatuan Kesedaran Komuniti Selangor)
- EQUAL GROUND, Sri Lanka
- Equidad de Género: Ciudadanía, Trabajo y Familia
- Faduk Care Foundation
- FAM
- FEDERACIÓN PLANIFICACIÓN FAMILIAR ESTATAL
- Federation for Women and Family Planning
- Federation of women with disabilities Nepal
- Fem4All
- Feminist Task Force
- FIAN Germany
- FIAN International
- Fiji Women's Rights Organisation
- Flora Tristán

- Florentina, Asociación Civil
- FOKUS - Forum for Women and Development
- FONDATION EBOKO
- Fondazione Pangea onlus
- Foundation for Media Alternatives
- FREEDOM 4 ALL
- Fundación Arcoiris por el respeto a la diversidad sexual
- Fundacion Desafio
- Fundación Diversencia/GayLatino
- Fundación Margen de Apoyo y Promoción de la Mujer
- Fundación MUJER & MUJER
- Fundacion para Estudio e Investigación de la
- GALE, The Global Alliance for LGBT Education
- GAYa NUSANTARA Foundation
- Gender Justice
- Género, Etica y Salud Sexual AC
- GL Farm & C.E.R. Co. Ltd
- Global Alliance Against Traffic in Women
- Global Girl Media
- Global Goals Institute
- Grs Asociacion Civil
- Horn Afrik news Agency for human rights
- Huldah Foundation
- Humanists International
- iAfrika
- ICASO
- ILGA World
- Inclusive Bangladesh
- Iniciativa Mesoamericana de Mujeres Defensoras de Derechos Humanos
- INSPIRIT Creatives UG NGO
- International Alliance of Women
- International Planned Parenthood Federation
- International Women's Health Coalition
- International Women's Rights Project
- Intersex-Asia
- Intersex-Nigeria
- Ipas Centroamérica y México (Ipas CAM)
- isha lisha- haifa feminist center
- ISLA
- KAOS GL
- Kilusan ng Manggagawang Kababaihan
- Kirmizi Biber Dernegi (Red Pepper Association)
- L' Associacio. Drets Sexuals i Reproducius

- Learning Field Int'l Academy Jos Plateau State. Nigeria.
- Letra S, Sida, Cultura y Vida Cotidiana
- LGBT Centre
- LGBT social movement "REVERS"
- LGBT+DK
- Luna Creciente Ecuador
- Manushya Foundation
- Mariwala Health Initiative
- Movimiento de Trabajadoras Sexuales del Perú
- MSI Reproductive Choices
- Mujer Y Salud en Uruguay MYSU
- Mujeres para el Mundo
- Mujeres Rurales del Cauca
- National Federation of Dalit Women (NFDW), India
- National Fisheries Solidarity Movement
- Navigating Transformation
- NQBSS Livestock Breeders
- One Woman Project
- Organización de Mujeres Feministas de Chimborazo Ecuador
- Organización o grupo
- OutRight Action International
- Pagkakaisa ng Kababaihan para sa Kalayaan (KAISA KA) Unity of Women for Freedom
- Peace Brigades International
- PeerNUPS , Greece
- PLAPERTS
- PO"Otifa"
- Proinclusion
- Project for transgender people "T\*Revers"
- PROMSEX, Centro de Promoción y Defensa de los Derechos Sexuales y Reproductivos
- Queer sex workers initiative for refugees
- Quirón: Derechos Humanos + Cultura
- RAÍCES, Análisis de Género para el Desarrollo
- Reaching the Unreached Tanzania (RUT)
- Red ASALEAS
- Red de Mujeres para la Justicia
- Red de Mujeres por la Democracia Paritaria
- Red de Salud de las Mujeres Latinoamericanas y del Caribe RSMLAC
- Redmujeres (proyecto de plataforma Web)
- RESURJ
- Rosa Rabiosa
- RUHFw
- Rural Women Initiatives for Self-Empowerment
- Salamander Trust

- SASOD Guyana
- Sensoa
- Seres (con) viver com o VIH
- Servicios Ecumenicos para Reconciliacion y Reconstuccion, SERR
- Shakti Samuha
- Sisonke National Sex Work Movement in South Africa
- Sistema Nacional de Promoción y Capacitación en Salud Sexual, A. C.
- Sociedad Mexicana de Prácticas Narrativas y Trabajo Comunitario S.C.
- Society for Conservation and Sustainability of Energy and Environment in Nigeria (SOCSEEN)/Afrihealth Optonet Association (CSOs Network)
- Southern African Human Rights Defenders Network (SAHRDN)
- Southern Africa Climate Change Coalition
- Space Allies
- Spatium Libertas
- Spotlight Initiative
- SRS LIVESTOCK DEVELOPMENT FOUNDATION
- Success Capital Organisation
- Sukaar Welfare Organization
- Tanzania Feminist Initiative
- TEDIC
- The Mango Tree Orphan Support Trust
- The Sex Workers Project at the Urban Justice Center
- The Taala Foundation
- Torch Bearers Global
- Trama colectiva
- TRANS ORGANIZACION FEMINISTA POR LOS DDHH DE LAS PERSONAS TRANS
- Trans United Europe
- Trans Youth Initiative-Uganda
- Transnational Institute
- TTCU
- University of Hong Kong
- Urgent Action Fund for Women's Human Rights (UAF)
- Uthema (NGO - Maldives)
- Vecinas Feministas por la Justicia Sexual y Reproductiva en América Latina
- Veredas AC
- Vía Educación
- Vishakha
- Water Justice and Gender
- WAVE Network (Women Against Violence Europe)
- WO=MEN Dutch Gender Platform
- WOMEN AND CHILD DEVELOPMENT CHARITABLE TRUST
- Women and Media Collective
- Women Chapter International



- Women for Women's Human Rights - New Ways
- Women in Migration Network, WIMN
- Women Initiative For Peace and Good Governance
- Women Working Group (WWG)
- Women's Coalition - Turkey
- Women's Human Rights Education Institute
- Women's Link Worldwide
- Women's Major Group
- Women's March Global
- Women's Health and Reproductive Rights Organization
- WREPA
- Young Women In Political Parties Ke
- Youth for Health Centre NGO
- Zambia Sex Workers Alliance (ZASWA)

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