



**Submission to the Independent Expert on Sexual Orientation and Gender Role identity (OHCHR)
Re: Protection against violence and discrimination based on sexual orientation and gender role
identity experienced by lesbian, bisexual, and queer (LBQ) women**

Australian Feminists for Women's Rights (AF4WR) is an incorporated association of feminists from all over Australia campaigning for women's sex-based rights protections within a broader context of social and economic justice for all.

We note that this call for input aims to gather comprehensive information directly from LBQ women, their organisations and their allies about the realities they face.

Our membership includes lesbians and bisexual women as well as women who may self-identify as "queer". We understand the term "woman" to mean person of female sex and the term "lesbian" to mean women attracted to other women: that is, to persons of the same sex. A bisexual woman is thus a woman attracted to both males and females.

Introduction

This submission urges the Independent Expert on sexual orientation and gender identity to resolve the devastating and widespread impacts of erasing sex-based language on lesbian, and bisexual women as outlined by Reem Alsalem, the Special Rapporteur on violence against women and girls, its causes and consequences.¹

By conflating sex with gender, this consultation provides no language with which to address the unique needs of same-sex attracted women. As a result, it excludes them as it does not recognise any language with which their specific needs can be communicated to you. ***This is a form of violence and discrimination against women and girls by the United Nations and its agencies. We call on this to be remedied if the UN is to retain any credibility as a protector of human rights.***

This conflation is the root cause of new and emerging causes of discrimination against lesbian and bisexual women as it enforces the erasure of any language with which policies required to support women's and girls' equal participation in society can be protected, restored or developed.

It is, further, a manifestation of the corruption of democratic processes that undermine not only the reputation of the United Nations but also the trust that nations can have in their democracies. It has emanated from vested interests who proclaimed that the conflation should be imposed globally, without consultation with primary constituencies of the lesbian and gay movements.

The ideology of gender identity is grounded in sexist stereotypes that promulgate violence and discrimination against women. Worse, by imposing stereotypical sex roles on minors, to the extent of urging them to change their bodies to "fit" the stereotype, this ideology is in fact profoundly heterosexist: it is pushing young women and girls who may otherwise grow up to be well-adjusted lesbian or bisexual women into a heterosexist model of behaviour and desired bodily conformity to fit a presumed "masculine" identity. It is a conformity that is in any case unachievable because the idea that humans can change sex is pure fiction.

Our legal, educational and health systems have been used to enforce the under the auspice of the UN Human Rights Council over the past 18 years on the basis of unelected and unaccountable philanthropists and human rights specialists who wrote the Yogyakarta Principles.²

There was never any genuine consultation with same-sex attracted women, that is persons of female sex, to explore what the impact on them might be in line with globally recognised principles of consultation such as under IAP2. Australian women were never consulted about the likely impacts of this conflation in law, education and health on women and girls. When ERINYES Autonomous Active Lesbians wrote a submission to the Australian Human Rights Commission's (AHRC's) "consultation" in 2010, these issues were identified but they were simply ignored and left unaddressed in the report to the Australian government, which then decided to conflate sex and gender in 2013 through amendments to the Australian Sex Discrimination Act (1984).³

To highlight the lack of accountability in this process, the AHRC's 2010-11 "consultation" was supported in great part by foreign funding:

*The Asia Pacific Forum of National Human Rights Institutions (APF) contributed to funding this project as part of its program to promote the implementation of the Yogyakarta Principles. The Commission thanks the APF for its financial support, which has enabled us to conduct this consultation.*⁴

Our feedback here deserves to be explicitly reported and also addressed in policy recommendations in your report to the 62nd session of the United Nations Human Rights Council in June 2026 for UN policy development going forward.

Question 1. Has your government, your organization, or you as an individual identified significant challenges, barriers or forms of violence and discrimination impacting LBQ women?

We have identified the erasure of sex-based language with which to address violence and discrimination impacting lesbian, bisexual and queer women as **the major challenge and barrier** to protection from violence and discrimination.

This erasure prevents the UN Human Rights Council from correctly describing and understanding violence against women and girls as being violence perpetrated by males against females. It undermines all policies designed to assist women's and girls' ability to overcome violence and discrimination due to our biological sex. It has enabled males to colonise women's policies, spaces, places and services funded and designed for women and girls: including those specifically for lesbians.

For example, when lesbians—that is, people of female sex who are sexually attracted to other people of female sex—wish to gather in women-only spaces and events, they are now forced underground, for fear of either legal reprisals or indeed threats and violence. This is a regressive move, taking us back over a century to a time when lesbians were closeted and could not express their homosexuality and homosociality openly for fear of often violent and coercive reprisals.

In 2023, the Lesbian Action Group (LAG) formed to challenge this situation, by applying to the Australian Human Rights Commission (AHRC) for an exemption to hold a women-only event (i.e. exclusively for people of female sex) for international lesbian day and subsequent women-only

events specifically for lesbians at Melbourne's Pride Centre. [The AHRC ruled](#) that the event would discriminate against males with a "woman" gender identity; its decision did not consider the issue of sex discrimination at all, [as LAG noted in its response](#).

The result is that the demands of biological males are now prioritised over the needs of biological females, including lesbians. This is just the kind of sexism which Australia's 1984 Sex Discrimination Act was originally designed to overcome, as it was meant to be at that time the enactment of the UN Convention on the Elimination of all forms of Discrimination Against Women (1979) into Australian law.

Lesbians challenging the presumed right of transgender-identified males who claim to be "lesbian" are routinely met with hostility that extends from cyberbullying (including doxxing) to complaints to women's workplaces or public regulatory bodies (human rights complaints, litigation), and even to death threats.

Institutions including government institutions, in training modules on inclusion, diversity and anti-bullying, coerce female employees to agree that biological males who identify as "women" should be able to use female toilets and changerooms throughout the workplace, including in pool and gym areas.

Women who do not answer this training question "correctly" are discriminated against with penalties ranging from withholding of incremental progression to misconduct charges, and more generally marginalisation and vilification in their workplaces. It is becoming impossible in Australian workplaces for women, including lesbian, bisexual and queer women, to challenge such compelled opinions and compelled speech.

Question 2. Do these experiences differ from those of other women or other LGBT individuals?

The experiences of lesbian, bisexual and queer women differ from those of biological males, regardless of the gender identity of the latter, because:

- Women and girls are discriminated against and abused because of our biological sex.
- The ideology of gender identity is grounded in heterosexist stereotypes and has no basis in reality. In its impacts it represents an attack on the hard-won rights of women.
- Women and girls have the right to sex-based recognition and representation and to single-sex spaces, services and sports.
- Male violence against women and children must be clearly identified, victims supported, and perpetrators punished.

Lesbian, bisexual and queer women experience violence and discrimination by biological males regardless of whether males identify as lesbian, bisexual and queer women: males with a "woman" gender identity are no less likely to perpetrate violence against women than any other males.

As noted above, girls and young women who do not conform with gender stereotypes are being encouraged to think it is a problem. By doing so, we are teaching (hetero)sexism, subjecting women to standards of the male gaze and the demands of men. All teenagers desperately want to

fit in and this push towards “gender identity” takes advantage of the special vulnerability of young LBQ women and girls.

The homophobic idea that it is better to try to “be a male” than to be a gender non-conforming female appears to have been a compromise pushed through the UN Human Rights Council as some countries continue to refuse to accept homosexuality, but do support “sex change” to make homosexual people appear heterosexual.⁵ Only then can the person be with the person of the same sex to whom he or she is sexually attracted. From our perspective “gender identity” conformism through drugs and surgery in Western countries is equally violent and discriminatory: in fact, it is medical gay conversion.

Question 3. What systemic factors (economic, social, cultural, political, and civil) contribute to these challenges? Have these challenges led to greater violence and/or discrimination against LBQ women?

We believe that the following factors have contributed to this situation where lesbian, bisexual and queer women are experiencing greater violence and or discrimination:

1. The concern about conforming to gender role stereotypes coincides with social media conflating toxic femininity with being female and toxic masculinity with being male.
2. Ongoing sexism by biological males and self-oppression by biological women who go along with enforcing the importance of sex stereotypes.
3. A power battle between the medical and the social models of health in relation to treatment of psychological conditions on the back of psychiatry’s guilt about pathologisation of homosexuality.
4. A pathologisation of vulnerable children and young people going through puberty and adolescence by vested interests to obscure the diversity of normal human development and profiteer from gender stereotypes.
5. An attack on science-based research methods by vested marketing interests.
6. Women’s continued lower economic status and means to organise to protect our sex-based rights.
7. Historical cultural norms that prioritise re-enforcing gendered stereotypes, including by women and men who work at the UN Human Rights Council as well as global legislators.
8. Powerful vested interests such as medical device and pharmaceutical industries who make money from medicalising vulnerable people globally, including in the Global South.

Allied Rainbow Communities (ARC) International, for example, is registered in Canada as a tax-exempt private corporation. Its executive director is Kim Vance Mubanga, who founded ARC in 2003 with John Fisher (now Geneva Director of Human Rights Watch) to promote “LGBT” rights. Its website states that it:

played a key role in the various phases of the Yogyakarta Principles. We initiated the project, convened a coalition of NGOs to implement it, facilitated meetings of the coalition, worked closely on the preparations for and conduct of the experts’ meeting, worked with partners to successfully launch the Principles, prepared backgrounders and advocacy materials to support regional launch initiatives, developed a website, track the ongoing use

of the Principles, are participating in the development of an activists' guide, and conduct ongoing training and support for organizations using the Principles.

We note the proximity in time and location of the Dutch puberty blocker pharmaceutical researchers and the Dutch aid NGOs Oxfam Novib and Hivos (Humanist Institute for Development Cooperation) that lobbied so hard to get gender identity recognised as being important by the UN Human Rights Council from 2004 to 2008.⁶

9. Biological male gay men have forgotten their commitment at the 2006 Montreal Declaration as follows:

The unequal position of women in our movement reflects the still unequal power relations between women and men in the world as a whole. ... We must therefore seek more cooperation with the women's movement, and stress our common ground. The commonality is our right to control our own bodies and to choose how we live our lives. Our joint goal is to challenge the rigidity of the fixed roles allocated to women and men, and the dominance of heterosexual male norms and interests. This joint goal is not something marginal, but is part of the core business of the LGBT rights movement.

This commitment is not in evidence in the Yogyakarta Principles.

Reem Alsalem sets out the widespread and devastating impact of the United Nations Human Rights Committee's policy to conflate sex with gender in terms of greater violence and/or discrimination against LBQ women. **Please read and respond with substantive policy adjustments for LBQ women and all women.**⁷

Question 4. Are there particular life stages, circumstances, or identities that create heightened vulnerabilities for LBQ women?

Being a lesbian, bisexual or queer woman in itself creates heightened vulnerabilities for those women.

For example, "gender affirming" medicine conducted on young females is medical violence against lesbian, bisexual and queer women and girls and young women who may be experiencing gender dysphoria, trauma, depression or suffering from autism spectrum disorders, anxiety or ADHD.

Girls who may be dealing with their own repressed or socially punished homosexuality, or who do not otherwise "conform" to prescriptive sex roles, are increasingly told they are transgender and pushed into social then medical transition, often from very early ages. These practices are heterosexist: girls are being told that it is not possible to be female unless one conforms to sex-role stereotypes and/or is heterosexual. The gay is being transed away.

The Special Rapporteur on violence against women and girls set out the special circumstances experienced by women and called on States and relevant actors to recognise sex as central to addressing violence against women and girls, ensuring women and sex-specific terminology in law, policy, and data, and guaranteeing the right of women and girls to speak freely on these issues without fear or reprisals.⁸

¹ Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem, Sex-based violence against women and girls: new frontiers and emerging issues, A/HRC/59/47, Human Rights Council Fifty-ninth session 16 June–11 July 2025 Agenda item 3.

² Rembrandt, Felicia, [ARC International – Canada's Dark Rainbow](#), 25 September 2025 (updated); [Michael O'Flaherty, Human Rights Watch, OutRight Action, ILGA](#); [Michael O'Flaherty, Human Rights Watch, OutRight Action, ILGA](#).

³ Erinyes Autonomous Activist Lesbians, Submission to the Australian Human Rights Commission's Consultation on Protection from discrimination on the basis of sexual orientation and sex and/or gender identity, 2010. https://www.peacewomen.org/system/files/global_study_submissions/Erinyes-Submission-to-SOGI-AHRC-2010.pdf.

⁴ Australian Human Rights Commission, *Addressing sexual orientation and sex and/or gender role identity discrimination*, 2011, p1.

⁵ BBC (5 Nov 2014) *The gay people pushed to change their gender* [The gay people pushed to change their gender - BBC News](#)

⁶ <https://ilga.org/news/ilga-1978-2007-a-chronology/>

⁷ Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem, Sex-based violence against women and girls: new frontiers and emerging issues, A/HRC/59/47, Human Rights Council Fifty-ninth session 16 June–11 July 2025 Agenda item 3.

⁸ Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem, Sex-based violence against women and girls: new frontiers and emerging issues, A/HRC/59/47, Human Rights Council Fifty-ninth session 16 June–11 July 2025 Agenda item 3.