

10 May 2023

Dear Victor

Meeting notes from LGB Alliance

LGB Alliance will be releasing these notes to the press to ensure that the positions you hold on sex and gender are available to the public.

Since your mandate as UN Independent Expert on Sexual Orientation and Gender Identity includes sexual orientation, it should include protecting those who are sexually attracted to people of the same sex, who are criminalised and face numerous threats worldwide. It is therefore a matter of serious concern that you remain ignorant about many of the threats to homosexuals and indeed spread disinformation about them. LGB Alliance believes your influence has therefore been harmful – not only to homosexuals and bisexuals, but to all who support the rule of law in a liberal democracy. LGB Alliance has observed you seeking to undermine the work of members of the UK parliament at Westminster and the Scottish parliament at Holyrood, and the UK Equality and Human Rights Commission, by spreading disinformation on international human rights law versus UK domestic law.

LGB Alliance will be sharing these notes with Marcial Boo, Chief Executive of the UK Equality and Human Rights Commission, HE Simon Manley, the UK Permanent Representative to the United Nations in Geneva, and HE Volker Türk, the UN High Commissioner for Human Rights, so that all are clear about your activist positions and activities – rather than the independent role that is intended. In addition, LGB Alliance will be lobbying for the appointment of a truly independent expert – of a re-titled mandate.

I believe I have accurately represented what was discussed at the meeting. This is an open letter: please do reply with any corrections as needed.

Yours sincerely



Kate Harris
Co-founder and Trustee, LGB Alliance

Meeting Thu 4 May 2023, International Maritime Organisation, Albert Embankment, SE1 7SR

Attendees:

Victor Madrigal Borloz (VMB)

UN staff assistant (apologies name not known)

Paula Boulton (PB)

Kate Harris (KH)

Dennis Kavanagh (DK)

These are notes taken after the meeting. If there are any errors in the reporting, we invite the Independent Expert to correct them.

The meeting started late. All shook hands then sat down.

VMB began by saying a few words then handed over.

KH asked him to watch the short film made recently by Sex Matters – featuring detransitioners. KH passed the laptop over towards him, but he declined to watch it. He said he thought it was a better use of time to talk.

DK asked whether he would commit to watching it if we emailed after the meeting – VMB agreed.

KH explained that the point of the video was to highlight that the most appalling *sex-based* violence was being inflicted on “gender non-conforming” young people who were being given puberty blockers, cross-sex hormones and surgery. Many of these young people have internalised homophobia, as they later explain. Yet this has never been mentioned in any of VMB’s five thematic reports. Given that part of his mandate is to highlight and reduce what he calls “gender-based violence” why has he never included these cases?

In response, VMB stated he had no idea that detransitioning is an issue. He said he could not comment unless he was given individual cases with all the details. He wanted to know the ages of the people concerned. He had never heard of Keira Bell. He implied that we were saying that being trans was not a positive choice and he asked whether we did not agree that young people had “agency” to make the right choices for themselves. He gave no indication that internalised homophobia was a concern.

He was asked whether he was aware of the Cass Review, and the fact that the GIDS clinic at the Tavistock is to be closed as the model has been deemed “unsafe and unsustainable”. He said he had read the interim report from the Cass Review – but made no comment. I asked him directly whether he had met Dr Hilary Cass – he declined to answer – despite having asked civil society organisations for recommendations on who he should meet. I asked him whether his knowledge of the treatment of young people was greater than that of Dr Cass and her team. He implied that Cass’s interim report was not in line with international thinking on this subject.

I asked him about his recent document for the UN, “A Compendium on Comprehensive Sexuality Education” listing recommendations for all states, where he lists “gender affirmation” alongside family planning and contraception as if it were completely accepted as an integral part of daily life. He saw no problem with that and believes it is uncontested best practice.

VMB stated his belief that the protected characteristic “gender reassignment” in the 2010 Equality Act

is interchangeable with “gender identity”. Even when the exact wording in the Act was spelt out to him, he continued to state that this was the same as “gender identity”.

VMB went on to argue that in any case, what he referred to as “international human rights law” supersedes UK law. He asked whether we were aware of the Rome Statute – to which the UK is a signatory. It is his view that because the UK signed up to the first human rights treaty that used “sex” and “gender” interchangeably - <https://www.legal-tools.org/doc/9b10b8/pdf> – we are bound to accept “gender identity” in law.

[NB The Rome Statute is the treaty that established the International Criminal Court. It deals with international crimes: (a) The crime of genocide; (b) Crimes against humanity; (c) War crimes; (d) The crime of aggression. The word “discrimination” does not appear in the Rome Statute. No provision of international human rights law requires the UK to do more than we are already doing in relation to transgender persons, “gender reassignment” or “gender identity”. The Equality Act 2010 contains general prohibitions of discrimination on the grounds of “gender reassignment”, subject to exceptions to protect the rights of women.]

We explained that the Equality Act is the reference point used in cases of discrimination in the UK. VMB did not accept that and re-stated his belief that the Rome Statute means that the UK was signed up to “gender identity” in law.

When KH expressed concern that VMB was unwilling to take on board evidence that contradicted his stated views, he repeated that his work was based on international human rights law and evidence. We said that his title “Independent” is inaccurate. We said he is promoting what we believe to be a regressive and homophobic ideology that causes direct damage to young homosexuals – young homosexuals who now have no place in what he calls the “LGBTQIA+ community”. We told him story after story of these young people, but he expressed no interest in them.

KH asked him whether he agreed with Nancy Kelley’s references to lesbians who explicitly rule out sexual relationships with male-bodied people who self-define as lesbians as akin to “sexual racists” or antisemites. He instructed his assistant to make a note that I had just said that Nancy Kelley says that lesbians should be forced to have sexual relationships against their will with men. He then spoke about consent and said that no-one should be forced to have sex against their will. I told him not to misrepresent what I had said, which was unrelated to consent. He declined to comment on what Nancy Kelley had actually said.

VMB said he had met lots of lesbians who disagree with our views.

DK asked him whether he had heard of the “cotton ceiling” – he said he had not.

KH told him history would look back on this period as one of shame – with people like him creating an environment of hostility to homosexuals.

SUMMARY

DETRANSITIONERS/SEX-BASED VIOLENCE

VMB has seen no evidence that this is a major problem. He has not seen the need to include sterilisation and unnecessary surgery on young “gender non-conforming” people in any of his thematic reports.

INTERNALISED HOMOPHOBIA DRIVING YOUNG PEOPLE TO “TRANSITION”

VMB has seen no evidence that this is the case.

CASS REVIEW

VMB firmly believes that his views on the medicalisation of “gender non-conforming” young people are “international best practice” and that Dr Cass’s analysis is incorrect.

GENDER AFFIRMATION

VMB believes that all states should include “gender affirmation” puberty blockers, hormones and surgery in “sexuality education”. He believes this view is as uncontested as family planning.

2010 EQUALITY ACT AND GENDER IDENTITY

VMB believes that the protected characteristic “gender reassignment” in the 2010 Equality Act means “gender identity”.

SELF-ID

VMB believes that the UK has signed up to the concepts of gender identity and self-ID by virtue of being a signatory to the Rome Statute.

LESBIANS REJECTING THE PROSPECT OF MALE-BODIED SEXUAL PARTNERS DESCRIBED AS AKIN TO ANTI-SEMITES OR RACISTS

VMB has no comment to make.

COTTON CEILING

VMB has not heard of this.

CONCLUSION

The Independent Expert is misinformed about many areas of human rights law and daily life. He has a firm belief in the importance of gender self-ID, which he promotes above the interests of homosexuals and bisexuals. We have no information on whether he is influenced by funding from the Arcus Foundation, who have a long history of transactivism, but we will ask the OHCHR to investigate that.

We recommend to the UN High Commissioner of Human Rights that the mandate be reviewed before the next appointment is made. It is unworkable – and harmful to homosexuals – to have a mandate that embraces both Sexual Orientation and Gender Identity. We will be lobbying for an Independent Expert for Sexual Orientation who can truly represent the rights of homosexuals. It is important to remember that in 69 countries homosexuality is still illegal. Around the world, children and young people who do not conform to sexist stereotypes are being told the lie that it is possible to change sex and that it may be desirable to do so. This lie is leading them to make irreversible, damaging and totally unnecessary changes to their bodies. There is much work to be done.