

## **Joint Statement by UN Special Procedures Mandate Holders**

### *Reaffirming the Centrality of Gender as a Tool for Advancing Equality and All Human Rights*

Today, 45 United Nations special procedure mandate holders reaffirm gender equality as a cornerstone of human rights and substantive equality. “As feminist and women’s rights movements and international human rights standards have long affirmed, biology is not destiny.” Gender-based discrimination must be addressed alongside sex-based discrimination. While “sex” refers to biological characteristics, ‘gender’ provides the broader and more salient analytical lens, encompassing the socially constructed identities, roles, and expectations that shape individuals’ lives. These dynamics reinforce hierarchies of power and often produce or sustain disadvantage for women in all their diversity.

Conceptions of womanhood are thus not modeled by biology alone, but through processes of socialization (including through educational systems), intersecting forms of discrimination, the enforcement of gender norms, and change over time. These interactions frequently lead to the denial of rights for women and girls. Legal and policy frameworks that do not take this reality into account, or that impose rigid divisions between sex and gender, are limited in their ability to meaningfully address structural inequality or ensure the full realization of women’s and girls’ universal human rights.

The experts expressed deep concern about efforts of some States and other actors to negate the relevance of gender, reasserting fixed, binary conceptions of sex that disregard the social and cultural factors that shape identity and lived experience. “Such approaches fail to reflect the diversity of women’s and girls’ lived experiences and disregard the realities of persons who face discrimination based on sexual orientation, gender identity, or gender expression. They are often rooted in misinformation that reinforces harmful gender stereotypes, invokes misguided forms of ‘protectionism,’ and departs from evidence-based strategies essential to achieving gender equality and protecting the rights of all women and girls.”

They emphasized the importance of ensuring that gender and gender-based discrimination and violence remain at the core of international human rights law. “This is not only because the prohibition of gender-based violence is recognized as a principle of customary international law, but because gender is a vital analytical lens – essential for exposing the power disparities, structural inequalities, and discriminatory practices embedded in laws, institutions, and social norms. This lens acknowledges biological differences while also drawing attention to how gender roles are constructed, enforced, and experienced. Without this perspective, the systemic

exclusion of women and gender-diverse persons – particularly those whose identities and expressions fall outside dominant binary norms – remains invisible.”

The experts further highlighted that without a gender perspective, it is impossible to fully grasp how roles, expectations, and hierarchies manifest in education, health, culture, at the workplace or with respect to social, economic and political opportunities – and how they affect human well-being. “By contrast, sex alone offers limited explanatory power in revealing the social and cultural dynamics that drive gender inequality.”

The experts explained that while biological sex – referring to physical and reproductive characteristics – has meaning, it cannot fully explain the patterns of marginalization that human rights mechanisms are designed to address. “It is gender, as a social construct shaped by history, culture, and context, that determines access to resources, opportunity, vulnerability to violence, and participation in public life. Gender reflects how societies choose to treat men, women, and gender-diverse people: whose needs are prioritized, what policies are adopted by States and private actors, and how power and resources are distributed. It also intersects with other forms of exclusion – such as race and ethnicity, caste, descent, disability, age, religion, migration status, socio-economic status, and women affected by chronic and neglected tropical diseases – shaping the extent to which rights are realized in practice.”

The experts underlined that numerous bodies, including the CEDAW Committee, have clarified that what was originally framed as discrimination on the basis of “sex” in the Convention on the Elimination of All Forms of Discrimination against Women and other treaties is, in fact, gender discrimination, stemming from the sociopolitical treatment of biological differences rather than the differences themselves. This understanding has been consistently reinforced by national and international courts and instruments across diverse regions and cultural contexts, and has been advanced by feminist, women’s rights and civil society movements worldwide, even as it continues to be contested by some actors.

Through its General Recommendations and jurisprudence, the CEDAW Committee has also made clear that discrimination on the basis of sexual orientation and gender identity constitutes a form of gender-based discrimination that States are called to address through targeted legal and policy measures. This interpretation aligns with the broader human rights framework, which recognizes the intersectional nature of inequality and the need for non-discriminatory, inclusive, rights-based protections.

The experts affirmed that fixed, binary definitions of sex alone risk reinforcing – rather than dismantling – the very stereotypes that States are obligated to eliminate under CEDAW and

other international human rights instruments: “Such rigid definitions of sex obscure structural inequalities and threaten to erode decades of normative and legal progress.”

The experts also emphasized the importance of analyzing how masculinities are constructed and enforced. Patriarchal systems not only subordinate women and gender-diverse persons but also impose restrictive – often harmful – ideals of masculinity centered on control, aggression, and emotional suppression. These norms normalize violence, erode emotional and psychological well-being, and marginalize men and boys who do not conform to dominant gender expectations.

International legal standards on gender have evolved to reflect advancements in different academic disciplines, as well as the complexity and the interdependence of social inequalities. Regressive efforts aimed to narrow definitions of sex and gender are out of step with this evolution and threaten to reverse hard-won progress toward equality and dignity for all.

They concluded: “As mandate holders entrusted with upholding universal human rights across diverse thematic and country-specific mandates, we call on States and all stakeholders to reaffirm the centrality of gender in international law, policy, and practice. The integrity and coherence of the international human rights system depends on it. All women, in their diversity, must be guaranteed full and equal voice and protection under international law. Eradication of gender-based discrimination and gender-based violence are cross-cutting challenges that demand coordinated, sustained, non-retrogressive and non-discriminatory responses from States, businesses and all other actors – responses that are essential to realizing the promise of human rights for all.”

**\*The experts:**

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- **Paula Gaviria Betancur**, [Special Rapporteur on the human rights of internally displaced persons](#)

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- **Tomoya Obokata**, *Special Rapporteur on contemporary forms of slavery, including its causes and consequences*
- **Olivier De Schutter**, *Special Rapporteur on extreme poverty and human rights*
- **Nicolas Levrat**, *Special Rapporteur on minority issues*
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- **Gehad Madi**, *Special Rapporteur on the human rights of migrants*
- **Marcos A. Orellana**, *Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes*
- **Margaret Satterthwaite**, *Special Rapporteur on the independence of judges and lawyers*
- **Ben Saul**, *Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*
- **Elisa Morgera**, *Special Rapporteur on the promotion and protection of human rights in the context of climate change*
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- **Mary Lawlor**, *Special Rapporteur on the situation of human rights defenders*
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- **Vitit Muntarbhorn**, *Special Rapporteur on the situation of human rights in Cambodia*
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- **Mai Sato**, *Special Rapporteur on the situation of human rights in the Islamic Republic of Iran*
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