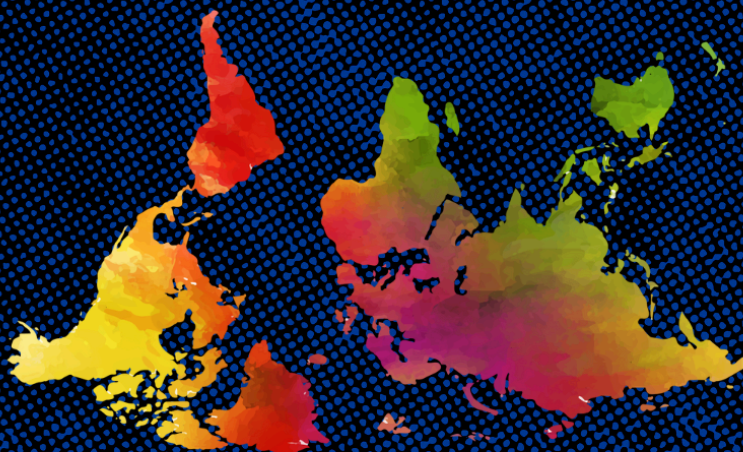


Sexual politics from January to June 2024 Part 2 - Continuing anti-gender offensives

June 2024



[Read Part 1 of this bulletin - Democracies in dispute](#)

Gender politics: good news

Inevitably, the political situation described in [part 1](#) of this issue is marked by anti-gender attacks, attacks on LGBTQIA+ rights, and, as we'll see below, on the right to abortion. However, we also have some good news.

In the international sphere, the most important was undoubtedly the approval by the UN Human Rights Council of a [resolution](#) recognizing human rights violations against intersex people. There was enormous resistance to the text from conservative states, and the Holy See delegation worked very actively against its adoption. Despite many abstentions, the resolution [was approved](#) by 24 member countries of the council, after having been proposed by an even wider range of countries, many of which are not members of the HRC at the moment. In an article for SPW, Argentinian activist and philosopher Mauro Cabral and Brazilian activist Amiel Vieira [talk about](#) the significance of this result for the intersex community.

Another piece of good news is that the Working Group on Discrimination against Women and Girls in the Law published [a new report](#) analyzing human rights violations in the realm of sex work that strongly recommends its decriminalization. The report was debated at a side event organized by the Sexual Rights Initiative at the 56th Session of the Human Rights Council and a few days before that sex workers demonstrated outside the Palais de Nations. These initiatives challenge the arguments put forward in a recent report on human trafficking by the Special Rapporteur on Violence against Women and Girls.

Lastly, UN Women has released a [report](#) on threats against gender and LGBTQIA+ rights worldwide. The report calls for joint work between feminists and LGBTQIA+ activists to resist these attacks. Most principally it connects "gender critical" feminist streams and ultraconservative anti-gender forces in the following terms:

"Movements encompassing 'anti-gender', 'gender-critical', and 'men's rights' have taken this to new extremes, tapping into wider fears about the future of society and accusing feminist and LGBTIQ+ movements of threatening civilization itself.

There have also been auspicious dynamics and normative changes in the field of trans rights in many countries. In Brazil, in the same week that the UN resolution was adopted, the Federal Public Prosecutor's Office [asked](#) the Federal Council of Medicine to revoke a resolution authorizing early surgery on intersex children. In Sweden, a new law was [passed](#) in April, lowering the minimum age from 18 to 16 for gender

reassignment and facilitating access to biological sex reassignment surgery. In the same month, the German parliament [adopted](#) a law reaffirming the right to self-determination of gender identity on official documents, facilitating bureaucratic procedures. The decision was [praised in an article](#) by Human Rights Watch.

It is also very significant that in the Caribbean – a region of the world where in most countries criminal laws inherited from British colonialism are still in force – the Supreme Court of Dominica [has decriminalized](#) consensual same-sex relations.

In Estonia, an equal marriage law passed in mid-2023 [came into force](#) in January, making the country the first in the former Soviet Union to legalize same-sex marriage. The [same happened](#) in Greece, where a new law also guarantees the right to adoption. No less importantly, in Poland, where in 2023 the ultraconservative Law and Justice Party regime was defeated electorally, the state television broadcaster [publicly apologized](#) for years of homophobic propaganda.

Another piece of great news comes from the International Olympic Committee (IOC). As [Nana Soares aptly analyzed](#) in an article we published last year, the committee had "washed its hands of it" by transferring the definition of biomedical parameters for the participation of trans women to the federations of each sport. As we have noted, this has since resulted in a flood of restrictive rules in almost all sports. In order to stem this avalanche, the IOC commissioned an extensive study, carried out by the University of Brighton, the results of which [conclude](#) that trans women are not biological men. The conclusion runs counter to the arguments of those opposing the participation of trans women in elite women's competitions. The result will not immediately contain the fury of these groups, but it could anchor new narratives to challenge these attacks.

Finally, we note and celebrate the publication of Judith Butler's new book, *Who's Afraid of Gender?*, released in March. In this new work, Butler critically reflects on the meanings and effects of anti-gender politics, mapping their geographies and transnational connections and contesting the images and narratives they propagate. In this work, Butler revisits many of her previous reflections and weaves a new framework for the "ghost of gender". As can be [seen in the compilation](#) we have put together since the release and in several subsequent interviews, Butler has underlined the political nature of the attacks on gender theory, including its connections with post-fascism.

Offensives that don't abate

Despite the good news, the anti-gender offensives have not only persisted but have in fact become more aggressive since January 2024. The year began with the newly elected Javier Milei [unleashing his "chainsaw"](#) against Keynesianism, "cultural Marxism", "gender", and feminism at the Davos Forum. The performance, far more outlandish than Bolsonaro's first speech at the UN in 2019, caused bewilderment everywhere, including among neoliberal actors who until then had been enthusiastic about Milei's economic agenda. An [excellent article](#) in *Página 12* described the scene, highlighting the most outlandish parts of the speech. But worse was to come, as Elon Musk then [posted](#) a toxic pornographic image on his digital platform to display his erotic arousal with the libertarian leader from Buenos Aires, as Marcos Augusto Gonçalves [wrote](#) in *Ilustríssima*.

Another global event of note was the publication of the Cass Review, a technical review carried out at the request of the UK's National Health Service on medical approaches to gender identity in adolescence and childhood (IGAI). Predictably, the media impact was immediate and biased, since this issue is now the main target of anti-gender attacks. Some media outlets even claimed that the review had revealed the biggest medical scandal of the century. In Brazil, after the publication of agency notes on the document, trans-exclusionary feminist collectives pressured the major newspapers to give its findings more coverage.

Tomas Ojeda and Rodrigo Sierra, in an [excellent briefing](#), examine the hostility to IGAI in the UK and compare the difference between what the report says and what has been circulated in the press, since the findings do not mention the physical or psychological harm of medical approaches to IGAI, nor do they recommend discontinuing the use of hormone blockers. On the other hand, the authors note that Dr. Cass and her team have no experience in IGAI care services and that, above all, the review was neither systematic nor, in fact, presented "new data". The [avalanche of criticism](#) that followed, from trans activists as well as from the biomedical field – for example, the American Academy of Pediatrics and even the Scottish government – seems to have [contained](#) this storm. But that doesn't mean there won't be others.

Turning our attention to national dynamics, very striking examples can be found in Latin America. In Argentina, in one of his first acts, Milei [closed down](#) INADI, the body responsible for anti-discrimination policies, and [reduced](#) the Ministry of Women, Equality, and Diversity to a Secretariat for Combating Gender Violence within the Ministry of Human Capital. In June, it was announced that this secretariat, already

moved to the Ministry of Justice, [would disappear](#). Before that, in February, the government [had vetoed](#) the use of inclusive language in public administration documents. Not surprisingly, in El Salvador, Bukele has been attacking the "gender perspective" and has [ordered](#) its exclusion from public education teaching materials.

In Brazil, a survey published in January by Folha de São Paulo [mapped](#) almost 300 bills aimed at restricting trans rights in various fields, presented at federal, state, and municipal levels. Seventy-seven of these laws have already been approved. In addition, since 2023, the Ministry of Women's Affairs has been the target of systematic digital attacks by trans-exclusionary feminist collectives who oppose its policy of protection against violence, which is aimed at women in their diversity, including trans and intersex women. At the beginning of June, shortly after Brazil's review by the CEDAW Committee, which praised the policy, the minister went to the Federal Chamber of Deputies' Education Committee, chaired by deputy Nikolas Ferreira, to "clarify the concept of woman".

In addition to the attacks on "gender", a widely-awarded anti-racist book, *The Dark Side of Skin (O Avesso da Pele)*, by Jeferson Tenório, [was banned](#) from primary schools in Mato Grosso do Sul, Paraná, and Goiás states, displaying a pattern that largely resembles that of the United States, where anti-gender offenses are combined with attacks on anti-racist pedagogy.

In Peru, on the grounds of ensuring access to treatment for gender dysphoria through private insurance, the Ministry of Health adopted new regulations for trans health care. The protocol, however, is based on the outdated ICD 10, which defined it as a mental disorder. In contrast, ICD 11, [approved in 2018](#), replaced the definition of dysphoria with gender incongruence and placed it in the chapter on sexual health. The [critical reaction](#) was wide-ranging, both nationally and internationally. In Lima, the trans community organized a [protest march](#) against the measure.

In the US, the offensive against LGBTQIA+ rights, especially against trans people, continues. In state legislatures, more than 500 bills [had been introduced](#) by the beginning of June, surpassing the number of proposals introduced in all of 2023. Although this virulence is frightening, [Françoise Girard said](#) in the debate held by the *Pending and Emerging Dialogues* that these attacks could have a negative electoral effect.

Finally, despite the good news about the research carried out for the IOC, the saga of the ban on trans women's participation in elite sports continues at regional levels. In the US, a boxing federation [determined](#) that trans athletes must undergo sex reassignment surgery in order to compete in tournaments and established a four-year period of

quarterly evaluations before they can compete. Similarly, US Climbing [established](#) new rules restricting the participation of trans athletes.

United Nations venues

The 77th World Health Assembly met from May 27 to June 1, and gender was one of the most conspicuous issues. During the consideration of several resolutions, notably universal health coverage, social participation, and the climate crisis, the terms gender-responsive and sexual and reproductive health [were opposed](#) by conservative countries such as Pakistan, Iran, Saudi Arabia, Russia, Nigeria, Bahrain, Syria, and Egypt. The genocide in Palestine was also a divisive issue at the WHA. Although the resolution authorizing Palestine to expand its role in the assembly [was passed](#), the resolution on health in Palestine was hijacked by Israel, which managed to insert an amendment calling for the release of hostages in Gaza. Outside the assembly, the famous bus of the anti-gender organization CitizenGO crossed Geneva, this time in the blue colors of the WHO to oppose the pandemic treaty, one of the main issues of the assembly, and managed to gather a few hundred people in a [demonstration](#) on the last day. The [mobilization](#) against the treaty, however, is much broader and preceded the assembly with massive digital campaigns.

CPD: thirty years since the Cairo Conference

At the end of April, the 57th session of the Commission on Population and Development took place at the United Nations headquarters in New York, this time celebrating the 30th anniversary of the Cairo Conference on Population and Development. The commission is the body responsible for following up on the action agenda. Unlike since 2014, the final document of this session was reached by consensus, which was celebrated in various quarters, including in the feminist sphere¹.

¹ This inability to reach a consensus in 2014 should not come as a surprise since the Cairo Conference was at the origin of the attacks on gender that erupted in the run-up to Beijing six months later. In 2014, popular mobilizations and political speeches against "gender ideology" and related issues were already erupting in Europe and Latin America, and they never let up, as this newsletter shows. These offensives were inevitably reflected in various arenas at the UN and even more so at the CPD, which is responsible for the follow-up to Cairo.

But this final document was not, in fact, extensively negotiated. Furthermore, it is a text of just over 700 words in which reaffirmations and recognitions proliferate. However, at no point does it explain the contents that made the Cairo Program of Action such an extraordinary document: gender equality, reproductive health and rights, the many forms of family, the rights of children and adolescents, and abortion as a serious public health problem. Nor does it mention subsequent developments and extensions of these contents, such as the [Montevideo Consensus](#).

There is, therefore, nothing to celebrate in the results of the 57th session of the CPD. The final document, in fact, raises concerns, not least because this lack of mention of the core contents of Cairo is combined with an explicit mention of demographic concerns (paragraph 3). This return to demographic parameters should be read through the lens used by Françoise Girard in her [excellent review](#) of the resurgence of pro-natalist ideologies and policies in various countries. This critical analysis should also take into account a recent [astonishing statement](#) by Pope Francis comparing contraceptives to the arms industry. In other words, there are strong signs that, on an institutional level, the virtuous circle that began in 1994 has come to an end. This does not mean, however, that its legacies are not alive in the real world.

LGBTQIA+ rights: Good news and bad news

Most of the good news we've received about LGBTQIA+ rights relates to equal marriage laws. Estonia became the first country in the post-Soviet space to recognize equal marriage: the law passed in mid-2023 [came into force](#) in January this year. In February, in Greece, the [new law ensuring](#) this right also included the right to adoption. At the end of November 2023, Nepal's Constitutional Court [recognized](#) the right to same-sex marriage. In mid-June, the same happened in Thailand, with a [law passed](#) by parliament. With these new legal definitions, there are now four countries that allow same-sex marriage or civil unions in Asia, the others being Taiwan (2019) and India (2022).

In the Caribbean, where colonial laws criminalizing same-sex relations are still in force, the law has been the subject of strategic litigation in Dominica, where the Supreme Court [ruled](#) the law unconstitutional. And in Brazil, the good news is that the Ministry of Women is [funding](#) a new phase of the lesbian census.

On the other hand, there are also many attacks and setbacks to report, especially in sub-Saharan Africa, as can be seen in an article on the [Openly website](#) and in an

[analysis by DW](#), which identifies the influence of the American religious right in this wave. Among other examples, in Ghana, a draconian law [proposed in 2021](#) was [passed](#) at the end of February. It punishes not only homosexual conduct but also any initiative considered to be in political defense of LGBTQIA+ rights (our [compilation](#) offers analysis of the law).

In Uganda, where severe legislation against homosexuality and transgender people [dates from the early 2010s](#), the Constitutional Court [legitimized](#) the existing draconian legislation that stipulates up to life imprisonment for people convicted of homosexual relations. The court, however, preserved the protection of access to health care for HIV prevention and for people living with HIV. As analyzed in an [article by Open Democracy](#), this exclusion has been criticized by activists and public health professionals, who consider it useless in a context of hyper-criminalization.

In nearby Burundi, where same-sex relations have been criminalized since 2009, the president has [resorted](#) to strong homophobic rhetoric. An episode following the elections in Senegal illustrates the growing anti-LGBTQIA+ sentiment among leaders, as well as in societies across the region. In May, Jean Luc Mélenchon, leader of the French left, visited Senegal and, at a student forum at Cheikh Anta Diop University, defended equal marriage. He was booed, and Ousmane Sonko, the new prime minister, criticized Mélenchon, saying that such advocacy stirs up anti-Western sentiment in Africa. Subsequently, two men [were arrested](#) after publicly accusing the prime minister of tolerating homosexuality by allowing Mélenchon to be in the country.

It is also worth noting the [passing of a law](#) in Iraq that punishes "homosexual acts" and "men who intentionally act like women" with imprisonment. And in the Caribbean, in contrast to the good news of the repeal of the sodomy law in Dominica, the court of Saint Vincent and the Grenadines [rejected](#) a claim that the same criminal law was unconstitutional.

Abortion and reproductive rights

In France, at the beginning of March, the parliament [approved](#) the constitutional right to abortion, an initiative of the Macron government supported by a broad coalition of legislators from left to right. The event was highly publicized and was seen as a response to the global backlash in this area. It was also much discussed and hailed as the first case of a nation writing the practice into its constitution. However, as [noted in an article](#) by Tanja Ignjatovic, published on the Balkan Insight website, Yugoslavia made it a constitutional right in 1974. Sonia Corrêa, in her [foreword to the translation](#) of Ignjatovic's article, approaches the event from a perspective that combines the historical trend of decriminalization with personal memories.

After the French law, the European Parliament also [passed](#) a resolution including abortion in the list of fundamental rights in the European Union. In Germany, a committee of experts [recommended](#) that abortion be legalized in the country. Although tolerated in practice, the current law defines it as a crime.

In Poland, Donald Tusk's post-autocracy government has made good on its promise to reform legislation on the practice, which was subjected to draconian criminalization during the years of the Law and Justice Party's rule. In April, four bills legalizing and expanding abortion access [advanced](#) in the lower house. We [compiled](#) an analysis of the Polish situation and outlook.

Finally, in the midst of attacks on the right to abortion in Latin America and despite the unfavorable political climate for his administration, President Gabriel Boric announced that, as early as the second half of this year, his cabinet [will propose a bill](#) for legal abortion in Chile, where abortion is allowed in only three circumstances and only since 2017.

Brazil [was denounced](#) in March at the UN Human Rights Council for violating the right to legal abortion. In May, the country [underwent a review](#) by the CEDAW Committee, which made a preliminary recommendation to the Brazilian state to [legalize and decriminalize](#) abortion. The recommendation is welcome, as it is in line with the arguments put forward in ADPF 442/2017, which is currently before the Supreme Court. However, the committee missed the opportunity to make robust recommendations on the need to protect legal abortion services which, as will be seen below, are under strong attack.

Finally, in Argentina, where the new government is actively promoting an anti-abortion climate, the Supreme Court [ruled at the end of April against](#) a class action lawsuit challenging the constitutionality of the 2020 abortion law.

Bad News

As mentioned above, bad news comes from Argentina. President Javier Milei has already [announced](#) a bill to repeal the reform passed in 2020. He also [sharply cut funding](#) for the services of the National Plan for the Prevention of Unintended Pregnancy in Adolescence. These offensives must not be allowed to subside, not least because the current National Secretary for Children oversaw health policy in the city of San Miguel, where for some years now a [robust policy](#) has been implemented to convince women not to exercise their right to abortion.

In Brazil, meanwhile, the legal abortion services that have been available since 1989 are [under strong attack](#), and, unfortunately, a technical note from the Ministry of Health that would have been a first step towards curbing these attacks was prevented from being published in February. In April, the situation worsened when the Federal Council of Medicine (FCM) published a resolution banning doctors from performing abortions after the 22nd day of pregnancy. At the end of May, the Supreme Court ruled on ADPF 1141/24 and issued an injunction suspending the FCM resolution. Since February, however, the Ministry of Health has not issued any new definition on this issue, which is very worrying.

In mid-June, the Chamber of Deputies approved, in a symbolic vote, the urgent processing of bill 1904/2024, which makes abortion after the 22nd week of pregnancy equivalent to murder. In practice, the legislation would criminalize access to abortion under the law. The bill, authored by legislator Sóstenes Cavalcante (PL-RJ), became known as the "Rapist's Bill" and provoked a widespread and immediate outcry against it. In our [extensive compilation](#), we present the situation and the political calculations involved, as well as the practical effects on the lives of women and girls and the protests.

In Giorgia Meloni's Italy, a law [was passed](#) authorizing anti-abortion activists to enter clinics that offer consultation and advice to women who want to terminate their pregnancies.

Finally, in the US, the abortion rights scene continues to be tumultuous. The dramatic effects of the overturning of Roe v. Wade will be revealed as time goes by: a [study has](#)

[projected](#) the number of pregnancies due to rape in 14 states at more than 64,000 since June 2022. In another astonishing development, the Arizona Supreme Court [gave permission](#) in mid-April to reinstate an 1864 law that bans the right to abortion, with the exception of when there is a risk of death to the pregnant woman, and criminalizes abortion providers. Although in early May the state governor [repealed](#) the ban, the case is indicative of the political climate. In Alabama, the state's Supreme Court [equated](#) in vitro fertilized embryos with children in a decision that puts the state on the road to a total ban and also affects assisted reproduction services. The decision is so problematic that both [Biden](#) and [Trump](#) have criticized it. Albeit the dramatic scene, there is good news after all: on June 13th the conservative-leaning Supreme Court [ruled](#) against a lawsuit aimed at curtailing access to abortion pill mifepristone. The decision, two years after SCOTUS struck down abortion rights established in 1973 *Roe vs. Wade*, is yet to be fully understood in American abortion politics. As pointed out by [KFF](#), it does not mean mifepristone access is fully granted.

Feminisms and Gender

Since the botched American withdrawal from Afghanistan in 2021, which [had dramatic effects](#) on the lives of women, girls, and queer people, little has been said about the country, perhaps because of the numerous crises and wars since then. In this silence, the situation of women and their rights reached drastic levels of deterioration at the beginning of this year. At the end of 2023, the Taliban regime [announced](#) that it would restore flogging and stoning of women found to be adulterers. This returns the country to its situation before 2001, when the US invasion was justified, as [Berenice Bento has explained](#), not only as retaliation for the attack on the Twin Towers but also as a "defense of Afghan women's rights".

The last six months have also seen setbacks and attacks on institutions and measures aimed at combating gender violence in Latin America. In addition to the aforementioned dismantlement of the relevant secretariat in Argentina, in May, Ecuador's Noboa government [subsumed](#) the former Ministry of Women and Human Rights into the Ministry of Criminal Policy and Human Rights. Responding to protests, the government is [trying to persuade](#) the feminist movement that women's rights policies will not be changed.

In Brazil, on the other hand, threats from misogynistic ultra-right-wing male groups led activist Maria da Penha, after whom the gender violence protection law is named, to ask the Ministry of Justice for [special protection measures](#).

Finally, in India, as soon as the elections were over, feminist writer [Arundathi Roi](#), an outspoken critic of the regime, [was arrested](#) at an ecological protest in Delhi. She was released on bail the following day but remains under investigation. This repressive act is a sign: although he lost support in the recent electoral process, Modi will not readily abandon the politics of arbitrariness. On the day the writer was arrested, the prime minister was in Italy at the G7 meeting, [warmly embracing](#) the pope who, invited by Meloni, was very much the [star of the summit](#).

Vatican

At the beginning of April 2024, the Holy See published the declaration [Dignitas Infinita](#), a document that should be understood as Francis I's first broad doctrinal guideline to guide Church authorities and the faithful on human rights, gender, sexuality, and reproduction.

Since 2013, Pope Francis has maintained his radical condemnation of abortion while making contradictory prevarications about homosexuality and negative statements about "gender". In 2019, his papacy published a [first document](#) on "gender" in education, called Man and Woman, God Created Them, whose tone is conversational, but whose content does not differ substantively from the conceptions elaborated in documents from previous papacies.

The declaration Dignitas Infinita also deals with these issues, but specifically. In the new text, they are grouped with other crises affecting the world today, such as poverty, war, migration, human trafficking, and digital violence. In this expanded framework, abortion, gender theory, sex reassignment, and surrogate pregnancy are condemned not only as threats to the family and to morality but as violations of human dignity as Catholics conceive of it.

The document is complex and requires careful and detailed analysis. However, due to its relevance at the current political moment, we believe it would be productive to offer a [preliminary reading](#) of its content, with the promise of sharing a more elaborate critique later.

Since Bergoglio was elected pope in 2013, we have published numerous pieces on the Vatican's policies on gender, sexuality, and human rights. Some of these offer additional insights to critically examine the arguments developed in Dignitas Infinita, for example, the [interview with Maria José Rosado](#) on the election of Pope Francis I, an [article written](#) in 2020 by Sonia Corrêa on the Vatican's many fronts of operation, and an [interview](#) with political scientist Massimo Prearo, published in 2021.

For other content on the Vatican, see this [compilation](#).

We recommend

Articles and multimedia

Antigender politics

[Regression of Queer and Trans Rights Are a Global Trend, New Report Finds - Them](#)

[Who's Afraid of Judith Butler? - New Yorker](#)

[Who's afraid of gender? | LSE Event](#)

[Rejecting the Binary - Slate](#)

Abortion

[The Anti-Abortion Movement's Newest Lie - New York Magazine](#)

[In Brazil, a far-right onslaught blocks progress on abortion rights - Françoise Girard](#)

LGBTQIA+ Rights

[Love in the Time of Populism - Reportout](#)