



January 16, 2024

Mr. Graeme Reid
UN Independent Expert on Sexual Orientation and Gender Identity

Via email: ohchr-ie-sogi@un.org

Dear Mr. Madrigal-Borloz,

On behalf of the Southern Poverty Law Center, a leading US civil and human rights organization, I write to provide the below responses to your recent call for input regarding the protection against violence and discrimination on the basis of sexual orientation/gender identity.

SPLC was founded in 1971. Since that time, SPLC's mission has been to stamp out hate and extremism and to ensure that the rights of all persons are equally protected. Our work includes litigation and policy advocacy to advance the rights, dignity and freedom of the LGBTQ community in the Southern United States.

Dozens of anti-LGBTQ laws were passed in state legislatures across the United States during 2023, and many more are being introduced in the state legislative sessions that are now underway or beginning soon. These laws range from bans on gender-affirming medical care for transgender youth and laws banning or restricting discussion of sexual orientation and gender identity in schools to laws prohibiting transgender youth from participating in sports teams or using bathrooms that are appropriate to their gender and criminalizing drag shows. A recent analysis by the Washington Post found that more than 60 percent of challenges seeking to remove books from schools are aimed at books about LGBTQ people.

This year, state legislators are expanding their anti-transgender attacks by seeking to limit access to gender-affirming care for adults as well as youth. The ACLU reports that it is currently tracking 329 anti-LGBTQ bills that have been introduced in states across the country. Many of these bills include language impacting the freedom of thought and expression of students – for example, Georgia's H.B. 653 would require teachers and other school employees to out students to their parents, effectively silencing students who might otherwise be able to seek advice or support at school, while S.B. 88 prohibits school staff from discussing sexual orientation or gender identity



with a student. Mississippi's [H.B. 176](#) would similarly require school staff to notify parents of students identifying as a gender other than that assigned at birth, while protecting school staff from any discipline for refusing to use a student's preferred pronouns.

In Florida, SPLC [recently filed a lawsuit](#) challenging a law that prohibits transgender and non-binary teachers from using the pronouns that best express their gender identities. SPLC is part of coalitions of organizations challenging bans on gender-affirming healthcare for youth in [Georgia](#) and [Alabama](#). We are also [actively supporting litigation](#) to overturn similar bans in Kentucky and Tennessee

The proliferation of anti-LGBTQ laws and policies adopted in the US is driven by extremists who often use pseudo-scientific rhetoric to spread false and misleading narratives about differences in sexual orientation and gender identity. SPLC has just published a detailed report on the groups and actors who are engaged in this anti-LGBTQ activity and debunking their messages.

A diverse inclusive society that affirms pluralism is a hallmark of a functioning multiracial democracy. Social, legal and legislative attacks on LGBTQ+ inclusion fueled by pseudoscience threaten pluralism by demanding conformity to white and conservative religious interpretations of sexuality and gender identity. SPLC's new report, [Combating Anti-LGBTQ+ Pseudoscience through Accessible Informative Narratives](#) (CAPTAIN) reveals that the actors who fund and use anti-LGBTQ+ pseudoscience are also lynchpins of political campaigns to dismantle gender and racial equity, the rights of pregnant people and rights to privacy and bodily autonomy. Many of the same actors also sustain political movements to expand white Christian privilege, undermine confidence in science and medicine, dismantle public education, and, ultimately, limit the political engagement of marginalized people as well as democratic accountability.

The CAPTAIN report provides detailed information in support of the following findings:

- The controversy over trans affirming healthcare is manufactured. Anti-LGBTQ+ pseudoscience is generated, disseminated, and encoded into public policy by an intellectually, financially, and socially interconnected network that includes far-right actors with a long history attacking LGBTQ+ rights, racial diversity, and religious pluralism in the U.S. and abroad.



- The manufactured scientific debate originates from several recently founded groups whose missions include challenging LGBTQ+ affirming healthcare or defending conversion therapy.
- Many of the research groups' members are injecting their own biases about LGBTQ+ identity into the scientific literature and attempting to undermine the global consensus that affirming healthcare practices are beneficial and lifesaving for LGBTQ+ people.
- The network attempts to disguise its far-right connections and exclusionary anti-LGBTQ+ goals through narrative manipulation strategies and division of labor across organizations – with research appearing to originate from unbiased doctors and clinicians and policy/litigation originating from concerned parents.
- We identified a scholarly citation network of more than 50 papers and letters to the editor that are frequently used to sow distrust in the affirming healthcare model or defend conversion therapy and generate questionable claims about LGBTQ+ identity.
- It's not just research-related groups. We identified an anti-LGBTQ+ advocacy network of over 60 groups with nearly 1000 personnel connections and shared connections to four major mobilizing events in the recent history of anti-LGBTQ+ movement activity.
- The work of anti-LGBTQ+ research groups is encoded into legal and legislative language in a coordinated anti-LGBTQ+ disinformation campaign that spans the globe, with a goal of eliminating LGBTQ+ affirming healthcare, limiting the bodily autonomy and personal freedoms of LGBTQ+ people, women, pregnant people, and their allies, furthering a far-right antidemocratic and exclusionary vision of society.

I hope this submission and our report will prove useful to you as you. Please do not hesitate to contact me if you have any questions or if there is any further information we can provide.

With best regards,

A handwritten signature in cursive script, appearing to read 'Lisa Borden'.

LISA W. BORDEN
Senior Policy Counsel, International Advocacy