

Presentation of

Pour les droits des femmes du Québec (PDF Québec)

Before the Senate Committee on Legal and Constitutional Affairs on Bill C-16

Wednesday, May 17, 2017

Honorable senators,

Thank you for inviting us to testify on Bill C-16. As citizens and as feminists, we are convinced that we must fight against all forms of discrimination. But C-16 adds nothing to protecting the rights of transgender people. On the other hand, C-16 will result in the elimination or weakening of women's guaranteed rights, which is unacceptable in a society that is formally committed to defending these rights. That is why we are asking for a comparative gender-based analysis before the legislation is passed.

First, we would like to clarify what we mean by the words Gender and Sex. In the case of this bill that speaks of gender identity, such a distinction is absolutely ESSENTIAL.

Sex refers to biological characteristics that differentiate men and women, as pointed out by Status of Women Canada and all organizations which foster gender equal rights responsibilities. All of them find that there are two sexes.

The gender refers to the so-called "feminine" and "masculine" attributes defined by social behaviour, culture and history. It is therefore "a social creation," and that's what we mean when we talk about gender stereotypes.

In light of these definitions, one may question the false justification which considers that a change of gender is equivalent to a change of sex, which is impossible.

Threatening the rights of women

Now, how does Bill C-16 threaten the hard-earned rights of women over the past half century? Let us give a few examples.

1. In sports

In March 2017, a weightlifter won the International Women's Weightlifting Championship ousting the Gold medalist from Rio. Until last year he competed as a man. This year, he presented himself as a transgender and was therefore allowed to compete against women.

The new standards that the IOC adopted very discreetly in 2016 allow men who claim to be transgender to compete against female athletes if their testosterone levels do not exceed 10 nanomoles per liter of blood, three to four times higher than the rate found in women with the highest testosterone levels. Not to mention the muscular mass of male transgender athletes that gives them a

disproportionate advantage over women. Does that mean that henceforth we would triple the testosterone levels acceptable in women and with that, the doping this practice will encourage?

The increasing participation of men, who claim to be transgender, in women's sports jeopardizes the chances of girls and women to win sporting events at all levels of competition. Women therefore have every reason to reject the participation of male athletes in their competitions. With C-16, this rejection will become difficult as the women's teams will be exposed to lawsuits.

Is it fair for women who have fought for decades to be able to practice sports and participate in the Olympics?

## 2. In prisons

Everyone remembers Colonel Russell Williams, convicted of 82 charges including two murders of women, and several sexual assaults. Colonel Williams liked to photograph himself wearing his victims' underwear after his crimes. Why would he not decide that he would be better off in a women's prison?

The British Association of Gender Identity Specialists has warned the British government to be very cautious about such requests for transfer on the basis of gender identity because, they claim with proof, that an increasing number of sexual predators invoke their gender identity, whether proven or not, to request a transfer to a women's prison. When nothing exists that clearly defines this gender identity, on what grounds can prison authorities refuse such a transfer? Unfortunately, C-16 does not provide any limitations in this respect.

## 3. Children

Regarding children, Bill C-16, by normalizing the change of gender identity, without defining it, opens the door to the worst drifts. There is a dramatic increase in demands for "gender" change from children who do not conform to gender stereotypes, such as little boys who love princess' dresses or teenage girls unhappy with their breasts. Studies are very clear however: more than 80% of children with gender dysphoria grow to be adults comfortable in their bodies. There is a lot of homophobia underlying this desire to treat children, many of whom are possibly gay, but whose surrounding prefers to say they were born in "THE WRONG BODY". Mutilations, such as mastectomy on teenage girls, administration of puberty blockers and lifelong hormone intake may lead to sterilization, a kind of chemical castration of these children. All this is carried out without their knowledge, without their informed consent. How could this be in the best interests of children?

Thank you for your attention.