



Testimony of Vajra Ma, Chair, Women's Human Rights Campaign USA

Before the Tennessee Senate

H.B. 1182

SUPPORT

April 5, 2021

Thank you, members of the Tennessee Senate, for allowing me the opportunity to provide written testimony in support of H.B. 1182.

The Women's Human Rights Campaign (WHRC) is a global nonpartisan group of volunteer women dedicated to protecting women's sex-based rights. Our volunteers include academics, writers, organizers, activists, lawyers, and health practitioners. [The Declaration on Women's Sex Based Rights](#) was created by the founders of WHRC to lobby nations to maintain language protecting women and girls on the basis of sex rather than "gender" or "gender identity." The Declaration re-affirms women and girls' sex-based rights and challenges the discrimination we experience from the replacement of the category of sex with that of "gender identity."

I am the chair of WHRC USA, the U.S. chapter of WHRC. My interest in the legislation before the Senate today, H.B. 1182, is based upon Article 8 of our Declaration, "Reaffirming the need for the elimination of violence against women." This is in keeping with United Nations Declaration on the Elimination of Violence against Women, which provides that states should "[w]ork to ensure, to the maximum extent feasible . . . that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in childcare and maintenance, treatment, counselling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation." (UNDEVW, Article 4 (g)).

These measures should include the provision of single-sex services and physical spaces for women and girls to provide them with safety, privacy, and dignity. Single-sex spaces should include prisons, health services and hospital wards, substance misuse rehabilitation centres, accommodation for the homeless, toilets, showers and changing rooms, and any other enclosed

space where individuals reside or may be in a state of undress. Single sex facilities designed to meet the needs of women and girls should be at least equal in availability and quality to those provided to men and boys. These facilities should not include men who claim to have female 'gender identities'.

In recent years, there has been an incursion of men and boys into women's and girls' bathrooms and changing rooms on the basis of so-called "gender identity," a linguistic mechanism by which men and boys claim the identity of women and girls. This claim has no basis in material reality and is contrary to Article 1 of WHRC's Declaration on Women's Sex-Based Rights, which states that "the inclusion of men who claim to have a female 'gender identity' into the category of women in law, policies and practice constitutes discrimination against women by impairing the recognition of women's sex-based human rights."

[An analysis](#) of 220 media-reported incidents in Target stores from 2003 through August 2017 found a statistically significant increase in reported sexual offenses following introduction of the "gender inclusion policy." And here are a few additional examples:

[A man who allegedly assaulted a woman in a Walmart bathroom asked the store manager "How do you know I'm not female?"](#)

[A man who "identified" as a "trans woman" allegedly assaulted a 10 year old girl in a public restroom.](#)

[A man who "identified" as "transgender" allegedly videotaped a woman in a Target fitting room.](#)

[A cross-dressing man allegedly exposed himself to children at Walmart.](#)

[And a cross-dressing man allegedly punched a woman in the face because she questioned his presence in the women's restroom in a bar.](#)

Single-sex restroom public facilities have been recognized for more than a century as necessary to the safety of women and girls who engage in public life outside their homes, because sex crimes are overwhelmingly committed by men against women and children. It is impossible to tell which men are likely to offend and which are not; and how they dress is not an indicator of criminality or its absence. If single-sex services and physical spaces for women and girls continue to be eroded, the ability of women to participate fully in all facets of public life outside the home will be impermissibly compromised. By passing H.B. 1182, Tennessee would be supporting the sex-based rights of women and girls to physical safety, privacy, and dignity.