

# Sex Recognition Initiative

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## Mission:

Our mission is to garner support in the public and private sectors to halt the encroachment of gender identity on sex based rights resulting in sex being represented independent of gender identity, as they are separate categories in the charter of rights and freedoms.

## Goal:

To trigger provincial and federal amendments that will prioritize sex based rights over gender identity in the Canadian Human Rights Act and according to the Charter of Rights and Freedoms.

## Summary of Position and Recommendations:

1. It has come to our attention that Provincial Vital Statistics services have changed their documentation to state that the category of gender will be captured on birth certificates under the category of sex. This inappropriate conflation of these two categories has raised our concerns.
2. Through the initiation of open dialogue with Provinces and Territories, we will request that all provinces and territories provide alternate methods of applying and tracking sex and gender identity separately, as they are recognized separately and were added to the Canadian Human Rights Act separately.
3. Sex, as compared to race, is immutable, whereas gender identity, as compared to religion, may change throughout one's lifetime. Therefore, sex as a category, like race, must retain its historical significance and meaning on any official Provincial

and Federal documents. If there is a need to apply or track gender identity, this must be done separately, as in the case of religion, as it is a distinct category.

4. Gender nonconformity, puberty and freedom of expression preceded gender identity in the Canadian Human Rights Act, are fundamental human rights, and must be prioritized and respected throughout the processes by which gender identity is applied and tracked by all provinces and territories.
5. Infringement on the rights of non-believers by demanding compliance and forcing acknowledgement of the canons of gender identity is unacceptable.
6. In addressing an individual's demands, one of the canons of a declaration of a gender identity is the mandatory participation by others in that identity. Gender Identity is a subjective set of beliefs that should not require participation from others.
7. Requiring others to violate their consciously held beliefs in order to participate in someone else's is contrary to the integrity of a free and just society.
8. "We are free to think our own thoughts, speak our own minds, listen to the views of others and express our opinions in creative ways.", meaning we should not be mandated or coerced to participate in the gender identities of others, as it violates the "freedom of conscience and religion" of many Canadians.
9. Sex is a recognized class in the Canadian Human Rights Act that was enshrined long before gender identity was added. Applying and tracking gender identity in a manner that diminishes or displaces sex as a category results in sex discrimination, with which we disagree.
10. Section 28 of the Charter of Rights and Freedoms "requires that the rights and freedoms guaranteed in the Charter be implemented without discrimination between the sexes." We assert that sex be prioritized as a protected class, notwithstanding anything in this summary, just as "notwithstanding anything in this Charter, the rights and freedoms referred to in it are guaranteed equally to male and female persons". When gender identity was added to the Canadian Human Rights Act, it was added as a category separate from sex. As stated in the Charter, the previously existing category of sex is a prioritized category and must remain recognized as such.

Reference for quoted text:

<https://laws-lois.justice.gc.ca/eng/acts/h-6/page-1.html>

<https://www.justice.gc.ca/eng/csj-sjc/rfc-dlc/ccrf-ccd/index.html>

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