

Intervention at the
“Rights of lesbian, gay, bisexual & transgender persons in Europe”
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in Ministerial Conference Center (CCM)

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We consider the Recommendation of the Committee of Ministers to be a very important soft law mechanism. However, it doesn't address intersex people and the discrimination they are facing all over Europe, which highlights the marginalization Intersex people are subjected to in all European countries.

The number of intersex people is significant and the discrimination and the breach of Human Rights intersex people face is in many respects very much linked and similar to the discrimination of trans* people, with the difference that intersex people are even more invisibilized, marginalized and left to suffer in silence. I would like to point out just five aspects:

- 1.) Suffering from the binary sex model: Intersex people's bodies can't be read within the binary sex model because they exist outside of it due to their physical features; therefore Intersex people are being diagnosed as having DSD - a disorder of sexual development.
- 2.) Violation of the right of self-determination: The medical establishment and societies, which are very eager to “protect” trans* people from their self-determined decisions, do subject intersex infants, children, teenager and adults to ‘normalizing’ surgical and/or hormonal treatment which aim to alter reproductive organs and genitalia towards a more female or male appearance. In the vast majority of cases those treatments are performed without the personal, free, prior, and fully informed consent of the intersex individual. Furthermore Intersex is a reason for selective abortion in Europe. NGOs also report an increasing tendency to subject the child-giving person to hormonal treatment during pregnancy, if examinations indicate the possibility of a an intersex child being born, – without any long-term studies on how this affects the pregnant person. In some regions of the world intersex is a reason for infanticide.
- 3.) Lack of health care: In many European Countries intersex people face huge problems when they need access to medical treatment which is restricted to either so-called “male” or “female” bodies. After-care after medical interventions is often not guaranteed for intersex people.

- 4.) Suffering from discrimination and violence: Intersex people face discrimination and violation of their fundamental human right of self-determination on the grounds of their bodies and sex. They may also face violence and discrimination due to gender non-conforming behaviour.
- 5.) Suffering invisibility and lack of data: The existence of intersex people and being an intersex person is a taboo in most European countries and besides the facts gathered by self-help groups and NGOs there is almost no sociological data available on the life situation of intersex people. Due to this invisibility and lack of knowledge intersex people face huge problems when they start organizing themselves though the number of activists and NGOs is increasing constantly.

I would like to know whether and how you plan to address those issues and if you plan to include recommendations of Intersex NGOs in your further work, such as those on which the delegates of 33 NGOs coming from every region of the world agreed on at the 2nd International Intersex Forum last December in Stockholm.

The demands were:

1. To put an end to mutilating and ‘normalising’ practices such as genital surgeries, psychological and other medical treatments, including infanticide and selective abortion (on the grounds of intersex).
2. To ensure that the personal, free, prior, and fully informed consent of the intersex individual as a compulsory requirement in all medical practices and protocols.
3. Creating and facilitating supportive, safe and celebratory environments for intersex people, their families and surroundings.
4. In view of ensuring the bodily integrity and health of the intersex child, psycho-social support and non-pathologising peer support should be provided to parents and/or care providers and the child`s immediate family instead of surgical or other medical treatment unless such interventions are life-saving.
5. The provision of all human rights and citizenship rights to intersex people.
6. The provision of access to one`s own medical records and any documentation, and the affirmation of the intersex person`s right to truth.
7. The acknowledgement and redress of the suffering and injustice caused in the past.