BELGIUM
ANTI-DISCRIMINATION / HATE SPEECH & CRIME
Belgium amended its Anti-Discrimination law to include sex characteristics among the protection grounds. It also joined the few countries that have legislation in place on hate crime (Malta, Greece) and hate speech (Greece).

FRANCE
POLICY ACTION
The French government launched an action plan on LGBTI-phobia, under the responsibility of the interministerial delegation against racism, antisemitism and anti-LGBT+ hatred.

CAMPAIGN FUNDING
The French interministerial delegation against racism, antisemitism and anti-LGBT+ hatred funded the campaign “Intersex: Justice, now!” created by the national intersex-led organisation Collectif Intersexes et Allié.e.s-OII France.

SWITZERLAND
LEGAL GENDER RECOGNITION
the Swiss National Advisory Commission on Biomedical Ethics published a report on the ethical and legal implications of the question of abandoning all mention of gender or introducing new gender categories in civil status.

EUROPEAN UNION
POLICY ACTION
The European Commission published the first ever EU LGBTIQ Equality Strategy. A strong focus is put on improving the situation for intersex people (as well as trans and non-binary people). The strategy also specifically addresses intersex genital mutilation as harmful practice.

DATA COLLECTION
The European Union Agency for Fundamental Rights (FRA) published the results of its EU-LGBTI II Survey. For the first time specific questions about intersex people’s experience were included. Findings accessible through the LGBTI Survey Data Explorer show that intersex people in Europe are among the most vulnerable of the LGBTIQ+ spectrum.

COUNCIL OF EUROPE
MONITORING
The European Commission against Racism and Intolerance (ECRI), the Council of Europe’s human rights monitoring body, included sex characteristics in its 6th monitoring cycle (begun in 2019).

AUSTRIA
FUNDING TRAINING & COUNSELING
VARGES is a project of the intersex-led organisation VIMÖ/OII Austria, providing services of education about sex and gender diversity and peer counseling in cooperation with the private funder HIL Foundation, with a part-time position to set up and coordinate the whole project.

SERBIA
CAMPAIGN FUNDING
The UN OHCHR office in Serbia financially supported the intersex awareness raising campaign by the intersex-led organisation XY Spectrum.

SWITZERLAND
LEGAL GENDER RECOGNITION
the Swiss National Advisory Commission on Biomedical Ethics published a report on the ethical and legal implications of the question of abandoning all mention of gender or introducing new gender categories in civil status.
In September 2020 in Austria, a government decree established that six gender marker options will be available to reflect a multiplicity of identities, as well as the option to delete the entry.

Positive aspects are:
- multiple gender markers (including no marker) are available to reflect a multiplicity of identities
- expert opinions will be no longer issued by the ‘VdG-Board’

Nevertheless, the following issues make it a missed opportunity:
- all, non-binary options are reserved to intersex people and exclude trans and non-binary individuals
- those entries are still issued on the basis of a medical certificate
- the government has not chosen a ‘female’ or ‘male’ marker for intersex children, with the forced registration as intersex being a possible incentive for non-vital surgery.

To turn this into a good practice, the government should extend legal recognition of intersex people, and provide a model fully based on self-determination and inclusive of trans and non-binary people.

In May 2020, the European Union Agency for Fundamental Rights (FRA) published the results of its EU-LGBTI II Survey. Approximately 300,000 LGBTIQ people from 28 countries participated, making the study the largest survey of its kind to this day. For the first time specific questions about intersex people’s experience were included. Findings accessible through the Gender Survey Data Explorer show that intersex persons are among the most vulnerable of the LGBTIQ+ spectrum.

This good practice example highlights that:
- intersex specific data collection is sorely needed,
- intersex-led human rights-based organisations need to be given the opportunity to provide meaningful input,
- European-level surveys need to be translated to reflect the diversity of gender and accessibility,
- measures need be taken to ensure all language versions match intersex human rights standards,
- collected data needs to be available beyond the report for further analysis.

In February 2020, Belgium amended its anti-discrimination Law: “10 MAI 2007. - Loi tendant à lutter contre la discrimination entre les femmes et les hommes sur la base de leur sexe ou de la non-adaptation de leur sexe à leur identité sexuelle”. It suggested that the abolition of sex/gender marks was now an option. In October 2020, the Swiss National Advisory Commission on Biomedical Ethics published a report on the ethical and legal implications of the question of abandoning all legal recognition of sex/gender on the basis of expert opinions. The report recommended that six gender marker options will be available, including ‘inter’, ‘diverse’, ‘open’, as well as the option to delete.

This good practice example highlights that:
- binary norms are harmful for intersex and non-binary people,
- researching the discriminatory potential of the societal sex as well as gender binary and inter/gender marker regulation is a necessary step to start understanding the challenges faced by intersex and non-binary people in society,
- self-determination and privacy are key rights of any person, including, but not limited to, intersex and non-binary individuals,
- extension of available options or abolition of sex/gender registration can be possible without causing insurmountable challenges for the existing legal system.

In November 2020, the European Commission published the first ever EU intersex strategy. It includes a common set of action points to tackle discrimination against intersex people, ensure their safety, build LGBTIQ-inclusive societies and lead the call for LGBTIQ Equality around the world. A strong focus is put on improving the situation for intersex people (as well as trans and non-binary people).

The strategy also specifically addresses intersex genital mutilation as harmful practice.

This good practice example highlights that:
- all equality measures must be aware and inclusive of the existing diversity of people living in the EU,
- new EU and Member States legislative measures are needed to ensure equal protection and treatment of all, including intersex people, e.g. through strengthening the role of equality bodies and extending the list of EU crimes to include hate speech/crime,
- non-violent surgical and medical intervention on intersex infants and adolescents without their personal and fully informed consent must be understood and addressed as harmful practices.

In 2020, VIMÖ also received funding from the Ministry of Social Affairs to create and hold five intersex and trans’ workshops together with ‘trans’ activists, and a funding from the private foundation Division to create a part-time position and a marginally paid position.

This good practice example highlights that:
- intersex-led human rights-based organisations need direct funding (both from the private and the public sector) and paid staff.

VARGES is a project of the intersex-led organisation VMHO/D Austria, providing services of education about sex and gender differences and the health and human rights of people with intersex traits.

The team of VARGES, along with other intersex people who joined the team, acquire a peer-counseling certificate, which has been funded by OÖKES (Austrian Social Insurance Company). In 2020, VIMO also received funding from the Ministry of Social Affairs to create and hold five intersex and trans’ workshops together with ‘trans’ activists, and a funding from the private foundation Division to create a part-time position and a marginally paid position.

This good practice example highlights that:
- intersex-led human rights-based organisations need direct funding (both from the private and the public sector) and paid staff.

In its 6th cycle country reports, ECRI issued several recommendations to respect and protect intersex peoples’ rights, namely:
- effectively protecting intersex children’s right to physical integrity and bodily autonomy,
- prohibiting non-consensual non-vital surgery and other non-consensual treatments,
- establishing services with low-threshold access that provide counselling and assistance to intersex persons and their parents,
- measures are serious offenses,
- intersex persons are among the most vulnerable and silenced victims, because of sex bias deeply entrenched in society,
- sex characteristics are the ground to ensure recognition, visibility and clarity in the protection of intersex people.

In 2020 in France, the interministerial delegation against racism, anti-semitism and anti-LGBT+ hatred funded the campaign ‘Intéresse, Justise, non!’ created by the national intersex-led organisation Collectif Intersexxes et Allié.e.s-OII France. The campaign provides intersex people with information about their rights (especially regarding medical records), financially supports civil and penal complaints as well as psychological support. It has a dedicated website and new brochures and poster, and a training program for civil society organisations to help spreading awareness and support intersex people locally.

As a result of a long collaboration with the UN Free &Equal Campaign, in November-December 2020, the UN OHCHR office in Geneva financially supported the intersex awareness raising campaign by the intersex-led organisation XY Spectrum. The campaign was held on social media and also included two online events.

In October 2020, the Swiss National Advisory Commission on Biomedical Ethics published a report on the ethical and legal implications of the question of abandoning all legal recognition of sex/gender on the basis of expert opinions. The report recommended that six gender marker options will be available, including ‘inter’, ‘diverse’, ‘open’, as well as the option to delete.