

365 Boston Post Road, Suite 163 Sudbury, MA 01776

## RESOLUTION ON THE 20th ANNIVERSARY OF THE FIRST INTERSEX PROTEST NOW COMMEMORATED AS INTERSEX AWARENESS DAY

## October 26, 2016

On this Intersex Awareness Day, the undersigned organizations join together to reaffirm the importance of intersex human rights. Despite calls for change over two decades, as well as condemnation by such organizations as the World Health Organization and the United Nations,[i] the human rights of children born with intersex traits remain in jeopardy.

Thus, the undersigned organizations proclaim that those born with intersex traits share the same rights as all people; therefore, as informed by the demands of the Third International Intersex Forum held in December 2013: [ii]

- 1) All intersex people have the right to make their own decisions affecting their bodily integrity, physical autonomy, and self-determination.
- 2) Medically unnecessary treatment, surgeries, and sterilizations of intersex people should not occur without said intersex person's full informed consent.
- 3) Intersex people and the families of children born with intersex traits should have access to non-pathologizing psychosocial and peer support.

Signed,

Toby Phoebe E. Adams, Esq., Co-founder **Intersex and Genderqueer Recognition Project** (United States)

J. Bob Alotta, Executive Director **Astraea Lesbian Foundation for Justice** (United States)

Jim Ambrose, Curator
The Interface Project (United States)

Kitty Anderson, Chair and Briet Finnsdóttir Vice. Chair, Co-Founders **Intersex Iceland** (Iceland)

Maryse Arendt, Chargée de direction Initiativ Liewensufank Luxemburg (Luxembourg)

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Aleksander Berezkin

Association of the Russian Speaking Intersex People (Russia)

Pierre Berthelot, M.S.W (Canada)

Marie-Pier Boisvert, Executive Director Conseil québécois LGBT (Canada)

Mauro Cabral, Coordinator, Co-Director

Justicia Intersex (Argentina) Global Action for Trans Equality (International)

Rea Carey, Executive Director

National LGBTQ Task Force (United States)

Morgan Carpenter, Founder Intersex Day Project

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Gender Minority Awareness Trust (Nairobi)

Hiker Chiu, Founder

**OII-Chinese** (Taiwan)

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**Human Rights Campaign** (United States)

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Président, Fédération des femmes du Ouébec (2009-2015) (Canada)

Maximo Cortez and Koomah, Founders

**The Houston Intersex Society** (United States)

Manon Deschênes

Réseau des lesbiennes du Québec (Canada)

James D. Esseks, Director, LGBT Project

**American Civil Liberties Union** 

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Audray Lemay, Sexologue, B.A. et psychothérapeute

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Small Ela Luk, Founder

Beyond the Boundary, Knowing and Concerns Intersex (Hong Kong)

Gopi Shankar Madurai, Founder **Srishti Madurai** (India)

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Dana Alix Zzyym

Intersex Campaign for Equality (aka OII-USA) (United States)

[i] 2005: San Francisco Human Rights Commission: A human rights investigation into the medical "normalization" of intersex people; 2006: Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity, Out Games 2006 International Conference on LGBT Human Rights: Declaration of Montreal on Lesbian, Gay, Bisexual, and Transgender Human Rights; 2009: The United Nations Committee on the Elimination of Discrimination against Women; Concluding observations on Germany (CEDAW/C/DEU/CO/6); United Nations General Assembly: Right of everyone to the enjoyment of the highest attainable standard of physical and mental health (A/64/272, par. 49, fn. 67); United Nations Committee on Economic, Social and Cultural Rights: General Comment No. 20: Non-discrimination in economic, social and cultural rights (E/C.12/GC/20); 2010: New Zealand Human Rights Commission: To Be Who I Am: Report of the Inquiry into Discrimination Experienced by Transgender People (pp. 80-86); 2011: The United Nations Committee against Torture: Concluding observations on Germany (CAT/C/DEU/CO/5); United Nations General Assembly: Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity (A/HRC/19/41, par. 57); 2012: 12th International Symposium on Law, Genital Autonomy & Children's Rights Helsinki, Finland, 29 September to 3 October 2012: The 2012 Helsinki Declaration of the Right to Genital Autonomy; Swiss National Advisory Commission on Biomedical Ethics: On the management of differences of sex development, Opinion No. 20/2012. Ethical issues relating to "intersexuality"; 2013: United Nations General Assembly: Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez (A/HRC/22/53); Parliamentary Assembly of the Council of Europe: Children's right to physical integrity; Australian Senate, Community Affairs References Committee: Involuntary or coerced sterilisation of intersex people with disabilities in Australia,

2014: Council of Europe Commissioner of Human Rights Comment: A boy or a girl or a person – intersex people lack recognition in Europe; OHCHR, UN Women, UNAIDS, UNDP, UNFPA, UNICEF and WHO: Eliminating forced, coercive and otherwise involuntary sterilization: An interagency statement; United Nations: Intersex People and Human Rights: Violations, Voices and Visions (Side event at the UN prior to the 25th Session of the Human Rights Council in March 2014); Statement by Navi Pillay United Nations High Commissioner for Human Rights on the occasion of the presentation of the ILGA "LGBTI Friend of the Year" award and 2014 State-Sponsored Homophobia report and the Panel on International Human Rights Law and Sexual Orientation, Resolution of the 24th Conference Equality and Women Ministers and Senators of the German Länder (GMFK); The United Nations Committee on the Rights of the Child: Concluding observations on the combined second to fourth periodic reports of Switzerland (CRC/C/EHE/CO/2-4); 2015: Malta: Gender Identity, Gender Expression and Sex Characteristics Act; The United Nations Committee on the Rights of the People with Disabilities: Concluding observations on the initial report of Germany (CRPD/C/DEU/CO/1); Council of Europe Commissioner for Human Rights Issue paper: Human Rights and Intersex People, Fundamental Rights Agency focus paper: The Fundamental Rights Situation of Intersex People; United Nations High Commissioner for Human Rights Zeid Ra'ad Al Hussein Opening Speech for the 30th Session of the Human Rights Council, Opening remarks by Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights at the Expert meeting on ending human rights violations against intersex persons; Australian Human Rights Commission: Resilient Individuals: Sexual Orientation, Gender Identity & Intersex Rights National Consultation Report 2015; The United Nations Committee on the Rights of the Child: Concluding observations on the combined fourth and fifth periodic reports of Chile (CRC/C/CHL/CO/4-5); The United Nations Committee against Torture: Concluding observations on the seventh periodic report of Switzerland (CAT/C/CHE/CO/7); 2016: The United Nations Committee against Torture: Concluding observations on the sixth periodic report of Austria (CAT/C/AUT/CO/6); The United Nations Committee against Torture: Concluding observations on the fifth periodic report of China (CAT/C/CHN/CO/5), The United Nations Committee against Torture concluding observations on China with respect to Hong Kong, China (CAT/C/CHN-HKG/CO/5); The United Nations Committee against Torture: Concluding observations on the combined sixth and seventh periodic reports of Denmark (CAT/C/DNK/CO/6-7); The United Nations Committee on the Rights of the Child: Concluding observations on the fifth periodic report of France (CRC/C/FRA/CO/5); The United Nations Committee on the Rights of the People with Disabilities: Concluding observations on the initial report of Chile (CRPD/C/CHL/CO/1); The United Nations Committee on Economic, Social and Cultural Rights: General Comment No. 23: Right to just and favorable conditions of work (E/C.12/GC/23); The United Nations Committee on Economic, Social and Cultural Rights: General Comment No. 22 : Right to sexual and reproductive health (E/C.12/GC/22); The United Nations Committee on the Rights of the Child: Concluding observations on the combined third and fourth periodic reports of Ireland (CRC/C/IRL/CO3-4); The United Nations Committee on the Rights of the Child: Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland (CRC/C/GBR/CO/5); The United Nations Committee on the Elimination of Discrimination against Women: Concluding observations on the combined seventh and eighth periodic reports of France (CEDAW/C/FRA/CO/7-8); The United Nations Committee on the Rights of the People with Disabilities: Concluding observations on the initial report of Italy (CRPD/C/ITA/CO/.1); The United Nations Committee on the Rights of the Child: Concluding observations on the second periodic report of South Africa (CRC/C/ZAF/CO/2); The United Nations Committee on the Rights of the Child: Concluding observations on the fifth periodic report of New Zealand (CRC/C/NZL/CO/5).

## Updates may be found at intersex.shadowreport.org and OiiEurope.org

[ii] <u>1st International Intersex Forum</u> (Brussels, 3-5 September 2011); <u>2nd International Intersex Forum</u> (Stockholm, 9-11 December 2012); <u>3rd International Intersex Forum</u> (Valetta, Malta, 29 November - 1 December 2013); <u>Intersex Awareness Day</u>.

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