

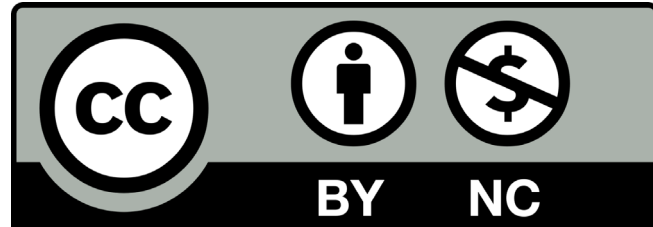
# Intersex Human Rights

A report on the Human Rights Council Resolution 55/14 -  
Combating discrimination, violence and harmful practices  
against intersex persons

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## 1. Introduction

On the 4th April 2024, during the 55th Session of the Human Rights Council, a historic step was taken by United Nations Member States by adopting the first UN resolution specifically addressing discrimination, violence, and harmful practices against intersex persons. The resolution was adopted without any vote against it and with the co-sponsorship of 49 United Nations Member States from all regions of the globe.

This report aims to register key moments in the process that led to the resolution, not only during the 55th Human Rights Council session, but also from the advocacy efforts that preceded this historical moment. It also aims to reflect the perceptions from civil society on the resolution and consolidate key learnings of the process on advancing international human rights standards in multilateral spaces.

## 2. Key steps leading to the resolution

The long path towards the adoption of this resolution was paved through the hard and sustained work of intersex civil society to bring awareness to United Nations mechanisms and Member States about the human rights violations committed against intersex persons, and the need to develop international human rights standards and take action against these violations.

It is important to highlight, that this timeline is non exhaustive. Parallely to the events here documented, several advocacy efforts were conducted by global, regional and national intersex-led civil society organizations and allies. A significant part of these steps was only possible due to important legislative and policy changes that happened in the national level, reflecting the key role of intersex civil society across the globe.

# 2015

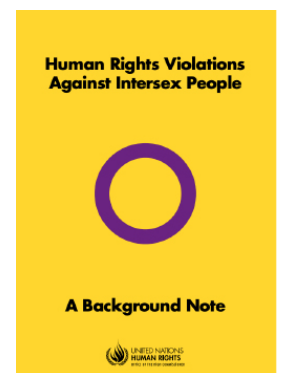
In 2015, an important moment to bring visibility to the human rights of intersex persons was the [two-day conference hosted by the UN Office of the High Commissioner for Human Rights \(OHCHR\)](#). The meeting brought together intersex civil society organizations and experts from the UN and regional human rights mechanisms to “identify the current challenges and gaps in addressing human rights violations faced by intersex people”.

One of key results from the expert meeting was the development by the OHCHR of the Background Note on Human Rights Violations against Intersex People, published in 2019.

[Click here to read](#)



Representatives of intersex civil society and intersex human rights experts during the meeting in Geneva in 2015.



Front cover of the Background Note by OHCHR



# 2016

A group of UN human rights experts and mechanisms, as well as from the African Commission on Human and Peoples' Rights (ACHRP), the Inter-American Commission on Human Rights (IACHR) and the Council of Europe issue a [joint statement](#) urging to end violence and harmful medical practices on intersex children and adults.

They urge Governments to prohibit harmful medical practices on intersex children, including unnecessary surgery and treatment without their informed consent, and sterilization. They further state that: "Ending these abuses will also require States to raise awareness of the rights of intersex people, to protect them from discrimination on ground of sex characteristics, including in access to health care, education, employment, sports and in obtaining official documents, as well as special protection when they are deprived of liberty. They should also combat the root causes of these violations such as harmful stereotypes, stigma and pathologization and provide training to health professionals and public officials, including legislators, the judiciary and policy-makers".

# 2019

In 2019, during the 40th Human Rights Council session, the South Africa-led resolution entitled "[Elimination of discrimination against women and girls in sport](#)" was adopted by consensus. The resolution had specific mentions to "women and girl athletes with differences of sex development, androgen sensitivity and levels of testosterone". While the language of the resolution didn't reflect the developments on human rights bodies, it was an important step to bring awareness in the Human Rights Council of the human rights of intersex women in the context of sports.

The resolution mandated the OHCHR to produce a report on the topic. The report entitled "[Intersection of race and gender discrimination in sport](#)" was presented to the HRC in 2020 and had key recommendations on human rights of intersex persons.

The report stated that in order to fulfill its obligations to to remove obstacles for women and girls in accessing sport, the should ensure that "their national anti-discrimination law is adequate to address discrimination on the basis of gender, as well as compounded discrimination on the basis of gender and race or other prohibited grounds, including discrimination on the basis of particular intersex variations or on the basis of sex characteristics".

# 2020

During the 45th Human Rights Council, an important momentum among Member States started to be built in order to keep raising the level of awareness and call the attention of the Council to this topic. Through the leadership of Austria, [the first cross-regional joint statement on the human rights of intersex persons](#) was delivered with the support of 35 Member States from different regional groups.

The statement called on governments “as a matter of urgency, to protect the autonomy of intersex adults and children and their rights to health, and to physical and mental integrity so that they live free from violence and harmful practices”.

The State-led government statement was followed by a civil society led statement during the same dialogue at the HRC, delivered by ILGA World on behalf of 33 intersex-led organizations worldwide. The [statement](#) called upon the “Council, its members and observers to take further action in protecting intersex persons’ autonomy, rights to health, to physical and mental integrity, to live free from violence and harmful practices and to be free from torture and ill-treatment”.

This session marked the advancement of a strategy co-led by Member States and civil society to bring sustained visibility to this topic at the Human Rights Council. This incremental approach was key to build awareness of decision makers about the importance of addressing human rights of intersex persons and that this was a human rights situation that required the HRC specific attention.

# 2021

Following this Strategy, in 2021, Austria presented a second cross-regional joint statement, this time on behalf of 53 UN Member States. The Statement reinforced calls on governments, and made calls to UN human rights mechanisms:

“We call on all member states to take measures to combat violence and discrimination against intersex persons, develop policies in close consultations with those affected, ensure accountability, reverse discriminatory laws and provide victims with access to remedy. We also call on the Office of the High Commissioner for Human Rights and on the Special Procedures of this Council to continue addressing and to scale up action against violence and discrimination based on sex characteristics within their mandates and in their work.”

Civil society also took the floor during the same debate. ILGA World, on behalf of 75 intersex-led organizations, stating that: “States need to take strong and urgent action to uphold their obligation to ensure that Intersex people live free from all types of violence and harmful practices, including in medical settings.”

One important episode that took place during the 47th Human Rights Council session, that demonstrates the rising level of awareness of this topic, was the joint statement delivered by Cameroon on behalf of the African Group at the quadrennial panel on sport and Olympic ideal.

The statement demonstrated concern over IAAF regulations that require female athletes to reduce naturally elevated levels of testosterone to compete internationally in the female category, saying that “the IAAF through these regulations is using sports to discriminate against women with intersex variations and to reinforce harmful gender stereotypes (...), the majority of athletes affected by the regulations are from the global south and for Africa these regulations remind us of the difficult and dark past of racial segregation.”

The strong statement went further and affirmed: “Segregating women on the basis of intersex variations has the same effect as apartheid, one of the international crimes against humanity”.

# 2022

In 2022, there was no joint statement presented at the Human Rights Council. However, the efforts of awareness raising of this topic continued. The Permanent Mission of Finland, in cooperation with ILGA World organized a side event entitled “[The right to health of intersex persons and protection from violence and harmful practices](#)”, co-organised by the permanent Missions to the United Nations in Geneva of Argentina, Australia, Austria, Iceland, Mexico, The Netherlands; GATE; InterAction for Health and Human Rights; Intersex Asia, Iranti and OII Europe.

The panel included a keynote speech by Dr. Tlaleng Mofokeng, the UN Special Rapporteur on the Right to Health and human rights experts such as Morgan Carpenter and Tikli Oikarinen.



Flyer for the Side event in September 2022

# 2023

One HRC session ahead of the presentation of the resolution, in October 2023, the State leadership of this process was consolidated with Finland, South Africa, Chile and Australia who led yet another joint statement at the United Nations. The joint statement had a record of 56 UN Member States signing it, from all the regions.

The statement said that it was time to “step up efforts” and called upon States to “increase efforts to combat violence, harmful practices and discrimination on the basis of sex characteristics, address their root causes, and implement protective laws and policies in close consultations with those affected, in order to ensure the full realization of human rights of intersex persons”.

Civil society also went stronger on its statement. In the declaration presented by ILGA World and supported by 25 intersex-led organizations worldwide and another 95 LGBTI and human rights organizations, a call was made on States “to present and adopt a resolution requesting a study with recommendations and compilation of best practices on eliminating discrimination and violence, including harmful practices, against intersex persons”.

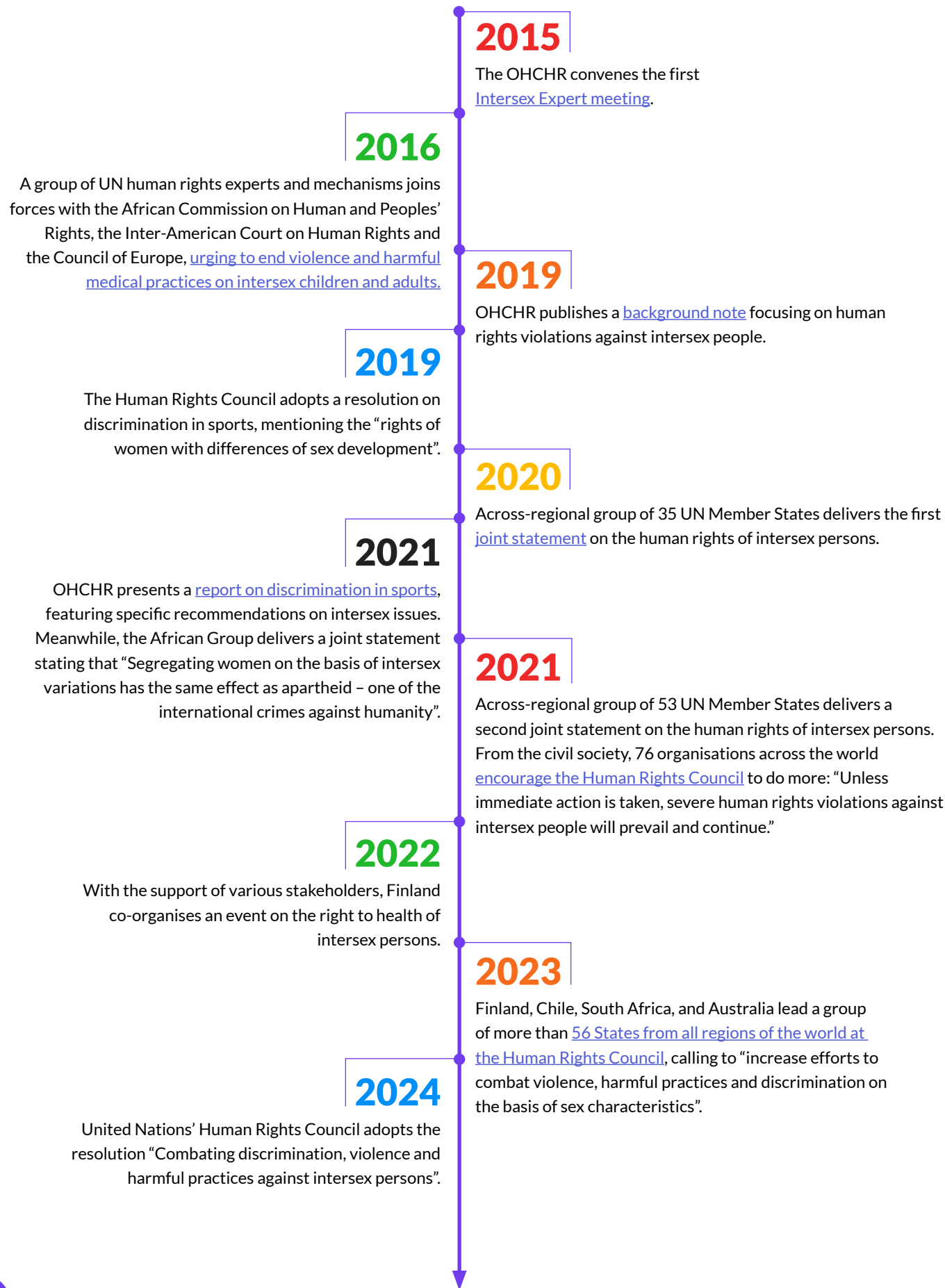
During the same HRC session, ILGA World, InterAction for Health and Human Rights, Intersex Asia, Intersex Nigeria, Iranti, Mulabi and OII Europe led on a [Human Rights Council side event](#), co-sponsored by the OHCHR and the Permanent Missions of Chile, Finland, Australia, South Africa. During the side event, speakers shared developments of human rights violations, protections, and progress related to intersex persons – both globally and at the regional level.



Flyer for the Side event in October 2023



# How the United Nations has addressed the human rights of intersex people



## 3. The draft text and negotiations

Following these years of intense advocacy, during the 54th Human Rights Council Session, that took place from February to April 2024, the resolution was announced during the organizational meeting of the Council:

### February 12, 2024, Organizational meeting for the 55th session of the Human Rights Council, Permanent Representative of Finland:

"(...) It is also my honor to announce on behalf of the cross regional core group of Australia, Chile, South Africa and my own country, Finland, that we are going to present a draft resolution titled combating violence, discrimination and harmful practices against intersex persons. The resolution is presented as a follow-up to previous joint statements on the same topic presented in the Council, the latest during the Human Rights Council's 54th session last fall. The resolution will also build on the work already done by the UN special procedures, UN Treaty bodies and regional entities. We hope that the initiative will receive broad support and welcome Delegations to join the informal negotiations the core group will organize".

### 3.1. Negotiations of the text

Following the standard procedure of negotiations in the Human Rights Council, a first version of the resolution, also known as "draft zero" was sent by the Core Group to all UN Member States and civil society organizations. The following step to HRC resolutions negotiations is when the Core Group of the resolution schedule meetings to hear comments on the text from UN Member States and observers, such as UN agencies and civil society organizations. These meetings are also known as "informals".

During these informals, participants are asked to share General Comments on the draft resolution, as well as comments on both preambular paragraphs and operative paragraphs. In each section, the floor is first given to UN Member States and then to observers.

The informal negotiations on this resolution were followed by a large number of States delegations. An overwhelming majority of delegations expressed support for the text and/or stated that were willing to engage constructively with the negotiations. Support to the resolution came from more than 25 States present in the room, from broad geographical range.

Meanwhile, a minority of States flagged issues with the text. Most of the reservations to the text were focused on the terminology “intersex” and expressed by a small number of UN Member States and one Observer State. These delegations proposed to use the language “persons with disorders of sex developments” instead of “intersex persons”.

As a response to these reservations, several other delegations expressed strong support for the terminology used in the text, underscoring that the terminology “intersex” was widely used by the OHCHR, the World Health Organization (WHO).

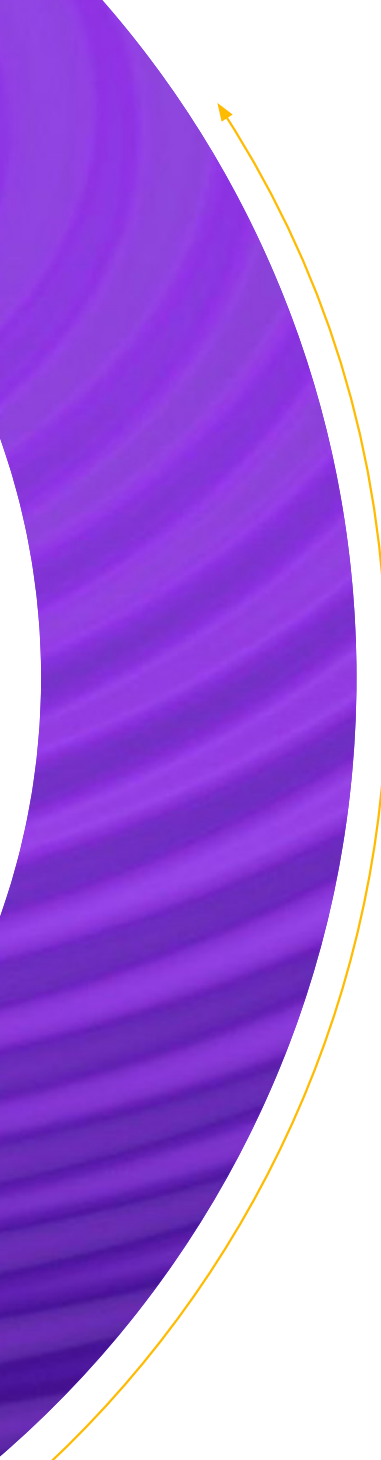
Civil society organizations, including African Intersex Movement (AIM), ILGA World, InterAction for Health and Human Rights (formerly IHRA), Intersex Asia, Intersex Nigeria, ISO Intersex Human Rights Finland and OutRight International also expressed their strong support to the draft resolution, both on the records in the informal negotiations and with bilateral meetings conducted with States’ representatives.

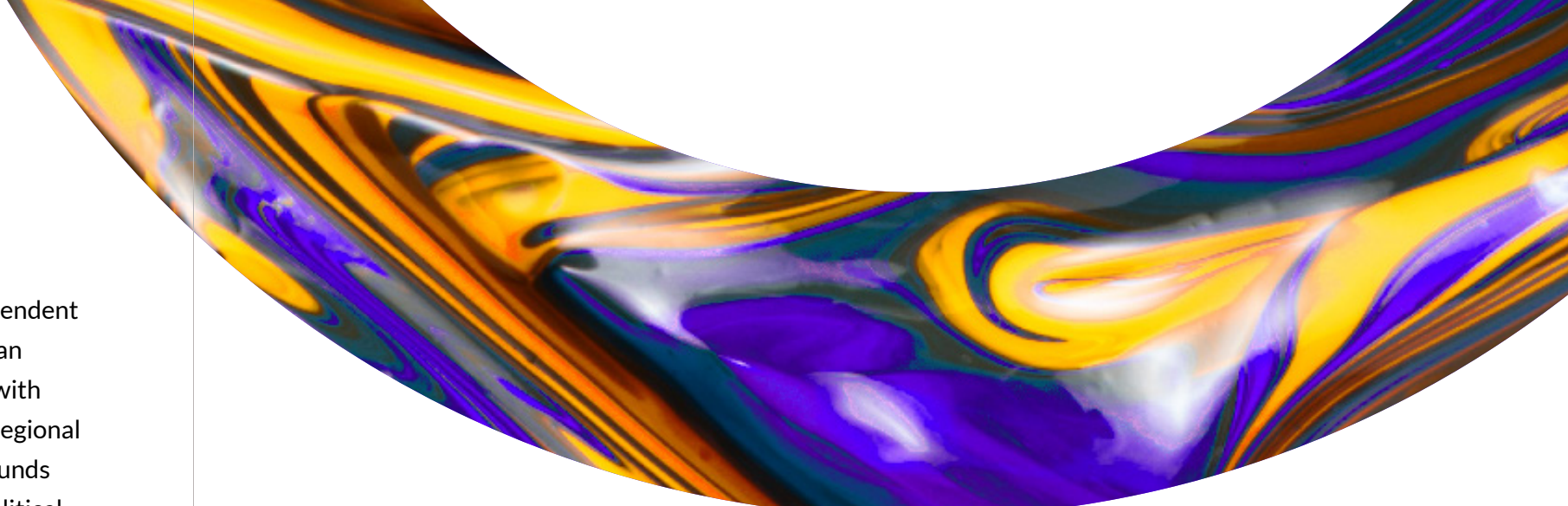
### 3.2. The draft resolution “Combating discrimination, violence and harmful practices against intersex persons” (L.9)

Combating Discrimination, Violence, and Harmful Practices against Intersex Persons,  
The Human Rights Council,

- PP1** Guided by the purposes and principles of the Charter of the United Nations,
- PP2** Reaffirming the commitments of all States to respect and protect all human rights and fundamental freedoms in accordance with their obligations,
- PP3** Reaffirming also the Universal Declaration of Human Rights, which affirms that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,
- PP4** Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the optional protocols thereto, the Convention on the Elimination of all Forms of Discrimination against Women, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of All Forms of Racial Discrimination, and all other relevant international human rights instruments,



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- PP5** Reaffirming that the Vienna Declaration and Programme of Action affirms that all human rights are universal, indivisible and interdependent and interrelated, that the international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis, and that while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,
- PP6** Reaffirming also the commitments of the Sustainable Development Goals, notably Goal 3 on Good health and well-being,
- PP7** Taking note of all relevant statements, observations and notes made by the United Nations High Commissioner for Human Rights and his Office, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the work of treaty bodies, inter alia, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, and the Committee on the Rights of the Child, on the human rights of persons with innate variations in sex characteristics,
- PP8** Recognizing that persons with innate variations in sex characteristics, that is, persons who are born with sex characteristics that do not fit typical definitions for male or female bodies including sexual anatomy, reproductive organs and hormonal or chromosome patterns (also known as intersex persons) exist in all societies,
- PP9** Recognizing that throughout their lives, persons with innate variations in sex characteristics may face multiple and intersecting forms of discrimination in all areas of life, such as access to education, health, employment, sports and social security, among others, as well as restrictions on the exercise of legal capacity and in access to remedies and justice,
- PP10** Expressing grave concern about violence and harmful practices that persons with innate variations in sex characteristics, including children, face in all regions of the world, including medically unnecessary or deferrable interventions, which may be irreversible, with respect to sex characteristics, performed without full, free and informed consent of the person, and in the case of a child without complying with the provisions of the Convention on the Rights of the Child,

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- OP1** Requests the Office of the High Commissioner to prepare a report, to be made available in accessible formats and to be presented at its sixtieth session, drawing upon the expertise of the Advisory Committee, examining in detail discriminatory laws and policies, acts of violence and harmful practices against persons with innate variations in sex characteristics, in all regions of the world, and their root causes, and also examining best practices including legal protection and remedies, especially when it comes to realizing the right to the enjoyment of the highest attainable standard of physical and mental health, and based on information from States, treaty bodies, special procedures of the Human Rights Council, United Nations agencies, funds and programmes, regional mechanisms, academia, health professionals, national human rights institutions, civil society, including organizations representing intersex persons, and other relevant stakeholders,
- OP2** Decides to convene a panel discussion at its sixtieth session, accessible to persons with disabilities and open to the participation of States, the Human Rights Council Advisory Committee, relevant treaty bodies and the special procedures of the Human Rights Council, United Nations agencies, funds and programmes, regional mechanisms, academia, health professionals, national human rights institutions, civil society, including organizations representing intersex persons, and other relevant stakeholders on discriminatory laws and policies, acts of violence and harmful practices against persons with innate variations in sex characteristics, in all regions of the world, and their root causes, including misconceptions and inaccurate information, and also examining best practices, especially when it comes to realizing their right to the enjoyment of the highest attainable standard of physical and mental health, and requests the Office of the High Commissioner to organize the panel discussion,
- OP3** Encourages States, in collaboration with relevant international and regional organizations, to enhance efforts to combat discrimination, violence and harmful practices against persons with innate variations in sex characteristics and address their root causes, such as stereotypes, the spread of misconceptions and inaccurate information, stigma and taboo, and work to realize the enjoyment of the highest attainable standard of physical and mental health for persons with innate variations in sex characteristics,
- OP4** Decides to remain seized of this issue.



President of the Human Rights Council

## 4. Voting process and adoption

The adoption process of the resolution took place during the [54th meeting of the 55th session of the Human Rights Council](#), on 4th April 2024.

Below you will find a transcript of the adoption procedures, based on the the United Nations Office at Geneva Digital Recordings Portal.

These recordings were edited to correct inaccuracies of the automated transcription system.



## Presentation of the resolution by Finland:

Thank you, Mr. President. It is my honor to present the draft Resolution L.9 combating discrimination, violence, harmful practices against intersex persons on behalf of Chile, Australia, South Africa and Finland. We thank all co-sponsors for your support. This is the first time this council addresses intersex persons through a dedicated resolution. Three joint statements have been presented earlier. The latest in 2023 was supported over a quarter of the council's membership. Treaty body special procedures and regional human rights bodies have addressed this topic. We now call on this council as the primary universal human rights forum to take the lead. It is at the core of this council's mandate to address violence and discrimination. Intersex persons are born with biological variations in sex characteristics.

They often face medically unnecessary procedures without their full, free and informed consent. Misconception and stigma persist. Infanticides of intersex babies are reported. We appreciate the constructive engagement of Delegations. The negotiations broaden the core group's perspective and hopefully also that of other Delegations. We found compromises and crucially a common understanding that intersex persons exist in all societies and may face discrimination and violence throughout their lives. For the core group, we need to use established terminology for the human rights context. The terminology of the resolution has been used, for example, by the treaty bodies, the OHCHR and the WHO. For clarity, the term "intersex" is defined in the resolution. The report and panel discussion mandated by this resolution will offer opportunities to continue these discussions. Mr. President, this resolution is about protecting the human rights of intersex persons and increasing understanding of the discrimination and violence they face. To this day, the realities of being intersex may be met with lack of understanding and silence. Also in Finland, we have a lot to learn. I would like to conclude by asking the council to adopt the draft resolution L9 by consensus. Let us break the silence and send a message to the intersex community. We see you and we hear you. Thank you.

### President of the Human Rights Council:

I thank you, Mr. Ambassador, for introducing this draft resolution which has 14 more and additional cosponsors. And now I offer the floor to any Delegation wishing to present general observations on this text. I see South Africa. Mr. Ambassador, you have the floor.







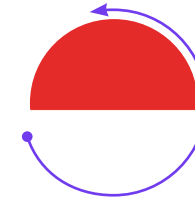
## South Africa:

Thank you very much, Mr. President. South Africa is honored to be part of the core group presenting the draft resolution L9 entitled “Combating discrimination, violence and harmful practices against intersex persons.” My Delegation welcomes the consideration of this important topic by the council as a matter of principle. South Africa has and remains committed to the antidiscrimination agenda and the research believes in the promotion and protection of all human rights for all without discrimination. It is for this reason that South Africa is one of the main sponsors of this resolution. This resolution recognizes a particular form of discrimination

on the basis of sex, namely, sex characteristics which do not fit the typical definition of male and female. The Universal Declaration of Human Rights whose 75th anniversary we recently commemorated affirms that all human beings are born free and equal in dignity and the dignity and rights. The resolution seeks to create awareness of the plight of intersex persons recognizing that intersex persons are an abstract and exist in all societies. Intersex persons face lifelong discrimination in various areas of their lives including in sports, health and education which impacts their quality of life and dignity as they face stigma. In extreme cases, this leads to violence and harmful practices such as forced castration, forced sterilization and even infanticide in intersex babies. No person should be subjected to such. It is for this reason that the Human Rights Council is the appropriate forum to raise awareness and share best practices aimed at ensuring that intersex persons too realize and enjoy the inalienable rights and fundamental freedoms enshrined in the UDHR. While we acknowledge that there is a lot of ignorance about intersex persons, we are at the same time alarmed by the misinformation and disinformation that is being peddled in order to undermine efforts to place a spotlight on the plight of intersex persons. Mr. President, South Africa would like to thank Delegations for their constructive engagement and dialogue during the informal consultations. The core group has consulted extensively including through bilateral engagements and hopes that the panel discussion and report that the resolution seeks will help create better awareness and understanding in this regard. In this regard, South Africa respectfully requests the Council to adopt the draft resolution L9 by Consensus and should there be a call for a vote, those that cannot support should vote for this resolution are requested to abstain. I thank you.

### President of the Human Rights Council:

I thank you, Mr. Ambassador, for your general observations. I now give the floor to Indonesia.



## Indonesia:

Thank you, Mr. President. Indonesia is delivering this joint statement on behalf of a group of countries which are members of the Council. The full list of countries will be uploaded in the Externet. We reaffirm our unwavering commitment to the protection of human rights of all people from discrimination and violence on the basis of race, color, sex, language, religion, nationality, and the national or social origin or birth in accordance with international human rights law. We also stress the importance of upholding inter alia the principle of universality that guides the works of this August Council, particularly in the consideration of human rights issues such as as set forth in the General Assembly Resolution 60/251 on Human Rights Council. However, we deeply regret that the draft Resolution L9 does not meet such fundamental principles by advocating some elements that are clearly non-universal. Our concerns on the draft text are reflected in the following key points. First, no single international legal instrument nor intergovernmentally agreed document recognizes the intersex terminology. It is also unknown in the national legal systems and social context of many Member States. Many Delegations including ours in the spirit of constructive engagement have expressed our preference to alternative terminologies. Second, the definition of intersex persons as offered in the relevant paragraph lack references that enjoy universal recognition and formal acknowledgement by states. Moreover, the definition of intersex persons as offered in the relevant paragraph lack references that enjoy universal recognition and formal acknowledgement by States. Third, we see that the Human Rights Council is not the proper venue to define accurately the medical conditions of the persons concerned. Fourth, we are of the view that categorical opinions on medical intervention and treatments of individuals should be made by medical experts and practitioners, not by the Human Rights Council. Notwithstanding we remain steadfast in our commitment to combating discrimination and violence against anyone, anywhere pursuant to the principles and purposes of the UN charter, international law, convention, as well as our respective constitutional and legal provisions. Mr. President, taking into account all of these considerations, Indonesia in its national capacity calls for a vote on the draft resolution and Indonesia will vote abstain. Thank you.

### President of the Human Rights Council:

I thank you, sir, for your observations. Now we do have Brazil, Mr. Ambassador.







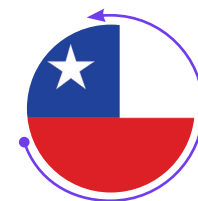
### Brazil:

Thank you very much, Mr. President. Brazil thanks the core group for the pioneering initiative of a Human Rights Council resolution on intersex persons.

In Brazil, we also have taken the innovative initiative of the creation of an intersex working group under our Ministry for Human rights and Citizenship. In Geneva, over the last month, we saw the flexibility shown by the core group in accommodating views and textual suggestions for today's draft resolution. The seven consultation meetings have provided opportunity for members and observer states as well as for civil society organizations and for intersex persons themselves to express their views. Brazil understands that the protection of the human rights of intersex persons is part of the fight against all forms of discrimination. Intersex persons are born everywhere in the world and may have a high risk of suffering human rights violations. This resolution is an important step to give visibility to this issue, discuss solutions and work together to that end. The text before us provides the council with guidance to initiate discussions on the challenges and difficulties in the lives of intersex persons. The report that is being requested to the office of the High Commissioner and the panel discussion to be held here at the 60th session of the Council will increase our understanding of the issues faced by intersex persons, give us elements to combat discrimination, violence and harmful practice and help us find ways to support them. We believe the text is appropriate, strictly focusing on intersex persons and is ready for adoption by this Council. Therefore, Brazil asks all members to support the draft resolution on intersex persons. I thank you.

#### President of the Human Rights Council:

I thank you, Mr. Ambassador, for your observations. Now the floor is for Chile, Mrs. Ambassador.



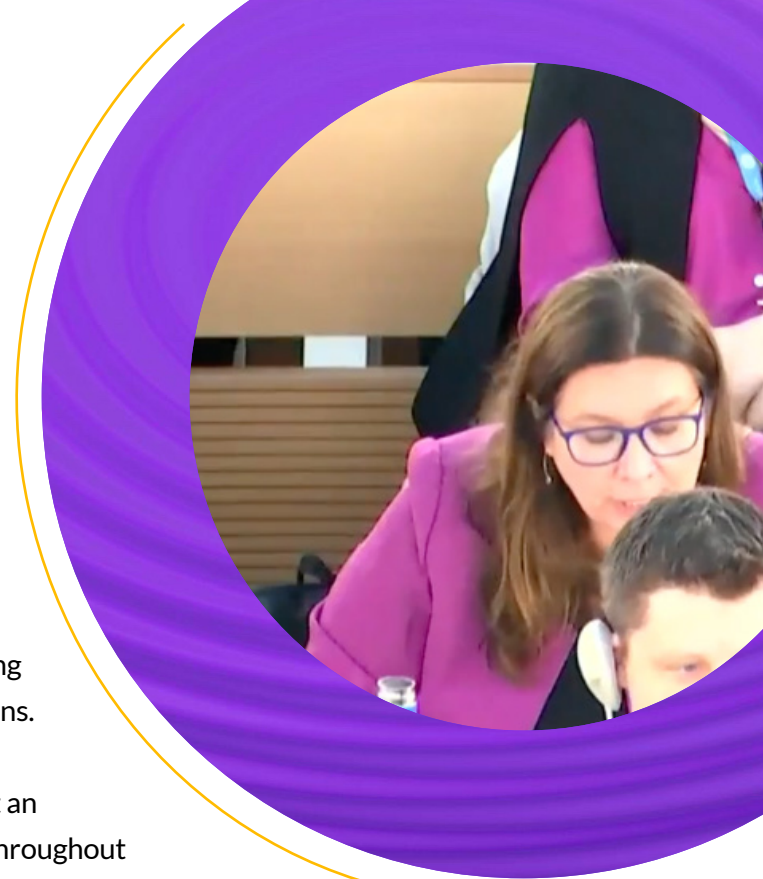
### Chile:

Thank you very much, President. The core group has decided to bring to the attention of the Human Rights Council this initiative. It seeks to raise awareness regarding the situation, the human rights situation of intersex persons. Historically it has been barely addressed. They have been largely made invisible. We want to be clear, intersex is not an identity. It is just a word that describes people that exist throughout all societies. They are born with variations in their sexual features, that is to say, features, body features that are innate. It is precisely this concept that has been used by the World Health Organization since 2014. And it has been used by practically all bodies within the UN system. One true and undeniable fact, intersex people are exposed to human rights violations as a result of their sex characteristics. It is for this reason that this resolution has the goal of protecting these individuals from stigma, discrimination and violence.

This beyond the medical considerations that they might face. These medical considerations should not prevent the Human Rights Council from taking a position on matters of human rights that affect intersex persons. It is for this reason also that we would like to refer to another fundamental aspect of this discussion. This resolution believes that it rather considers the specific problems faced by intersex persons. There is no intention of the core group to refer to any other group of people. To speak of intersexuality is not to consider matters of sexual orientation or gender identity. It does not create a new category of people other than men and women. The core group has undertaken a transparent dialogue, a process. There has always been a constructive spirit that is open to building bridges that could lead to consensus on this important topic. Today we can bear witness to an historic opportunity. The Human Rights Council can take a decisive step forward in meeting its fundamental core mandate. This resolution does not create new rights. It merely reaffirms that all people have the right to live free of physical and mental violence. They have the right to physical safety and mental safety. These are both protected by the Universal Declaration of Human Rights. We call upon the members of the council, therefore, to support this draft resolution. Thank you.

#### President of the Human Rights Council:

So for your observations and now I give the floor to United States of America.



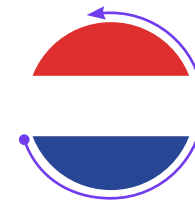


### United States of America:

Thank you, Mr. President. Today we stand at a historic juncture with the potential adoption of an unprecedented resolution by the Human Rights Council which robustly affirms the human rights and dignity of intersex persons. The United States is profoundly grateful to core group members Finland, South Africa, Chile and Australia for their pivotal role and constructive engagement in shaping this critical resolution. We stand firmly in support of the resolution as a cosponsor recognizing its essential contribution to advancing the human rights and well-being of intersex persons globally. The resolution before us is a testament to the international community's commitment to addressing and mitigating the challenges faced by intersex individuals ensuring their rights are respected and protected. It underscores the necessity of a human rights respecting approach avoiding language that pathologizes and stigmatizes and instead advocating for the autonomy, dignity and equality that all persons regardless of their sex characteristics deserve. We applaud the collaborative effort that has led to this moment and urge all Member States to vote in favor of this land mark resolution. This resolution does not create new rights and it avoids using stigmatizing and pathologizing terminologies that are not welcome by the intersex community. Today we have the opportunity to affirm our collective responsibility to uphold the inherent dignity of all individuals including intersex persons and to foster a world where every person's human rights are recognized and respected. We so hoped after all of the constructive engagement and compromise this would pass by consensus but we can do our duty and vote yes today. Thank you.

#### President of the Human Rights Council:

Thank you, Mrs. Ambassador also for your observations and now I give the floor to the Netherlands, Mr. Ambassador.



### The Netherlands:

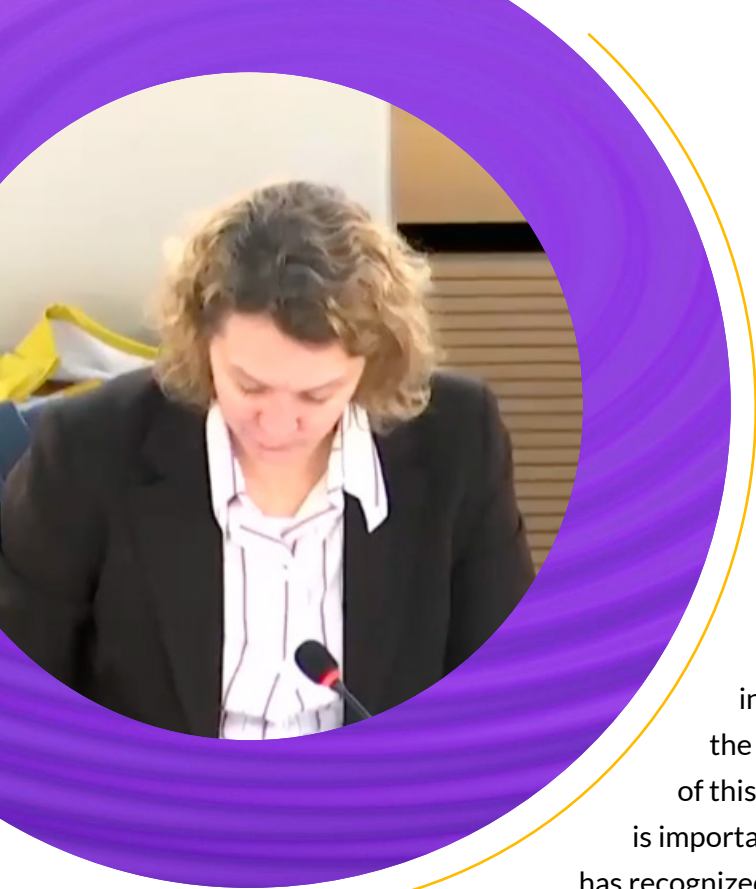
Thank you, Mr. President. The Kingdom of the Netherlands fully supports this resolution that addresses discrimination, violence and harmful practices that intersex persons face. This resolution builds on the work and statements of treaty bodies or special rapporteurs and regional human rights bodies on the issues intersex persons face. This includes forced and coercive medical interventions, denial of legal recognition and registration at birth, restrictions and access to remedies and justice, stigma and discrimination and access to education, health and employment. All because of how their innate body is. We thank the core group for the strategic and inclusive approach that resulted in this balanced resolution. Both the side event and the joint statement on this topic during earlier Council sessions were broadly and cross regionally supported. We also commend the core group for the willingness to incorporate the large amount of input that was given during the various informal consultations. Mr. President, the Universal Declaration of Human Rights affirms that all human beings are born free and equal in dignity and rights and that everyone is entitled to all rights and freedoms without distinction of any kind. This includes intersex persons. The Kingdom of Netherlands had hoped that resolution L9 could be adopted by consensus. Naturally we will in case of a vote, vote in favour of this resolution and encourage all members of this council to do the same. Thank you very much.

#### President of the Human Rights Council:

Germany, you have the floor.







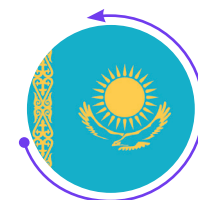
### Germany:

Thank you, Mr. President. Germany would like to thank the core group for bringing forth this important initiative. A strong and diverse support on this topic in the past has shown there is cross regional understanding of this topic and that protecting those concerned from harm is important. As with any other characteristic that this council has recognized as possibly being instrumentalized for human rights violations, intersex persons face discrimination and harmful practices in

different varieties across countries and cultures. In our belief it is therefore high time that we seek to shed light on them. In our national law, Germany has strong provisions to prohibit unnecessary medical interventions on persons with innate variations of sex characteristics. And yet I do not believe we are flawless. There remains a path to be walked to make sure all persons encompassed by this resolution are protected against all forms of discrimination and harmful practices which are often the result of stigma, lack of understanding or lack of information. That is why this is first and foremost a human rights issue. Because it is this forum precisely where we consider human rights violations based on perceptions of others on stereotypes and where we work to overcome them. The first step in doing so is to call those concerned by their preferred name. We regret that we did not reach consensus. Germany will therefore vote yes and calls on others to do so as well. Thank you.

#### President of the Human Rights Council:

Thank you, Madam, for your observations. The floor is for Kazakhstan.

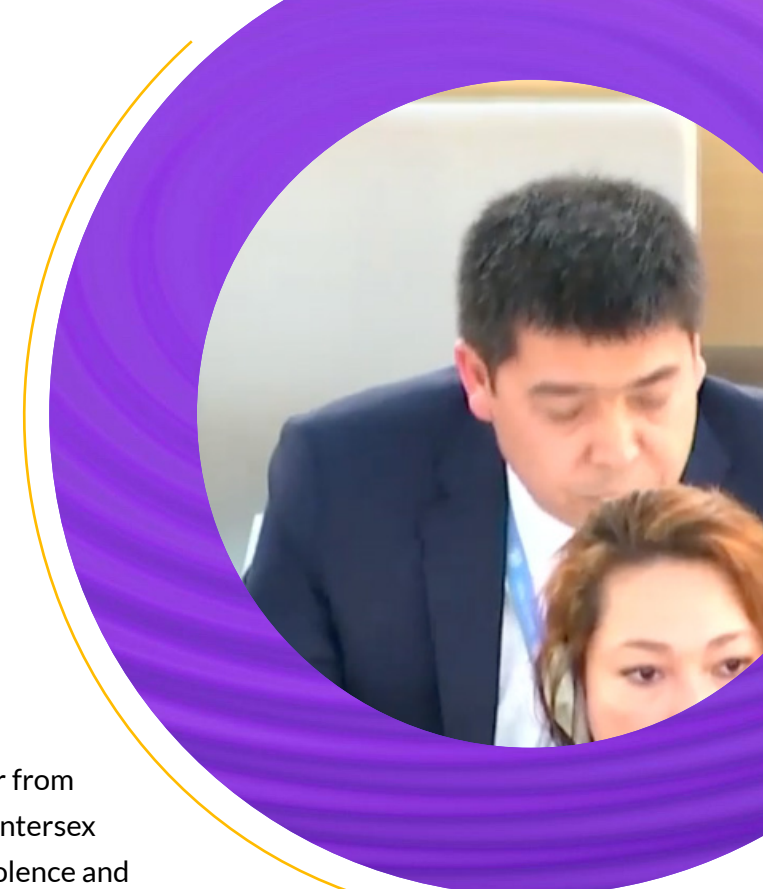


### Kazakhstan:

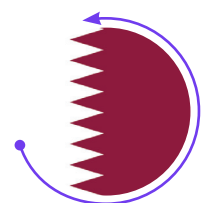
Mr. President, we would like to commend the core group comprising Finland, Australia, Chile and South Africa for the hard work and tireless efforts on this important initiative. We share the concerns of the core group that individuals with sex characteristics that differ from medical norms for female or male bodies also known as intersex according to the OHCHR face stigma, misconception, violence and the multiple forms of discrimination. We have supported bringing this issue to the Human Rights Council to raise awareness and to address it from the human rights perspective. We also welcome the resolutions request to OHCHR to prepare a report that takes into account the diverse approaches of UN Member States, human rights mechanisms, UN agencies, academia, health professionals, NHRIs and the civil society. This will help us to better understand what action needs to be taken to combat harmful practices, violence and discrimination based on different physical characteristics. Sharing best practices from around the world and raising awareness can promote the right to the highest attainable standard of physical and mental health and the combat violence and discrimination. Unfortunately due to complexity of this issue under the different national policies of UN Member States we see that the Human Rights Council has not been able to find common ground on the issue of the appropriate term to describe the conditions of these individuals in a way that is not harmful and at the same time acceptable to some Delegations in terms of their national legislation including my own Delegation. There are also some elements in the resolution relating to medical interventions and the treatments which we believe require the opinion of health experts. Mr. President, in the light of all these considerations my Delegation will abstain. However we would like to stress that our vote in no way implies that we do not support the spirit and the noble objectives of this resolution. Kazakhstan remains committed to combating discrimination and the violence against anyone and under any circumstances. Thank you.

#### President of the Human Rights Council:

Thank you, Mr. Ambassador, for your general observations. If there are no other requests for the floor for general observations we will continue with the consideration of this text. I would also like to announce that this text will have PBI's and the elements that are involved are published on the Council's extranet. Here we come to the explanation of vote before the vote and I give you the floor back. Qatar, please the floor is yours.





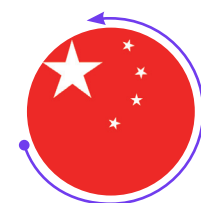


### **Qatar:**

I thank you, Mr. President. I am pleased to deliver the statement to explain the vote before the vote on L9 on behalf of the Arab Group members of the HRC and this statement has been agreed by all the membership of the Arab Group here. We would like to thank the sponsors for organizing informal meetings on the question and we reaffirm our stance against all forms of violence and discrimination against any person and the right of everybody to enjoy their rights on an equal voting without discrimination based on international instruments in this regard and based on the unified and equal dignity for all members of the global community, the Arab Group has contributed and participated in the informals and we have presented constructive ideas in order to make the text more balanced and more in line with the principles and standards of international treaties and our states have had a clear stance saying that the HRC is not the right platform for discussing this complex issue especially given the medical aspects linked to the concerned persons and also in order to ensure the adaptation to the needs of those persons and the various commitments of interested parties. This is why we wanted to change intersex persons to another description which is persons with disorders in sex development and for us this is the more scientific and medically appropriate description and this has been seen in the WHO and we expressed clearly that we need to respect the international law when we discuss new topics and we have also clarified explicitly that creating new standards for protection will have dire consequences on universal human rights principles and will lead to unjustified divisions within the HRC and we are convinced that the protecting human rights is a responsibility that should be shouldered by the Member States of the HRC and the international community and we also specify the importance of the cultural and religious backgrounds of certain societies as we take into account the idea that a monolithic interpretation cannot be imposed on everybody and in conclusion we reiterate that we remain open to all initiatives that boost and improve human rights and we also provide ideas and feedback in this regard and this is the purpose of the HRC but the determination of the HRC or the sponsors on using a particular terminology we would like to have a vote on L9 as provided by Indonesia and we would like to have this statement on the record. Thank you.

#### **President of the Human Rights Council:**

Thank you, sir, for these explanations and I will give the floor to China.



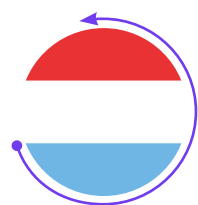
### **China:**

Mr. President, China supports the adoption by the Council of systematic resolutions to promote and protect human rights and we welcome the fact that the core group stressed during the consultation that draft resolution L9 only focuses on issues related to discrimination against intersex persons and does not address gender orientation or gender identity and is not intended to create new gender types or gender rights. At the same time, China consistently believes that any resolution should take into account and fully respect the national conditions, historic cultural and religious traditions and judicial practice of various countries. China notes that during the consultation some countries have raised concern about parts of the draft resolution. We hope that all parties concerned will further communicate and consult with each other on disputed issues in order to properly solve their concerns. In view of the above, China will abstain in the vote on draft resolution L9.

#### **President of the Human Rights Council:**

Thank you for your explanation. I now give the floor to Luxembourg and I would also like to announce that Luxembourg has withdrawn from the list of co-sponsors. Ambassador, you have the floor.





### Luxembourg:

Thank you, President. The resolution on the fight against discrimination, violence and harmful practices against intersex persons presented by Finland, Chile and South Africa has no other goal than to protect the rights of intersex persons who suffer violence in the form of stigma, discrimination and prejudicial practices such as nonrecommended medical, surgical interventions because of their sexual characteristics. The violations of the rights of intersex persons has already been addressed by the Office of the

High Commissioner of Human Rights as well as the treaty bodies and the special mandate holders. These violations relate to the right to health, the right to life, the right to not be subjected to torture or ill treatment, the right to psychological and physical integrity, the rights of the child as well as the principles of equality and nondiscrimination. International human rights law should protect all human beings yet many persons who are born with sexual characteristics that do not fit into the typical definitions of a male or female body in particular as regards children continue to suffer from violence and discrimination around the world. My country sadly is no exception and we still need to make progress on this. By calling for a report from the Office of the High Commissioner, our recommendation this recommendation seeks to raise awareness about the situation of intersex persons and provide a basis of knowledge and best practices which can be replicated by states with a view to protecting the human rights of these individuals. The terminology of the resolution is clear and widely used by international organizations and international forward dedicated to human rights including the High Commissioner for Human Rights Office, the WHO, the treaty bodies, several regional organizations as well as civil society organizations and academia. For all these reasons Luxembourg will vote in favor of Resolution L9 and we call on all members of the Human Rights Council to do the same. Thank you.

#### President of the Human Rights Council:

I thank you, Ambassador, for these explanations. I now give the floor to Malaysia.



### Malaysia:

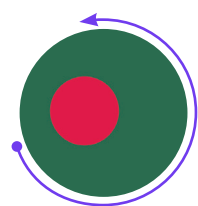
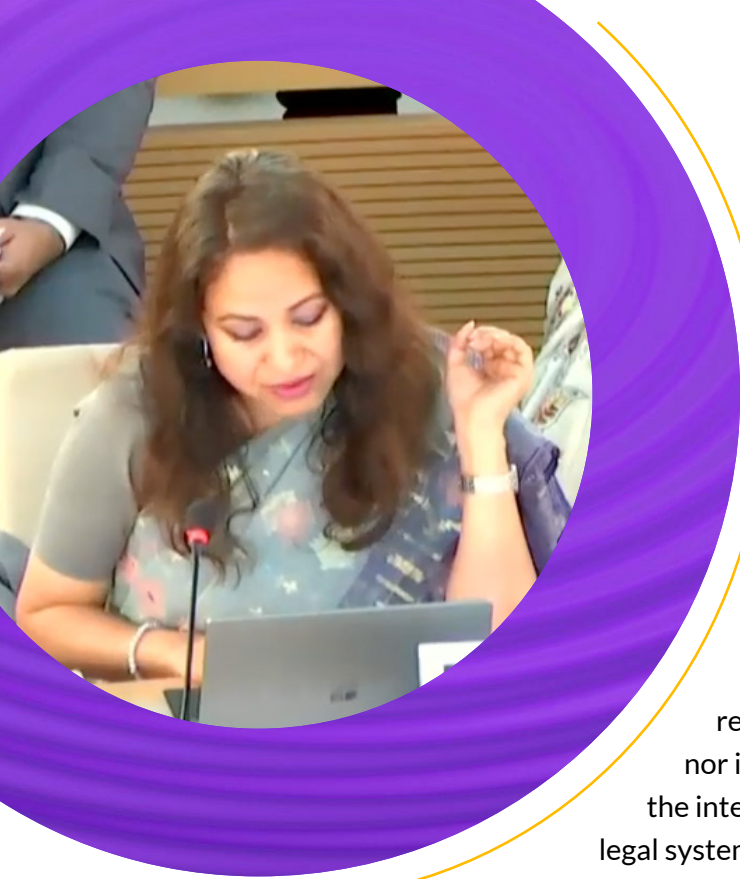
Mr. President, we thank the core group for presenting the Resolution L9 on combating discrimination, violence and harmful practices against intersex persons. Malaysia underlines its commitment to uphold human rights for all individuals and to combat violence and discrimination on any grounds as guaranteed by our federal constitution. However, we regret that despite clear concerns raised by Delegations in numerous rounds of informal consultations, the resolution presented before us still does not take into account different domestic legal systems or sensitivities within the local context. Malaysia's position on the issue is based on the definition by the Malaysian Ministry of Health that intersex persons are individuals with disorders of sexual development which include congenital conditions. Malaysia wishes to reiterate that there is currently no internationally agreed definition on intersex persons. The term "intersex" is not universally recognized and in some cases when translated into local languages, the term "intersex" could be derogatory. As a result, the use of this term could do more harm than good. We regret that the draft resolution is inaccurately and forcibly defining a medical condition despite the fact that neither the Human Rights Council nor human rights experts have expertise to make categorical judgments on a medical condition. The text also presents a categorical position and narrow perspective on the types of treatments and interventions that may be needed by persons with this medical condition further altering the condition without sound scientific evidence. Based on the above concerns, Malaysia has decided to abstain on this resolution. Thank you.

#### President of the Human Rights Council:

I thank you, Mrs. Ambassador, for these explanations. And now I give the floor to Bangladesh. You have the floor, Madam.







## Bangladesh:

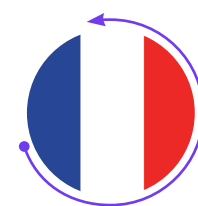
Thank you, Mr. President. My Delegation wishes to thank the core group for tabling the draft resolution L9 before the council. My Delegation has been actively engaged with the core group members during the informal negotiations. However, we wish to note the following concern regarding the draft resolution. First, no single international legal instrument nor intergovernmentally agreed document recognizes the intersex terminology. It is also unknown in the national legal systems and social contexts of many Member States. Many Delegations in the spirit of constructive engagement have expressed

their preferences for alternative terminologies which have been clearly

overlooked in this draft resolution. Second, the draft resolution offers a vague and arbitrary definition of intersex persons as referring to persons with innate variations in sex characteristics. In doing so, the draft resolution misses to seize the opportunity to build consensus on the need to recognize and address human rights violations against persons affected by medical conditions ensued from anomalies in sexual development. Third, my Delegation does not view the OHCHR as yet having the appropriate expertise and objectivity to make recommendations in this area considering the lack of consensus among states on the very definition of intersex. Mr. President, persons with conditions similar to intersex persons exist in all societies. As for Bangladesh, we have our own hijra policy for the persons who were born with such medical conditions and hijra persons are recognized in our civil registration documents to better promote and protect the rights of those people. Bangladesh has taken several initiatives under and beyond social safety net programs to rehabilitate and mainstream the hijras. A few hijra persons have also been elected as the public representatives at the local government level. Mr. President, as such from our view, the indefinite and subjective scope of the resolution which failed to capture the diverging views of the room does a disservice to the persons this initiative is supposedly intended to serve who are affected by violence and discrimination because of their by birth medical condition. Mr. President, in view of the above, Bangladesh will abstain in the voting on this resolution. Mr. President, finally, Bangladesh reserves the right to interpret and implement the provision contained in the present resolution consistent with national laws with full respect for the various religions, ethical values and cultural backgrounds of its people and in conformity with universally recognized international human rights. Moreover, my Delegation also understands that this and any other Human Rights Council resolution does not change the current state of conventional or customary international law or impose any legal obligations. I thank you.

### President of the Human Rights Council:

I thank you, Madam, for your explanations. I now give the floor to France, noting that France has also withdrawn as co-sponsor for this draft resolution. Ambassador, you have the floor.



## France:

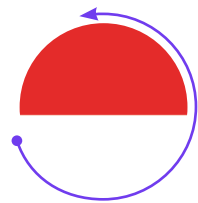
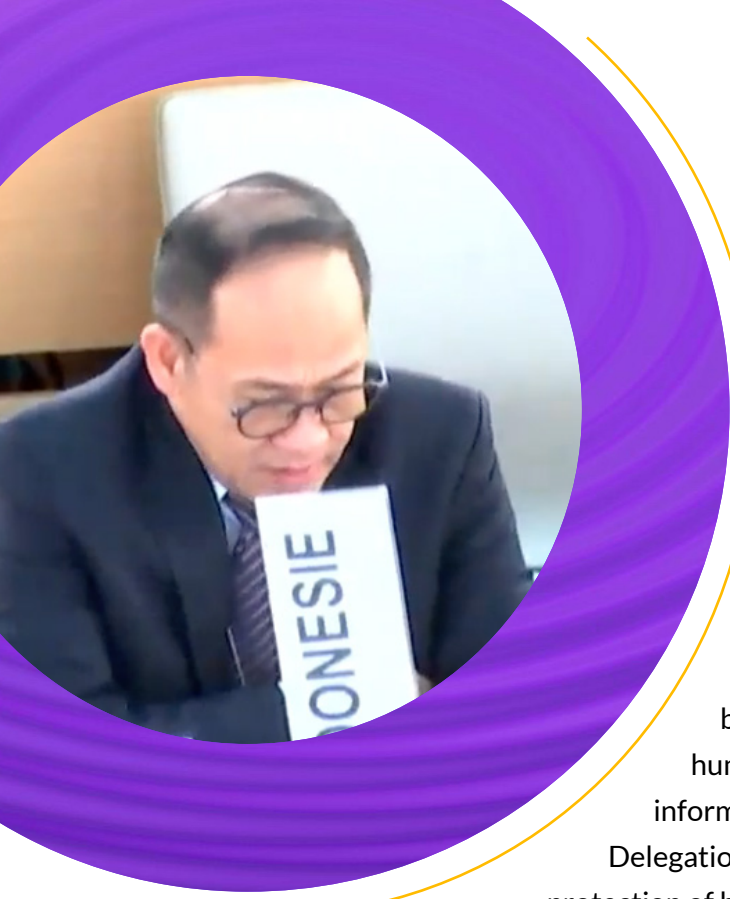
Thank you, President. President, France will vote in favor of this resolution. We would like to thank the group of sponsors, South Africa, Chile, Australia and Finland, literally from the four corners of the world. I would like to emphasize that. We would like to thank them for having submitted this draft resolution to the Council. We welcome the transparent and constructive way in which the negotiations were conducted. These negotiations made it possible to mention for the first time in this Human Rights Council the situation of intersex persons. Intersex persons are born into the world as they are. They have the right to be welcomed by society just as any other person on an equal footing in terms of dignity and rights. It is not about a medical condition. It is about respecting the rights of each and every person. Too often, these persons are rejected by their families or society. They are the subject of discrimination and violence. We have spoken of bodily mutilations. We have spoken of infanticide which remains a terrible, tragic reality. We must also recognize that all too often, these individuals are stigmatized and isolated. No country is immune to these practices. We must all combat them. It is our duty to do so. France supports this resolution which is concise and which foresees the establishment by the High Commissioner of a report and a round table during the next Council session so as to inform our debate on this topic. It draws on major international instruments adopted in recent years and we have listened very carefully to the statement calling for a vote which said that the term "intersex" is not recognized in law. What is law and who determines law? If it is not bodies such as this Council that help to determine law as our Council becomes aware of realities to which we have been blind before, then who does? It is the honor and duty of this Council to be a trailblazer in the recognition of international law and then it is the responsibility of each and every state to implement it according to its own domestic legislation. The Universal Declaration which we have just celebrated the 75th anniversary of affirms that all persons are equal in dignity and rights and these principles should guide the work of the Council on the situation of intersex persons. Intersex persons should be able to benefit like anyone else from the protection of human rights, in particular the right not to be discriminated against, the right to personal security, the right to not be subjected to ill treatment. Therefore, we call on all Member States of this Human Rights Council to implement the universality of rights in support of this resolution. Thank you.

### President of the Human Rights Council:

I would like to thank you, Ambassador, for your general comments and I now give the floor or thank you for your explanations of vote, rather. Thank you, Ambassador. I would like to give the floor to Indonesia.







### Indonesia:

Thank you, Mr. President. We reaffirm our steadfast commitment to upholding the principles of non-discrimination and the prevention of violence against all individuals, irrespective of any factors including sex or birth in alignment with our obligation under international human rights law. We thank the core group for organizing informal consultation on the draft resolution in which our Delegation actively participated with the aim of strengthening the protection of human rights for individuals with medical conditions of this nature. It is, however, regrettable that the draft resolution L9 maintains

a concept and definition that lacks universal recognition and lacks basis under international law and, therefore, encounters opposition from several Delegations, including my own. We have proposed disorder of sex development as an alternative terminology to intersex, yet it has not been accommodated in the text presented. The terms intersex and person with innate variation in sex characteristics are not recognized in our national legal framework. Nonetheless, our domestic law fully protects the rights of every individual to access healthcare services, including for sexual and reproductive health in line with our specific national context. Mr. President, Indonesia is also of the view that creating legal clarity is crucial to ensure the full protection of human rights of the individuals concerned. We regret that the vague definition of intersex person proposed in the text which failed to address the necessity to establish a clear distinction between intersex persons and non-intersex persons. The ambiguous concept proposed in the text may lead individuals to arbitrarily identify as intersex person as part of social identity. It is deeply concerning to our Delegation. Furthermore, the significant association of intersex with a sociopolitical movement that advocates for SOGI and its potential interpretation as a separate sex category other than male and female is of particular concern. We are of the view that the matter at hand should be approached primarily from a medical perspective rather than from a certain social standpoint that is non-universal. We note the intention of the main sponsor to exclude the SOGI issue from this resolution and will observe their continued commitment in the future should this resolution be adopted, particularly in the implementation of this resolution both in the OHCR report and the panel discussion. Finally, we reiterate our position of abstention during the voting process if the resolution is adopted. We will disassociate ourselves from the paragraphs containing the term “intersex” and persons with innate variation in sex characteristics.

Thank you, Mr. President.



### President of the Human Rights Council:

I thank you, sir, for your explanations. I do not see any other requests for explanations of vote before the vote. If it is the case, then we have a call for a vote and then I request the Secretariat to open the machine for voting. We just wait for the presentation of the final result for this vote and at the same time request the Delegation to control their own votes. The vote is closed and the resolution is then Resolution L9 is adopted by 20 vote for, 23 abstentions and 0 No. The resolution is then adopted by the Council. I thank you.

### Results of the vote:

**In favour:** Albania, Argentina, Belgium, Brazil, Bulgaria, Chile, Costa Rica, Cuba, Dominican Republic, Finland, France, Germany, Ghana, Honduras, India, Japan, Lithuania, Luxembourg, Montenegro, Netherlands (Kingdom of the), Romania, South Africa, United States of America, Viet Nam.

**Abstaining:** Algeria, Bangladesh, Benin, Burundi, Cameroon, China, Côte d'Ivoire, Eritrea, Gambia, Georgia, Indonesia, Kazakhstan, Kuwait, Kyrgyzstan, Malawi, Malaysia, Maldives, Morocco, Paraguay, Qatar, Somalia, Sudan, United Arab Emirates.

## A/HRC/55/L.9 - Combating discrimination, violence and harmful practices against intersex persons

YES	ALBANIA	ABST	ERITREA	ABST	MALAWI	
ABST	ALGERIA	YES	FINLAND	ABST	MALAYSIA	
YES	ARGENTINA	YES	FRANCE	ABST	MALDIVES	
ABST	BANGLADESH	ABST	GAMBIA	YES	MONTENEGRO	
YES	BELGIUM	ABST	GEORGIA	ABST	MOROCCO	
ABST	BENIN	YES	GERMANY	YES	NETHERLANDS (KINGDOM OF THE)	
YES	BRAZIL	YES	GHANA	ABST	PARAGUAY	
YES	BULGARIA	YES	HONDURAS	ABST	QATAR	
ABST	BURUNDI	YES	INDIA	YES	ROMANIA	
ABST	CAMEROON	ABST	INDONESIA	ABST	SOMALIA	
YES	CHILE	YES	JAPAN	YES	SOUTH AFRICA	
ABST	CHINA	ABST	KAZAKHSTAN	ABST	SUDAN	
YES	COSTA RICA	ABST	KUWAIT	ABST	UNITED ARAB EMIRATES	
ABST	COTE d'IVOIRE	ABST	KYRGYZSTAN	YES	UNITED STATES OF AMERICA	
YES	CUBA	YES	LITHUANIA	YES	VIET NAM	
YES	DOMINICAN REPUBLIC	YES	LUXEBURG			
	YES	24	ABST	23	NO	0

Voting records of the intersex resolution in April 2024.

## 5. The impact of the resolution

The adoption of the resolution was [welcomed by 35 intersex-led civil society organizations](#) as a “milestone in how international bodies are looking at the rights of intersex persons”. The enactment of Resolution 55/14 carries substantial significance for intersex civil society organisations:

- The resolution formally recognises the challenges faced by intersex individuals, affirming the endeavours of civil society organisations that have persistently championed these problems.
- The forthcoming OHCHR study and the 2025 panel discussion provide intersex organisations with platforms to provide facts, share personal tales, and shape international human rights agendas.
- The resolution’s focus on intersex concerns may result in enhanced financing and support for civil society activities that resist prejudice and advocate for the rights of intersex individuals.
- Member States are encouraged to undertake specific actions, allowing intersex organisations to collaborate with national governments in formulating and executing policies that safeguard intersex rights, use the resolution as a foundational text.

Human Rights Council resolutions, while not legally binding, are important instruments to advance international human rights standards and to crystalize in politically negotiated resolutions the findings of expert-led human rights mechanisms. In a normative development sense, the resolution has taken significant steps.

The preambular paragraph (PP) 8 of the resolution brings for the first time to internationally agreed documents a definition of what is meant by the term “intersex”.



*PP8 Recognizing that persons with innate variations in sex characteristics, that is, persons who are born with sex characteristics that do not fit typical definitions for male or female bodies including sexual anatomy, reproductive organs and hormonal or chromosome patterns (also known as intersex persons) exist in all societies,*

While the definition is short and simplified, it is an important step to tackle arguments presented by Member States and stakeholders that have created obstacles to this resolution under the rationale that there was not definition of “intersex” in politically negotiated documents.

Furthermore, PPs 9 and 10 acknowledge in the text the current situation of the human rights of intersex persons, expressing concerns about these human rights violations committed on the grounds of sex characteristics. The framing of these violations as violence and discrimination are an important normative development, since protection from violence and discrimination are States’ obligations under several international human rights treaties and other binding instruments, such as the Universal Declaration of Human Rights.

*Pp9 Recognizing that throughout their lives, persons with innate variations in sex characteristics may face multiple and intersecting forms of discrimination in all areas of life, such as access to education, health, employment, sports and social security, among others, as well as restrictions on the exercise of legal capacity and in access to remedies and justice,*

*Pp10 Expressing grave concern about violence and harmful practices that persons with innate variations in sex characteristics, including children, face in all regions of the world, including medically unnecessary or deferrable interventions, which may be irreversible, with respect to sex characteristics, performed without full, free and informed consent of the person, and in the case of a child without complying with the provisions of the Convention on the Rights of the Child,*

Another important legal development is the recognition by this resolution of medically unnecessary or deferrable interventions on persons with innate variations in sex characteristics as a harmful practice. This is important since there is a relevant and solid human rights framework on the prohibition of harmful practices, including through binding instruments such as the Convention on the Rights of the Child and the Convention on Elimination of All forms of Discrimination Against Women.

In the operative paragraphs (OP) of the resolution, i.e., the part of the resolution that establishes actions to be taken, OP3 takes an important step by encouraging States to act on the matter.

*OP3 Encourages States, in collaboration with relevant international and regional organizations, to enhance efforts to combat discrimination, violence and harmful practices against persons with innate variations in sex characteristics and address their root causes, such as stereotypes, the spread of misconceptions and inaccurate information, stigma and taboo, and work to realize the enjoyment of the highest attainable standard of physical and mental health for persons with innate variations in sex characteristics,*

While the UN doesn’t have specific mechanisms to ensure the implementation of HRC resolutions, these developments are important standards that allow civil society organizations to hold States accountable. They can be a

powerful tool to catalyze serious consideration by stakeholders and drive national changes in legislation and policies.

Looking beyond the standards established in the text, there are two calls to actions that are key to the continuation of this process. OPs 1 and 2 mandates the Office of the High Commissioner for Human Rights to prepare a report “*examining in detail discriminatory laws and policies, acts of violence and harmful practices against persons with innate variations in sex characteristics, in all regions of the world, and their root causes, and also examining best practices, including legal protection and remedies, especially when addressing the realization of the right to the enjoyment of the highest attainable standard of physical and mental health*”.

The OHCHR have released a [call for inputs](#) to multiple stakeholders to submit information on this topic. The report will be presented during the 60th Human Rights Council Session, which will take place in September 2025. This will be an important instrument to shed further light on the current situation of human rights on intersex persons and provide technical guidance and recommendations to UN Member States and other stakeholders.

The resolution has further mandated a panel discussion to take place during the same HRC session. Panel Discussions are important opportunities for Member States, civil society organizations and other stakeholders to share best practices and highlight challenges in gaps in protecting human rights on different issues.

Resolution 55/14 marks a pivotal moment for intersex civil society, offering both long-awaited recognition and tangible avenues to advance the human rights of intersex individuals globally.



## 6. Key learnings and recommendations

### Key learnings

#### 1 Navigating polarization in multilateral spaces

The adoption of the resolution in an increasingly polarized multilateral environment underscores the importance of strategic engagement. A key step in this process was to decision makers to learn and fully understand the issues affecting intersex persons and the human rights violations that are perpetrated against them, as well as the different approaches taken by Member States.

An important step in this process was to raise awareness about the distinction between sexual orientation and gender identity (SOGI) issues and the human rights of intersex persons and sex characteristics issues. This was key not only to shape the political engagement with the resolution, but also to raise awareness about the specific issues affecting the human rights of intersex persons.

The absence of votes against the resolution indicates that, even in challenging contexts, it is possible to foster dialogue and advance understanding through sustained engagement with Civil Society and Member States.

#### 3 Sustained diplomatic engagement

The outcome of the resolution highlights the necessity for continuous and strategic engagement between Member States, especially those with differing national positions on human rights matters. The ability to build consensus and foster understanding over time is critical in advancing progressive human rights frameworks.

#### 2 The role of civil society engagement

A key factor in building awareness and support for human rights resolutions is the meaningful inclusion of civil society organizations, particularly those led by and representing affected communities. The Core Group of the resolution have consulted in a sustained manner with intersex civil society, which is a best practice to be highlighted. Their expertise, lived experiences, and advocacy are essential in shaping discussions and ensuring that resolutions reflect the realities on the ground and that there is no harm made.

However, we noted a significant gap when it comes to intersectional engagement from other human rights movements and allies. While the support of organizations working on sexual and reproductive health and rights and on the rights of persons with disabilities in the negotiations was welcomed, there's room to shift this support to a sustained and meaningful partnership between these movements and intersex organizations. Furthermore, there's still a significant gap regarding the visible engagement of child rights organisations in intersex human rights discussions.

#### 4 Barriers to civil society participation

Many civil society organizations, particularly those representing and led by intersex persons and especially those from the Global South, face significant challenges in accessing funding to participate in multilateral spaces. This lack of financial resources limits their ability to engage meaningfully in decision-making processes and advocate for their communities on the global stage.

### Recommendations to Member States, donors and civil society

#### 1 Enhancing multilateral dialogue and cooperation

Member States should strengthen diplomatic efforts to maintain open channels of communication and engagement, even in polarized contexts. This includes fostering cross-regional partnerships and identifying shared interests to build common ground on human rights issues.

#### 4 Engagement strategies for Member States with divergent views

States should invest in diplomatic strategies that prioritize dialogue and bridge-building with counterparts holding differing perspectives. Encouraging informal discussions, peer-learning initiatives, and knowledge exchanges can facilitate greater understanding and reduce opposition to human rights advancements.

#### 7 Promoting hybrid modalities for democratic access

Member States should continue pushing for hybrid participation modalities in multilateral spaces, ensuring that civil society organizations, especially those with limited financial resources, can engage remotely. This approach fosters more democratic access and enables broader representation in international decision-making processes.

#### 2 Protecting civic space and civil society access to the United Nations

Member States and international organizations should establish and uphold mechanisms that guarantee the participation of civil society organizations, particularly those led by marginalized groups, in decision-making processes. This involves ensuring accessible consultation processes and integrating their insights into policy and resolution drafting.

#### 5 Increasing funding for civil society organizations

States and Private donors must take concrete steps to increase financial support for civil society organizations, particularly intersex-led organizations, to ensure their meaningful participation in multilateral spaces. Sustainable funding mechanisms will help these organizations advocate effectively and contribute to global discussions on human rights.

#### 3 Long-term commitment to human rights advocacy

Governments and international actors must commit to sustained advocacy efforts, ensuring that human rights progress is not contingent on short-term political shifts. This requires ongoing engagement in international fora, capacity-building initiatives, and reinforcing alliances with stakeholders that champion inclusive human rights frameworks.

#### 6 Cross-movement and intersectional civil society support

Civil society organizations working on mainstream human rights, as well as organizations working on child rights, disability rights, sexual and reproductive health and rights should step up their efforts to include a sex characteristics analysis to their work, addressing how these issues have a specific impact to intersex persons. Furthermore, they should enhance their support in advocacy processes around intersex human rights in global, regional and national contexts.





Representatives of intersex civil society in Geneva during the advocacy process for the resolution in March 2024.



Representatives of civil society and of the Permanent Missions of Australia, Chile, Finland and South Africa in Geneva after the adoption of the resolution in April 2024.

## List of co-sponsors of the resolution “Combating discrimination, violence, harmful practices against intersex persons”

- |                   |  |
|-------------------|--|
| 1. Albania        | 26. Luxembourg   |
| 2. Australia      | 27. Malta  |
| 3. Belgium        | 28. Marshall Islands                                     |
| 4. Brazil         | 29. Mexico   |
| 5. Canada         | 30. Montenegro   |
| 6. Chile          | 31. Netherlands (Kingdom of the)                         |
| 7. Colombia       | 32. New Zealand  |
| 8. Costa Rica     | 33. North Macedonia                                      |
| 9. Croatia        | 34. Norway   |
| 10. Cyprus        | 35. Panama   |
| 11. Czechia       | 36. Poland   |
| 12. Denmark       | 37. Portugal   |
| 13. Ecuador       | 38. Republic of Korea                                    |
| 14. Estonia       | 39. Romania  |
| 15. Finland       | 40. San Marino   |
| 16. France        | 41. Slovenia   |
| 17. Germany       | 42. South Africa   |
| 18. Greece        | 43. Spain  |
| 19. Iceland       | 44. Sweden   |
| 20. Ireland       | 45. Switzerland  |
| 21. Israel        | 46. Ukraine  |
| 22. Kenya         | 47. United Kingdom of Great Britain and Northern Ireland |
| 23. Latvia        | 48. United States of America                             |
| 24. Liechtenstein | 49. Uruguay  |
| 25. Lithuania     |  |



# 2020 cross-regional joint statement on intersex human rights and list of co-sponsors

45th Human Rights Council  
General Debate Item 8

## Follow-up and implementation of the Vienna Declaration and Programme of Action

I have the honour to deliver this statement on behalf of a cross-regional group of 35 countries.

The Vienna Declaration states that human rights are universal, indivisible, interdependent and interrelated. The VDPA makes clear that “every person is born equal and has the same rights to life and welfare, education and work, living independently and active participation in all aspects of society”. However, intersex people - that is, individuals who are born with sex characteristics that do not fit the typical definition of male or female bodies - continue to face serious and widespread human rights violations and abuses.

In many countries around the world, intersex people are subjected to medically unnecessary surgeries, hormonal treatments and other procedures in an attempt to change their appearance to be in line with gendered societal expectations of male and female bodies without their full and informed consent. Intersex persons are often denied full access to their medical records.

Throughout their lives, people with diverse sex characteristics face discrimination in all areas of life,

such as access to education, health, employment and sports, among others, as well as restrictions on the exercise of legal capacity and in access to remedies and justice. The root causes of these human rights violations and abuses include harmful stereotypes, spread of inaccurate information, stigma, taboos, and pathologization. It is high time this Council address human rights and abuses violations against intersex people and their root causes. Furthermore, the COVID-19 pandemic has worsened the inequalities already faced by intersex people.

We call on governments as a matter of urgency, to protect the autonomy of intersex adults and children and their rights to health, and to physical and mental integrity so that they live free from violence and harmful practices. Governments should investigate human rights violations and abuses against intersex people, ensure accountability, reverse discriminatory laws and provide victims with access to remedy.

We encourage Governments to work in collaboration with intersex-led organizations in raising awareness and understanding about the human rights of intersex people.

## List of signatories

1. Albania	9. Czechia	17. India	25. Mexico	33. Spain
2. Argentina	10. Denmark	18. Ireland	26. The Netherlands	34. Sweden
3. Australia	11. Estonia	19. Israel	27. New Zealand	35. Uruguay
4. Belgium	12. Finland	20. Italy	28. Norway	
5. Canada	13. France	21. Latvia	29. Pakistan	
6. Chile	14. Germany	22. Lithuania	30. Panama	
7. Costa Rica	15. Greece	23. Luxembourg	31. Portugal	
8. Cyprus	16. Iceland	24. Malta	32. South Africa	

# 2020 joint civil society statement on intersex human rights

45th Human Rights Council  
General Debate Item 8

Madam President,

This is a joint statement delivered on behalf of 33 intersex-led organizations worldwide.

During the 44th Human Rights Council session the OHCHR presented the report “Intersection of race and gender discrimination in sport”. The report was mandated by the first HRC resolution (A/HRC/RES/40/5) mentioning rights of persons of diverse innate sex characteristics.

We welcome the findings of the report, shedding light in the abusive practices of states and sport’s governing bodies in relation to the diversity of sex characteristics. Further, we welcome the conclusions and recommendations of the report, including a call for states to adequate their anti-discrimination legislation including sex characteristics as a prohibited ground of discrimination, to integrate in national plans of action analyses of discrimination and other human rights abuses in sport based on gender, race and innate variations in sex characteristics, to prohibit the enforcement of regulations that pressure athletes to undergo unnecessary, non-vital medical interventions as a precondition for participating in sport and to include and cooperate with organizations led by intersex persons in efforts to include more and a greater diversity of women and girls’ sport;

Madam President,

The resolution on discrimination in sport (HRC/40/5) and the mandated reported highlight issues in one of the many areas in which people born with diverse sex characteristics can be discriminated against and be victim of serious human rights violations. They also shed light in the fact that much more remains to be done. We therefore welcome the cross-regional joint statement presented by Austria on behalf of 30 states and call upon this Council, its members and observers to take further action in protecting intersex persons’ autonomy, rights to health, to physical and mental integrity, to live free from violence and harmful practices and to be free from torture and ill-treatment

We stand ready to work together with all relevant stakeholders in this matter.

I thank you, Madam President.

## List of organizations signing the statement:

1. Association of Russian Speaking Intersex (ARSI)	17. Intersex Human Rights ISIO
2. Beyond the Boundary-Knowing and Concerns Intersex	18. Intersex Iceland
3. Bilitis Resource Center Foundation	19. Intersex Peer Support Australia
4. Brújula Intersexual	20. Intersex Philippines
5. Campaign for Change	21. Intersex Society of Zambia (ISSZ)
6. CIA-OII France	22. Intersex Trust Aoatearoa New Zealand
7. DeGenderation Confederation	23. Intersex y Andrógino
8. Fundacja Interakcja	24. IntersexUK
9. GATE	25. IVIM - OII Germany
10. InterAction Suisse	26. Ivy Foundation
11. Intersekse Vlaanderen	27. Key Watch Ghana
12. Intersex Asia Network	28. OII Chinese
13. Intersex Belgium	29. OII Europe
14. Intersex Danmark	30. SIPD Uganda
15. Intersex Greece	31. Stichting NNID
16. Intersex Human Rights Australia	32. VIMÖ / OII Austria
	33. XY Spectrum

# 2021 cross-regional joint statement on intersex human rights and list of co-sponsors

45th Human Rights Council  
General Debate Item 8

Thank you,

One year ago, in this same debate, 37 States highlighted that it is high time for the Council to address human rights violations and abuses against intersex persons.

Today, I have the honour to deliver this statement on behalf of a cross-regional group of 50 States, calling for concrete measures to combat harmful practices, violence and discrimination based on sex characteristics.

The Vienna Declaration and Programme of Action (VDPA) makes clear that “every person is born equal and has the same rights to life and welfare, education and work, living independently and active participation in all aspects of society”. However, intersex persons continue to face discrimination in many areas of life, particularly in education, healthcare, employment, social security, sports, places of detention and access to public services. In order to address these challenges, there is an urgent need to combat discrimination on the basis of sex characteristics and address its root causes, such as gender stereotypes, spread of inaccurate information, stigma, taboo and pathologization. For these reasons, there is also a clear need to raise awareness about the human rights of intersex persons.

Intersex persons also need to be protected from violence and States must ensure accountability for these acts.

Laws must adequately protect intersex persons from hate crimes, including those fueled by hate speech, both online and offline.

Furthermore, there is also a need to take measures to protect the autonomy of intersex children and adults and their rights to health and to physical and mental integrity so that they live free from violence and harmful practices. Medically unnecessary surgeries, hormonal treatments and other invasive or irreversible non-vital medical procedures without their free, prior, full and informed consent are harmful to the full enjoyment of the human rights of intersex persons.

We call on all member states to take measures to combat violence and discrimination against intersex persons, develop policies in close consultations with those affected, ensure accountability, reverse discriminatory laws and provide victims with access to remedy. We also call on the Office of the High Commissioner for Human Rights and on the Special Procedures of this Council to continue addressing and to scale up action against violence and discrimination based on sex characteristics within their mandates and in their work.

I thank you.

# 2021 joint civil society statement on intersex human rights

45th Human Rights Council  
General Debate Item 8

Madame President,

This is a joint statement delivered on behalf of 75 intersex-led organizations worldwide.

Last year a joint cross-regional statement of 37 states delivered by Austria in the 45th session drew attention to the appalling human rights violations against intersex people.

The summer session of this Council saw a strong statement by the African group asserting that the segregation of “women on the basis of intersex variations had the same effect as apartheid one of the international crimes against humanity.” The African group called for an end of this practice in the field of sports.

During this debate, a second cross-regional joint statement called states to take measures to combat violence and discrimination against intersex persons.

States need to take strong and urgent action to uphold their obligation to ensure that Intersex people live free from all types of violence and harmful practices, including in medical settings.

Irreversible medical interventions, such as genital surgeries, hormonal interventions, and medical procedures intended to modify the sex characteristics of infants and children without their full, prior, and informed consent continue to be the rule not the exception in the majority of UN member states.

We call upon states as a matter of urgency, to end those practices and ban medically unnecessary surgeries, hormonal treatments, and other invasive or irreversible non-vital medical procedures performed without personal free, prior, full, and informed consent.

Madame President, unless immediate action is taken severe human rights violations against intersex people will prevail and continue. This Council needs to send a strong message that such practices are in violation of international human rights norms and must not be tolerated.

## List of signatories (including States that signed up after the delivery of the statement)

1. Albania	15. Denmark	30. Luxembourg	45. Slovakia
2. Argentina	16. Ecuador	31. Malta	46. Slovenia
3. Australia	17. Estonia	32. Marshall Islands	47. South Africa
4. Austria	18. Fiji	33. Mexico	48. Spain
5. Belgium	19. Finland	34. Montenegro	49. Sweden
6. Bosnia and Herzegovina	20. France	35. Namibia	50. Ukraine
7. Brazil	21. Germany	36. Netherlands	51. United Kingdom of Great Britain and Northern Ireland
8. Canada	22. Greece	37. New Zealand	52. United States of America
9. Chile	23. Iceland	38. North Macedonia	53. Uruguay
10. Colombia	24. India	39. Norway	
11. Costa Rica	25. Ireland	40. Pakistan	
12. Croatia	26. Israel	41. Panama	
13. Cyprus	27. Italy	42. Portugal	
14. Czech Republic	28. Latvia	43. Romania	
	29. Lithuania	44. San Marino	



## List of organizations signing this statement:

1. ABRAI- Associação Brasileira Intersexo	27. Intersexioni	55. Nederlandse organisatie voor seksediversiteit (NNID)
2. Argentina Intersex	28. IntersexUK iUK	56. Organization Intersex International Europe - OII Europe
3. Asociación Mulabi/Espacio Latinoamericano de Sexualidades y Derechos	29. Intersexuales Chile	57. Organization Intersex International - Chinese - OII-Chinese
4. Asociación Peruana de Personas Intersexuales	30. Intersex Advocate Trust Zimbabwe IAZ	58. Orquídea Intersexual
5. Association of Russian Speaking Intersex	31. Intersex and Faith	59. Plattform Intersex Österreich
6. Beyond the Boundary-knowing and Concerns Intersex	32. Intersex Asia Network	60. Potencia Intersex
7. Bilitis Resource Center Foundation	33. Intersex Community of Zimbabwe (ICoZ)	61. Rainbow Identity Association
8. Brújula Intersexual	34. Intersex Danmark	62. San Luis Intersex
9. Caminar intersex	35. Intersex Greece	63. SIPD Uganda
10. Campaign for Change	36. Intersex Human Rights Australia	64. Srishti Madurai and Intersex India
11. Chinese Intersex Alliance	37. Intersex Human Rights Fund	65. Taiwan Intersex Human Rights
12. CIA-OII France	38. Intersex Iceland	66. Tanzania Voice of Humanity
13. Colesdom	39. Intersex Ireland	67. The XXY Project
14. Differences in Sex Development Support Uganda	40. Intersex Justice Project	68. THIS The Houston Intersex Society
15. Egalite Intersex Ukraine	41. Intersex Nigeria	69. Toni King'ori
16. Empower Yourself Belize Movement	42. Intersex Peer Support Australia	70. VIMÖ - OII Austria
17. Fundacja Interakcja	43. Intersex Persons Society of Kenya (IPSK)	71. YOUth&I
18. Hope	44. Intersex Philippines	72. Anonymous Intersex-led Organization [Africa]
19. kolekTIRV	45. Intersex Refugees of the World United	73. Anonymous Intersex-led Organization [Asia]
20. ILGA World Intersex Committee	46. Intersex Russia - OII Russia	74. Anonymous Intersex-led Organization [Europe]
21. InterACT: Advocates for Intersex Youth	47. Intersex Venezuela	75. Anonymous Intersex-led Organization [Latin America]
22. InterAction Suisse	48. Intersex Society of Zambia (ISSZ)	
23. InterconnectedUK (iCONUK)	49. Intersex y Andrógino	
24. Internationale Vereinigung Intergeschlechtlicher Menschen - OII Germany e. V.	50. Intersukupuolisten ihmisoikeudet - ISIO ry	
25. Înterseks Dayançma	51. ITANZ (Intersex Trust Aotearoa New Zealand)	
26. Intersexe Burkina	52. Ivy Foundation	
	53. Key Watch Ghana and Intersex Ghana Movement	
	54. Laboratorio de Narrativas Divergentes AC (Proyecto Intersexual)	

## 2021 African Group Statement on intersex human rights

### 45th Human Rights Council

#### Statement by the African Group at the quadrennial panel on sport & Olympic ideal

Thank you, Madam President,

I have the honour to deliver this statement on behalf of the African Group. We welcome the convening of this panel discussion just a few days before the start of the Olympic games on 23 July 2021.

Sports as Nelson Mandela once declared “ has the power to change the world. It has the power to inspire, and it can create hope where once there was only despair. “ The African Group believes in the power of sports to unite people and we concur with the assessment that it is a powerful tool to promote all human rights.

We are, however, extremely concerned about the continued application by the IAAF of regulations that require female athletes to reduce naturally elevated levels of testosterone to compete internationally in the female category at distances between 400m and a mile.

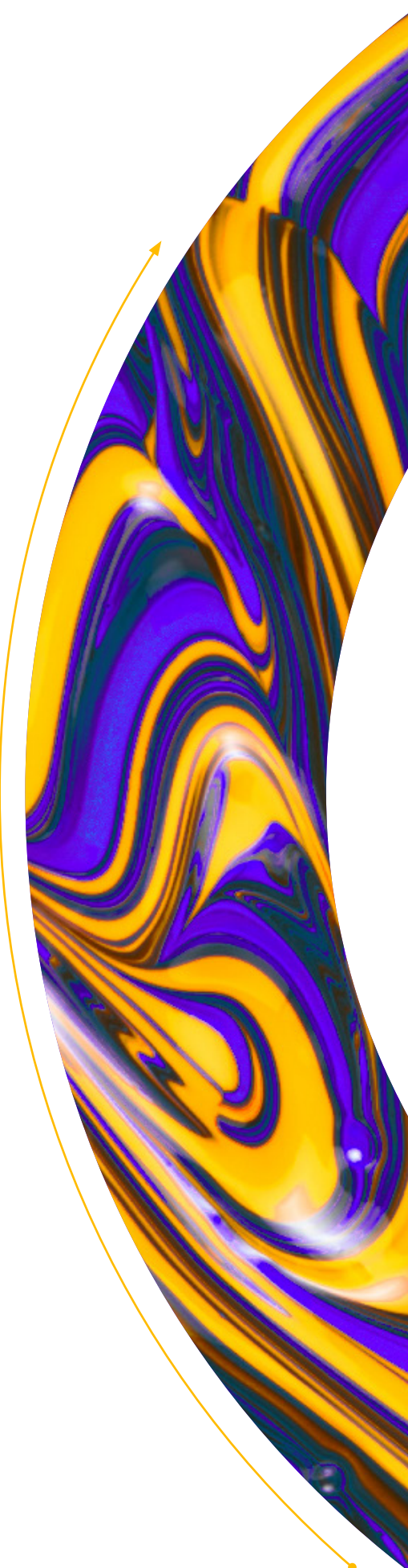
Madam President,

We are witnessing a situation where the IAAF through these regulations is using sports to discriminate against women with intersex variations and to reinforce harmful gender stereotypes. These stereotypes contribute to several other violations of women rights including their rights to health, privacy and to be free from torture.

The majority of athletes affected by the regulations are from the global south and for Africa these regulations remind us of the difficult and dark past of racial segregation.

Segregating women on the basis of intersex variations has the same effect as apartheid one of the international crimes against humanity. We reiterate that the regulations are not based on objective and reasonable criteria, and we fail to understand their justification under international human rights law as they further do not uphold the principle of non-discrimination between men and women. Men with upper testosterone levels are not subjected to the same criteria. The IAAF must revise its regulations and we restate the call of the Human Rights Council made in Resolution 40/5 for States to ensure that sports organizations do not develop and enforce “policies and practices that force, coerce or otherwise pressure women and girl athletes into undergoing unnecessary, humiliating and harmful medical procedures”.

I thank you Madam President.



# 2023 cross-regional joint statement on intersex human rights and list of co-sponsors

45th Human Rights Council  
General Debate Item 8

Mr President,

I have the honour to deliver this statement on behalf of Australia, Chile, South Africa, my own country Finland and a cross-regional group of 51 States.

The Vienna Declaration and Programme of Action (VDPA), which we commemorate the 30th anniversary thereof, states: “every person is born equal and has the same rights to life and welfare, education and work, living independently and active participation in all aspects of society”.

Intersex persons have innate variations of sex characteristics that differ from medical and social norms for female or male bodies. Two years ago, 53 States called for concrete measures to combat harmful practices, violence and discrimination based on sex characteristics. Furthermore, the UN, UN Special Procedures, regional entities, States and human rights defenders, including intersex human rights defenders have addressed specific human rights violations and abuses faced by intersex persons. It is time to step up these efforts.

Because their bodies are perceived as different, intersex persons, including children, face stigma, misconception and violence, such as forced, coercive, irreversible and non-vital medical interventions. These include so-called “normalising” surgeries that can have life-long negative impacts on their physical and mental health. These harmful practices should be urgently stopped. Human rights of intersex persons need to be respected, so that they can live free from violence, cruel, inhuman, or degrading treatment and harmful practices. The rights to the enjoyment of the highest attainable standard of physical and mental health and to physical and mental integrity are of particular importance.

We are concerned by cases of unnecessary pathologization of intersex variations. Intersex persons should be the only ones who decide whether they wish to modify the characteristics or function of their own

bodies. In the case of children, the views of the child should be given due weight in accordance with the age and maturity of the child. Medical protocols should be reviewed to ensure that they are based on the full, free and informed consent of the person concerned and be consistent with international human rights law.

Adequate, independent counselling and support to intersex persons, their families and communities, including information about alternatives and the impacts of medical interventions, is essential.

Sharing best practices from around the world, reviews of existing practices and protocols, in line with international human rights law, awareness raising and improved and consensual data collection can promote the right to the enjoyment of the highest attainable standard of physical and mental health for intersex persons.

We call on all States to increase efforts to combat violence, harmful practices and discrimination on the basis of sex characteristics, address their root causes, and implement protective laws and policies in close consultations with those affected, in order to ensure the full realization of human rights of intersex persons.

Thank you.

## List of signatories:

1 Albania	20 Finland	39 North Macedonia
2 Andorra	21 France	40 Norway
3 Argentina	22 Germany	41 Pakistan
4 Australia	23 Greece	42 Panama
5 Austria	24 Iceland	43 Peru
6 Belgium	25 India	44 Portugal
7 Bolivia	26 Ireland	45 Romania
8 Brazil	27 Israel	46 Sierra Leone
9 Canada	28 Kazakstan	47 Slovakia
10 Chile	29 Kenya	48 Slovenia
11 Colombia	30 Latvia	49 South Africa
12 Costa Rica	31 Lithuania	50 Spain
13 Croatia	32 Luxembourg	51 Sweden
14 Cyprus	33 Malta	52 The Netherlands
15 Czechia	34 Marshall Islands	53 Ukraine
16 Denmark	35 Mexico	54 United Kingdom
17 Ecuador	36 Montenegro	55 Uruguay
18 Estonia	37 Namibia	56 USA
19 Fiji	38 New Zealand	



# 2023 Joint civil society statement on intersex human rights

45th Human Rights Council  
General Debate Item 8

Mr President,

This statement is supported by 25 intersex-led organizations worldwide and another 95 LGBTI and human rights organizations. In the spirit of Item 8 and the universality of human rights stated by the (Vienna Declaration and Programme of Action) we would like to call the attention of this Council to the situation of the human rights of intersex persons.

We welcome the statement delivered by Finland, Chile, South Africa and Australia on behalf of more than 45 states.

In most countries, intersex children are routinely subjected to unnecessary medical treatments, surgeries, and other interventions without expressed personal free and informed consent due to stigma and misconceptions about their sex characteristics.

The impacts of these practices – and their framing as human rights violations and abuses – have been highlighted by several human rights mechanisms, including the UN Office of the High Commissioner for Human Rights, multiple UN treaty bodies, and UN Special Procedures. While there are legal developments across the globe, the majority of UN Member States are still falling behind in protecting this population.

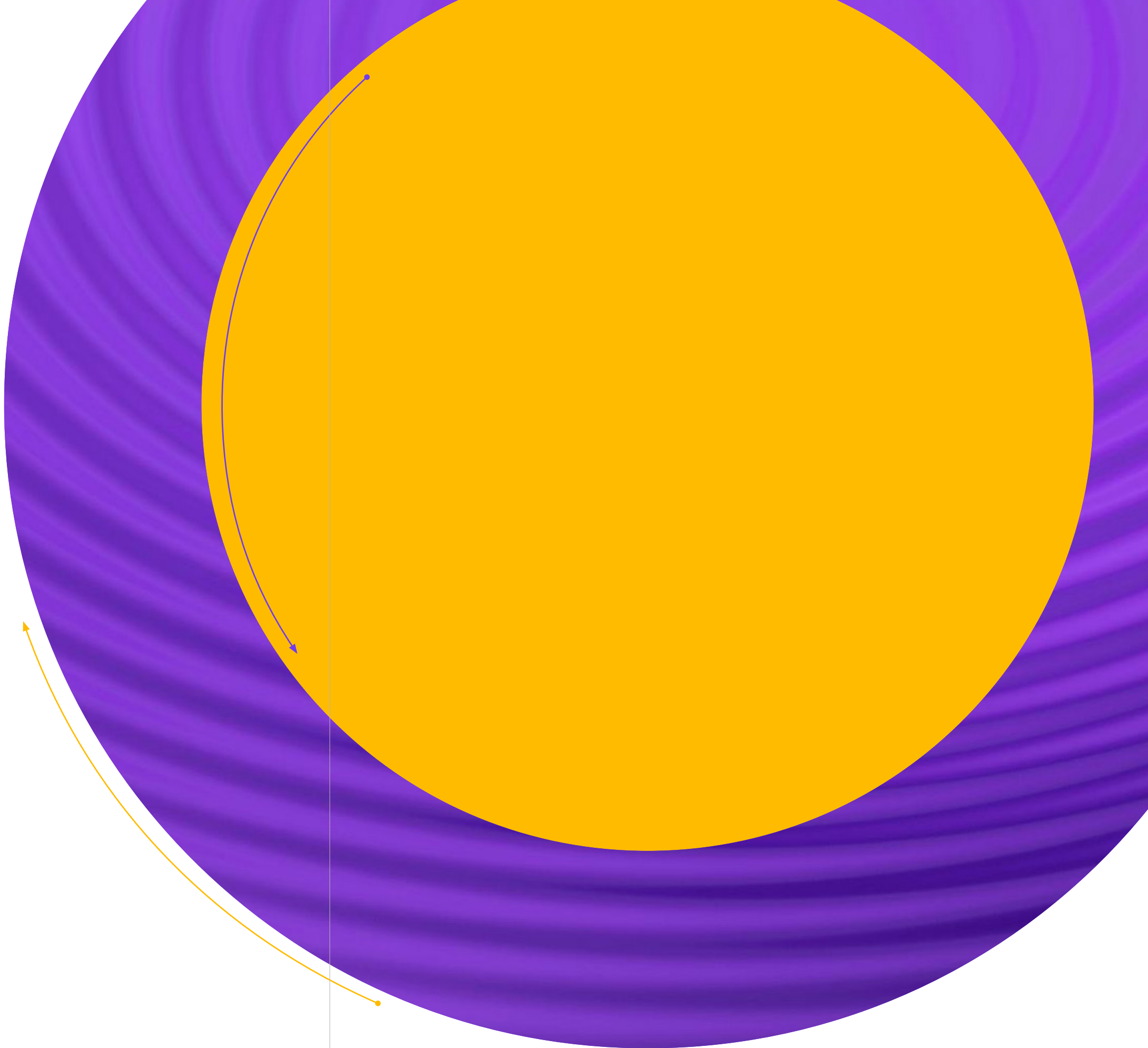
Mr. President,

To address these human rights violations we need further data and global action.

We call on members of this Human Rights Council to present and adopt a resolution requesting a study with recommendations and compilation of best practices on eliminating discrimination and violence, including harmful practices, against intersex persons. We believe this is a necessary step to ensure equal human rights protection for all persons, including those based on sex characteristics.

And we reiterate our call on States to ban non-vital, medically unnecessary surgeries, and other harmful interventions on persons with innate variations of sex characteristics.

Thank you, Mr. President.



# Intersex Human Rights

A report on the Human Rights Council Resolution 55/14 -  
Combating discrimination, violence and harmful practices  
against intersex persons

