



ASIAN INTERSEX STATEMENT 2023



**“ We Defend Intersex
Human Rights in Asia ”**



The Third Asian Intersex Forum, supported by the Intersex Human Rights Fund, took place in Bangkok, Thailand, on 25-26 October 2022. The Forum brought together 22 intersex people representing intersex organisations and communities from India, Indonesia, Nepal, Pakistan, Philippines, Taiwan, Thailand, Mongolia and Japan.

Intersex is an umbrella term used to describe a wide range of natural bodily variations. In some cases, intersex traits are visible at birth, while in others, they are not apparent until puberty. Some chromosomal intersex variations may not be physically apparent at all. Intersex people are born with variations of sex characteristics (such as genitals, reproductive organs, hormonal patterns, and/or chromosomal patterns) that are more diverse than stereotypical definitions of male or female bodies. Up to 1.7% of the global population is born with such traits; yet, because their bodies are seen as different, intersex children and adults are often stigmatized and subject to harmful practices – including in medical settings – and discriminated against.

Preamble

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We affirm that intersex people are real, and we exist in all regions and all countries around the world, including all countries of Asia. Thus, intersex people must be supported to be the drivers of social, political, economic and legislative changes that concern them.

We are intersex activists representing the diverse region of Asia, working together to end discrimination, violence, and harmful practices against intersex infants and adults as well as promoting the human rights of intersex people.

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Demands

1

Protecting Intersex People's bodily autonomy

- 1.To acknowledge intersex traits/variation as sex characteristics and not a disorder.
- 2.To ensure the bodily integrity and well-being of intersex people.
- 3.To ensure that psycho-social and peer support, which is non-pathologising and intersex-affirmative, is available to intersex people throughout their life (as self-required), as well as to parents and/or care providers.
- 4.To ensure the protection of intersex people's right to privacy and dignity while engaging with civil and social institutions, such as hospitals, educational institutions, immigration authorities and governmental bodies.
- 5.To provide compensation to the intersex people who were forced to undergo non-consensual and unnecessary medical interventions and are now facing health concerns.

Demands

2

Protecting intersex people from discrimination in all areas

- 1.To protect intersex people from discrimination by adding the ground of sex characteristics to anti-discrimination legislation(s) and to ensure protection against intersectional discrimination while engaging with civil and social institutions, such as hospitals, educational institutions, immigration authorities and governmental bodies. Also, laws allowing discrimination on the basis of sex characteristics shall be amended.
- 2.To remove the stigma from all the terms referring to intersex.
- 3.To ensure the usage of pronouns shall be given importance in communications, especially at educational institutions and workplaces, for the effective recognition of intersex persons.
- 4.To protect intersex people against discrimination in the workplace. Sexual harassment policies shall be made inclusive to protect intersex persons.
- 5.To ensure protection from harassment of intersex people during immigration and security checks at airports while travelling nationally or internationally.
- 6.To recognise intersex refugees' need against discrimination, violence and the appropriate intersex-affirmative psychosocial support.
- 7.To ensure equal and non-discriminatory legal protection for intersex people in marriage and adoption laws.

Demands

3

Access to intersex affirmative healthcare

- 1.To recognise that sexism, medicalisation, dehumanisation, and stigmatisation of intersex people results in significant trauma and mental health concerns.
- 2.To ensure adequate intersex-affirmative training of healthcare providers that have a specific role to play in ensuring intersex people's wellbeing.
- 3.To provide human rights-based guidelines to healthcare providers aimed at ensuring that the healthcare needs of intersex people during all kinds of examinations are addressed in a dignified and respectful manner including protecting their confidentiality.
- 4.To provide accessible and intersex affirmative healthcare that meets the physical and mental health needs and issues of intersex people.
- 5.To provide a list of intersex affirmative specialized departments for gender and sex characteristics or a list of specialized medical professionals in medical institutions at all levels, including State and sub-districts for convenient healthcare access to intersex people and their families.
- 6.To provide subsidized Universal Healthcare Insurance to intersex persons. Also, guidelines shall be made for private insurance providers to include health insurance policies for intersex persons.
- 7.To regulate an accessible and reasonable price for medical check-ups related to intersex traits or variations in private labs.
- 8.To ensure the availability of affordable medicines necessary for intersex people.
- 9.The government shall provide Universal Health Coverage for intersex persons, which shall cover both the diagnosis and treatments.

Demands

4

Inclusive Education

- 1.To include human rights-based intersex education in antenatal counselling and support.
- 2.To provide human rights-based education to empower intersex people and their families.
- 3.To provide comprehensive sexuality education at all levels that includes references to intersex people and their lived experiences in a dignified manner.
- 4.To update the basic sexuality education curriculum and make it inclusive with information related to intersex people and SOGIESC rights.
- 5.To implement effective training modules for educational institutions so as to ensure that teachers understand the terms 'gender identity' and 'sex characteristics' and the distinction between the two as well.
- 6.To update the curriculum in medical institutions to make it inclusive of the healthcare-related challenges of intersex people and SOGIESC rights.

5

Registration of intersex infants at birth

- 1.To provide separate uniform guidelines for the registration of intersex children without restricting the registration of intersex children as females or males, with the awareness that, like all people, they may grow up to identify with a different sex or gender.

Demands

6

Legal recognition of intersex characteristics in all areas

- 1.To ensure the provision of all human rights and citizenship rights to intersex people.
- 2.The government shall support, participate and stand with the statement released by the international forums for meeting the demands of intersex persons.
- 3.To make specific allocations in the financial budget of the Central and State Governments for the promotion and protection of the intersex community.
- 4.To recognise that being intersex relates to biological sex characteristics and is distinct from a person's sexual orientation or gender identity. An intersex person may have diverse sexual orientations and gender identities and may identify as man, woman or non-binary.
- 5.To ensure that legal sex or gender classifications are amendable through a simple administrative procedure at the request of the individuals concerned for free. All adults and capable minors should be able to choose between female (F), male (M), non-binary or multiple options. In the future, as with race or religion, sex or gender should not be a category on birth certificates or identification documents for anybody.
- 6.To end sex verification tests that violate the fundamental privacy and dignity of intersex people and ensure they are able to participate in competitive sports, at all levels, in accordance with their legal sex. Intersex athletes who have been humiliated or stripped of their titles should receive reparation and reinstatement.
- 7.To provide political representation to intersex people, including contesting elections at all levels and attending political events.
- 8.To recognise and protect intersectional diversities amongst intersex persons like Persons with Disabilities, socially and educationally backward sections and provide a mechanism to protect their unique needs.
- 9.Policies shall be made for migrant workers with intersex variations specifically to ensure the inclusion and protection of the intersex community.

Demands

7

Regulating the medical practices, procedures and medical practitioners

- 1.To put an end to mutilating and harmful practices such as 'normalising' genital surgeries, psychological and other medical interventions, including the administration of medication for gender selection through legislative and other means. Intersex people must be empowered to make their own decisions affecting their own bodily integrity, physical autonomy and self-determination.
- 2.To end unnecessary, unhealthy and harmful practices of medical examination of intersex persons and treat them with dignity.
- 3.To depathologise variations in sex characteristics in medical practices, guidelines, protocols and classifications, such as the World Health Organisation's International Classification of Diseases.
- 4.To put an end to preimplantation genetic diagnosis, pre-natal screening and interventions, and selective abortion of intersex fetuses.*
- 5.To provide human rights-based intersex inclusive information for people giving birth to learn about intersex infants and intersex experiences and offer them information for welcoming an intersex newborn.
- 6.To provide a regulatory mechanism for abortions, considering the protection of the human rights of intersex persons. It will help in ending the discrimination against intersex persons and bring an end to intersex infanticide.
- 7.To train the nurses and medical practitioners specifically to support and protect the bodily integrity of intersex infants.
- 8.To sensitize medical institutions about the physical and mental healthcare needs of intersex people, provide intersex-affirmative healthcare that meet the physical and mental health needs and issues of intersex people and hassle-free entry to intersex persons in the hospitals.

*We believe in the right of women to have access to abortion and adequate maternal healthcare. However, we strongly oppose attempts to abort intersex fetuses selectively.

Demands

8

Access to Justice and Redressal of grievances

- 1.To put an end to infanticide, abandonment and honour killings of intersex people via effective legislation and protection mechanisms.
- 2.To include intersex people in the laws regarding the protection from sexual violence and harassment, hate speech and other forms of discrimination such as sexism, ableism, patriarchy and racism.
- 3.To provide adequate acknowledgement of the suffering and injustice caused to intersex people in the past and provide adequate redress, reparation, access to justice and the right to truth.
- 4.To provide a safe mechanism to report intersex human rights violations and address the issues proactively.
- 5.To ensure that grievances or complaints of intersex persons shall be dealt with by the police without any discrimination and specific intersex protection policies shall be made to avoid any abuse of power by the police officials.

9

Data Collection: Addressing Research Gaps

- 1.To ensure that intersex people have the right to full information and access to their own medical records and history right from the stage of their birth.
- 2.To ensure accurate inclusion of intersex people in the official statistics collected by the government, including the national census. So intersex people are included in measures such as social welfare, social security, citizenship, urgent support, etc.
- 3.To provide a mechanism for collecting the data of intersex persons for effectuating the government schemes, social security, citizenship, etc.
- 4.To promote collaboration with educational and research agencies to fill the gaps in research and information related to issues of intersex people.

Demands

10

Sensitisation and awareness related to intersex issues

- 1.To raise awareness around intersex issues and the human rights of intersex people in communities and society at large.
- 2.To create and facilitate supportive, safe and celebratory environments for intersex people, their families and their surroundings.
- 3.To ensure that all key stakeholders that have a specific role to play in intersex people's well-being, such as, but not limited to, healthcare providers, parents and professionals working in the area of education, as well as society in general, are instructed on intersex issues from a human rights perspective.
- 4.To sensitize government officials, including politicians, with the understanding of intersex persons so that they shall use correct terminologies during law-making processes.
- 5.To ensure that intersex organisations and intersex peer support groups are recognised, resourced and strengthened in a sustainable manner.
- 6.To provide human rights-based intersex awareness amongst the media persons, and ensure accurate representation of intersex people in the media.
- 7.To increase human rights-based intersex representation by encouraging the production of short movies and web series related to the lives of intersex persons to create general awareness.
- 8.To sensitize the LGBTQ+ community to understand the meaning of people with intersex variations.

Demands

11

Property and Inheritance Rights

- 1.To end practices that force normalising surgeries on intersex children to be male as a requirement for inheritance.
- 2.To ensure that the right to inheritance of intersex people is not denied on the grounds of infertility.

12

Inclusion of Intersex people in Emergency Policy Response

- 1.To ensure that the emergency response mechanisms and policies are inclusive of intersex persons and problems. For instance, specific measures should have been taken to address the problems of intersex persons during COVID-19.
- 2.To ensure that intersex people are included in the disaster response programs.

Call for Actions

In view of the above, the Asian Intersex Movement calls on:

Human Rights Institutions

International, regional and national human rights institutions to take on board and provide visibility to intersex issues in their work.

At Government level

1. National governments to address the concerns raised by the Asian Intersex Movement and draw adequate solutions in direct collaboration with intersex representatives and organisations.
2. National governments to stop harmful practices, such as intersex genital mutilation, unconsented corrective surgery, infanticide and honour killings of intersex people.

At Non-Governmental Organisations or other agencies

1. Media agencies and sources ensure intersex people's right to privacy, dignity, and accurate and ethical representation.
2. Community leaders to engage in intersex education to dispel misconceptions and stigma around intersex people.
3. Funders to engage with intersex organisations and support them in the struggle for visibility, increase their capacity, the building of knowledge and the affirmation of their human rights.
4. Human rights organisations contribute to building bridges with intersex organisations and build a basis for mutual support and meaningful engagement. This should be done in a spirit of collaboration, and no one should instrumentalise intersex issues as a means for other ends.

For more information, please contact:

Hiker Chiu,
Executive Director of Intersex Asia, hiker@intersexasia.org

Prashant Singh,
Researcher & UN Advocacy Officer of Intersex Asia, prashant@intersexasia.org

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 <https://www.intersexasia.org>

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