

54th Human Rights Council

General Debate Item 8

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

Mr. President,

1. 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 XXXXX States.
2. 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”.
3. 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.
4. 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.
5. 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.

6. Adequate, independent counselling and support to intersex persons, their families and communities, including information about alternatives and the impacts of medical interventions, is essential.
7. 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.
8. 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.