

EUROPEAN UNION

RESOLUTION on the Rights of Intersex People

On February, 14th 2019 the European Parliament adopted a landmark Resolution on the Rights of Intersex People. **The resolution sets a clear standard within the European Union for the protection of intersex people's bodily integrity and human rights.**

DATA COLLECTION EC: Eurobarometer

In 2019 **for the first time the European Commission included intersex people in the "Eurobarometer on Discrimination 2019: The social acceptance of LGBTI people in the EU"** as part of the special Eurobarometer on Discrimination in the EU.

THE NETHERLANDS

LEGAL PROTECTION

Since 2019 intersex people are protected against discrimination in the Netherlands. The amended **General Equal Treatment Act** states that people may not be discriminated against **on the grounds of their sex characteristics**, gender identity and gender expression.

GERMANY

AWARENESS RAISING

The German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) **provides an LGBTI portal including intersex issues**, the Regenbogenportal (Rainbow Web Portal).

FINLAND

RESEARCH

The 2019 **qualitative study "No information or options. Study on the rights and experiences of intersex persons"** brings to light life experiences of intersex people living in Finland.

LUXEMBOURG

CAMPAIGN

The Ministry of Family Affairs, Integration and the Greater Region **created a campaign on LGBTI**.

MALTA

FUNDING

Malta is the first government to fund a regional intersex organisation and one of the few governments that fund intersex-led organisations at all.

SWITZERLAND

MUNICIPAL ACTION

The city of Bern adopted the Actionplan 2019-2022: **Measures for the equality of LGBTIQ** and works closely and continuously with a Swiss intersex-led organisation to plan regular events and make intersex persons visible in the society.

RESEARCH

Finland

The 2019 qualitative study “No information or options. Study on the rights and experiences of intersex persons” brings to light life experiences of intersex people living in Finland. It was commissioned by the Ministry of Justice and the Ministry for Foreign Affairs of Finland as part of the implementation of the National Action Plan on Fundamental and Human Rights.

The study examines the experiences of intersex persons and the parents of intersex children in the Finnish healthcare system and society, the kind of health-care information and support currently available to them and the gaps intersex people and families have identified. The study

- ▶ is a strongly participatory study
- ▶ was conducted with ongoing consultation of intersex-led groups and organisations
- ▶ bases its findings on an assessment of actual health-care needs of intersex people and their families
- ▶ was conducted within a sociological instead of a medical framework
- ▶ has a human rights baseline and perspective
- ▶ includes and discusses good practices from other countries
- ▶ provides recommendations on how to implement intersex human rights in Finland.

FUNDING

Malta

Malta is the first government to fund a regional intersex organisation and one of the few governments that fund intersex-led organisations at all. The grant is part of the ‘pledge for financial support’ by donor governments Cyprus, Ireland, Malta, the Netherlands & Norway to representatives of governmental and civil society networks and will be renewed in 2021 and 2022.

The grant is tailored to intersex organisation’s needs by

- ▶ being core/operational funding
- ▶ being a multi-annual grant
- ▶ allowing for flexibility and rapid-response reallocation of funds
- ▶ acknowledging and highlighting the importance of intersex human rights work in Europe

Who else: The Dutch government provides a national, intersex led organisation with sustainable funding with grants of 5 and 3-year duration. This funding enables NNID to employ 5 staff members and to work on a national and international programme. A sixth team member will be hired in 2020.

LEGAL PROTECTION

The Netherlands

Since 2019 intersex people are protected against discrimination on the grounds of sex characteristics in the Netherlands. The amended General Equal Treatment Act protects people against discrimination at work, in education, in housing, and in (social) services. Apart from going to court,

- ▶ individuals can lodge complaints with the Netherlands Institute for Human Rights, which allows for a more low-threshold accessibility.

As of 2019, seven CoE Member States offer explicit protection on the ground of sex characteristics. These developments show a clear increase of awareness

- ▶ about the need to legally protect intersex people against discrimination
- ▶ about the necessity to protect intersex people in all areas of life
- ▶ that the protection of intersex people in existing anti-discrimination legislation must be explicit, not implicit
- ▶ that the ground of “sex characteristics” is the most adequate ground to protect intersex people in Europe

Who else: Malta and Finland (since 2015), Bosnia and Herzegovina (since 2016) and Montenegro (since 2017) offer comprehensive legal protection against discrimination, including in the health sector on the grounds of sex characteristics; Greece (since 2016) and Portugal (since 2018) offer partial legal protection against discrimination.

AWARENESS RAISING

Germany

The German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) provides an LGBTI portal including intersex issues, the *Regenbogenportal* (Rainbow Web Portal). It offers support to LGBTI people, as well as their friends and relatives and professionals working with people of diverse gender identities, sexual orientations and sex characteristics.

The articles

- ▶ are written in clear language
- ▶ give overviews on major intersex topics, e.g. what it means being intersex, having an intersex child, or the violation of intersex people in the health system.
- ▶ are written or proof-read by intersex people
- ▶ offer information about the portal as well as a glossary in six languages, incl. Easy Language, and Sign Language

LINK:

<https://www.regenbogenportal.de>

CAMPAIGN

Luxembourg

The Ministry of Family Affairs, Integration and the Greater Region created a campaign on LGBTI. As part of this campaign the Ministry

- ▶ published intersex inclusive and relevant poster and information material
- ▶ sent out the information material to all Ministry partners
- ▶ set up a sub-website providing a reference list with policy documents, useful links, and videos based on a human rights perspective
- ▶ provides information for parents
- ▶ offers information in Easy Language

LINK:

<https://intersex.lu>

MUNICIPAL ACTION

Switzerland

The city of Bern adopted the Actionplan 2019-2022: Measures for the equality of LGBTIQ. The plan

- ▶ provides a better integration of intersex persons (also lesbian, gay, bisexual, trans persons) in the labour market
- ▶ explicitly emphasizes that intersex people should know that they are welcome in the city administration in their individuality already at the time of their application

The City of Bern also

- ▶ works closely and continuously with a Swiss intersex-led organisation to plan regular events and make intersex persons visible in the society.

RESOLUTION

European Union

EU Parliament: Resolution 2019

On February, 14th 2019 the European Parliament adopted a landmark ‘Resolution on the Rights of Intersex People’. The resolution sets a clear standard within the European Union for the protection of intersex people’s bodily integrity and human rights. It complements the ground-breaking 2017 intersex resolution ‘Promoting the human rights of and eliminating discrimination against intersex people’ adopted by the Parliamentary Assembly of the Council of Europe.

In its resolution, the European Parliament “strongly condemns sex-normalising treatments and surgery” and encourages Member States to adopt legislations that protect the bodily integrity of intersex people “as soon as possible”. It also confirms that intersex people are “exposed to multiple instances of violence and discrimination in the European Union” and calls on the European Commission and the Members States to propose legislation to address these issues.

Other issues addressed by the resolution include the need of adequate counselling and support for intersex people and their families, measures to end the stigma and pathologisation intersex people face and increased funding for intersex-led civil society organisations.

Who else: PACE Resolution from 2017 Resolution 2191 (2017) “Promoting the human rights of and eliminating discrimination against intersex people”

LINK:

https://www.europarl.europa.eu/doceo/document/TA-8-2019-0128_EN.pdf

DATA COLLECTION

European Union

EC: Eurobarometer

In 2019 for the first time the European Commission included intersex people in the “Eurobarometer on Discrimination 2019: The social acceptance of LGBTI people in the EU” as part of the special Eurobarometer on Discrimination in the EU. Being included in Eurobarometer is a very important step for the social recognition of intersex people, since it

- ▶ is a long-term tracking survey focused on perceptions, attitudes and opinions of the society
- ▶ provides valuable information about public awareness of and attitudes regarding intersex people
- ▶ covers such areas as discrimination, work, romantic relationships, political elections and inclusion of intersex in the school curriculum
- ▶ gives EU member states information about the areas they need to improve regarding social acceptance and education
- ▶ shows differences between societal attitudes in different countries
- ▶ will help the intersex movement monitor the changes in societal attitudes regarding intersex people
- ▶ establishes the existence of intersex people in all areas of life
- ▶ is an important example of the mainstreaming of intersex at the EU level, that should be adopted at national level