

United Nations Treaty Body recommendations

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CRC - Committee on the Rights of the Child

Abbreviation + session no.	Year	Country	Quote/Excerpt	Link
CRC/C/BGR/CO/6-7	2024	Bulgaria	<p>Harmful practices</p> <p>27. The Committee welcomes the amendment of the Family Code to remove exceptions to the age of marriage of 18 years, but remains concerned about the persistence of child marriages and cases where children ' s marriages were authorized by a judge. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party :</p> <p>(b) Ensure that the performance of unnecessary medical or surgical treatment on intersex children is safely deferred until children are able to provide their informed consent , that incidents of unnecessary medical or surgical treatment of intersex children are investigated, and that victims receive redress and psychosocial support;</p> <p>(c) Train medical and psychological professionals on sexual , biological and physical diversity and on the consequences of unnecessary surgical and other medical</p>	link

			interventions for intersex children .	
CRC/C/ZAF/CO/3-6	2024	South Africa	<p>Harmful practices</p> <p>27. The Committee remains concerned about the harmful practices carried out on children in the State party, including the abduction of girls for the purpose of forced marriage (ukuthwala), child and forced marriage, so-called “ virginity testing ” , witchcraft, violent or harmful initiation rites , and female genital mutilation . Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices , and taking note of target 5.3 of the Sustainable Development Goals, the Committee recalls its previous recommendations and urges the State party;</p> <p>(h) To ensure that intersex children are not subjected to early unnecessary medical or surgical treatment, and to provide adequate counselling to intersex children and their parents, in line with the rights of the child to bodily integrity, autonomy and self-determination as they reach the age and maturity to consent to interventions.</p>	link
CRC/C/LIE/CO/3-4	2023	Liechtenstein	<p>Harmful Practices</p> <p>24.b) Ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to the children concerned and provide families with intersex children with adequate counselling and support;</p> <p>c) Educate and train medical and psychological professionals on sexual diversity, and related biological and physical diversity, and on the consequences of unnecessary surgical and other medical interventions for intersex children.</p>	link
CRC/C/FIN/CO/5-6	2023	Finland	<p>Harmful Practices</p> <p>24. Recalling joint general recommendation No. 31</p>	link

			<p>of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:</p> <p>(a) Ensure that the performance of unnecessary medical or surgical treatment on intersex children is safely deferred until the children are able to provide their informed consent, and provide adequate social, medical and psychological services, counselling and support for intersex children and their families;</p> <p>(b) Provide reparations and support to intersex children who received unnecessary medical or surgical treatment, including irreversible medical interventions, sometimes without their consent, by ensuring that their access to justice is not hindered by any statute of limitations;</p>	
CRC/C/FRA/CO/6-7	2023	France	<p>Harmful Practices</p> <p>24 (b) Provide adequate social, medical and psychological services, counselling and support to intersex children and their families and ensure that children ' s consent is sought, to the greatest extent possible, in decision-making regarding their treatment and care and that no child is subjected to unnecessary surgery or treatment;</p> <p>(c) Educate and train medical and psychological professionals on sexual and related biological and physical diversity and on the consequences of unnecessary surgical and other medical interventions on intersex children.</p>	link
CRC/C/GBR/CO/6-7	2023	United Kingdom	<p>Harmful Practices</p> <p>35(d) Legally prohibit non-urgent and non-essential (including feminizing or masculinizing) medical or surgical treatment of intersex children before they are of sufficient age or maturity to make their own decisions, ensure that such incidents are investigated, provide redress and psychosocial support to</p>	link

			victims and establish a mechanism to independently monitor the implementation of the legal prohibition.	
CRC/C/SWE/CO/6-7	2023	Sweden	<p>Harmful Practices</p> <p>27 (c)Ensure that the performance of unnecessary medical or surgical treatment on intersex children is safely deferred until children are able to provide their informed consent, and provide adequate social, medical and psychological services, counselling and support for intersex children and their families;</p> <p>(d) Provide reparations and support for intersex children who received unnecessary medical or surgical treatment, including by ensuring that their access to justice is not hindered by any statute of limitations.</p>	link
CRC/C/IRL/CO/5-6	2023	Ireland	<p>Basic Health & Welfare Health & Health Services</p> <p>30 (g) Provide adequate social, medical and psychological services, counselling and support to intersex children and their families.</p>	link
CRC/C/MKD/CO/3-6	2022	North Macedonia	<p>Harmful Practices</p> <p>26 (b) Not subject intersex children to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination, provide redress to victims of such treatment, including appropriate compensation, and provide adequate social, medical and psychological services, counselling and support to intersex children and their families</p>	link
CRC/C/NLD/CO/5-6	2022	The Netherlands	<p>Harmful Practices</p> <p>23 (a) Prohibit the performance of unnecessary medical or surgical treatment on intersex children where those procedures may be safely deferred until children are able to provide their informed consent, and provide reparations for children who received unnecessary treatment;</p> <p>(b) Provide adequate social, medical and</p>	link

			psychological services, counselling and support to intersex children and their families;	
CRC/C/CHL/CO/6-7	2022	Chile	<p>Harmful Practices</p> <p>22. While noting steps taken regarding the eradication of harmful treatment of intersex children, the Committee recommends that the State party:</p> <p>(a) Ensure that intersex children are not subjected to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination;</p> <p>(b) Investigate incidents of surgical and other medical treatment of intersex children without informed consent and provide redress to victims of such treatment, including appropriate compensation.</p>	link
CRC/C/HRV/CO/5-6	2022	Croatia	<p>Harmful Practices</p> <p>b) Ensure that intersex children are not subjected to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination ;</p> <p>(c) Investigate incidents of surgical and other medical treatment of intersex children without informed consent , and provide redress to victims of such treatment, including appropriate compensation.</p>	link
CRC/C/CAN/CO/5-6	2022	Canada	<p>Harmful Practices</p> <p>29. In the light of the reports that Canadian legislation allows for unnecessary medical interventions and surgical treatment on intersex children, the Committee recommends that the State party:</p> <p>(a) Amend its legislation, in particular section 268 (3) of the Criminal Code, to ensure that</p>	link

			<p>intersex children are not subjected to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination, and initiate a national consultation with intersex persons, including children, to inform amendments to the Criminal Code to prohibit non-consensual and medically unnecessary surgeries on intersex children;</p> <p>(b) Undertake investigations of incidents of surgical and other medical treatment of intersex children without their informed consent and adopt legal provisions in order to provide redress to the victims of such treatment, including adequate compensation;</p> <p>(c) Educate and train medical and psychological professionals on the range of sexual diversity, and the related biological and physical diversity, and on the consequences of unnecessary surgical and other medical interventions for intersex children.</p>	
CRC/C/CYP/CO/5-6	2022	Cyprus	<p>Harmful Practices</p> <p>25. (b) Ensure that no child, including intersex children, is subjected to unnecessary medical or surgical treatment during childhood, in line with the rights of children to bodily integrity, autonomy and self-determination, and provide social, medical and psychological services, as well as adequate counselling, support and reparations, to intersex children and families with intersex children.</p>	link
CRC/C/ISL/CO/5-6	2022	Iceland	<p>Harmful Practices</p> <p>26. (b) Ensure that the performance of unnecessary medical or surgical treatment on intersex children is safely deferred until children are able to provide their informed consent, in line with the prohibition of such procedures under the Act on Gender Autonomy, and provide reparations for children who received unnecessary treatment;</p> <p>(c) Provide adequate social, medical and psychological services, counselling and</p>	link

			support to intersex children and their families.	
CRC/C/ZMB/CO/5-7	2022	Zambia	<p>Harmful Practices</p> <p>25. (c) Ensure that intersex children are not subjected to unnecessary medical or surgical treatment without their consent, in line with the rights of the child to bodily integrity, autonomy and self-determination, and that victims of such treatment have access to justice, reparation and indemnity.</p>	link
CRC/C/GRC/CO/4-6	2022	Greece	<p>Harmful Practices</p> <p>28 (c) Ensure that no child, including intersex children, is subjected to unnecessary medical or surgical treatment during childhood, and provide social, medical and psychological services, as well as adequate counselling, support and reparations, to intersex children and their families.</p>	link
CRC/C/TUN/CO/4-6	2021	Tunisia	<p>Harmful Practices</p> <p>26. (a) Ensure that intersex children are not subjected to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination;</p> <p>(b) Provide social, medical and psychological services, where necessary, as well as adequate counselling, support and reparations, to families with intersex children.</p>	link
CRC/C/CZE/CO/5-6	2021	Czechia	<p>Harmful Practices</p> <p>28. (b) Ensure that no child , including intersex children, is subjected to unnecessary medical or surgical treatment during childhood, in line with the rights of children to bodily integrity, autonomy and self-determination, and provide social, medical and psychological services, as well as adequate counselling, support and reparations, to intersex children and families with intersex children;</p> <p>(c) Adopt the draft law to compensate children who are victims of forced sterilization .</p>	link

CRC/C/LUX/CO/5-6	2021	Luxembourg	<p>Harmful Practices: 19. While welcoming the Act of 10 August 2018 on changes of sex designation and forename(s) in civil status records, and the first National Plan of Action to Promote the Rights of Lesbian, Gay, Bisexual, Transgender and Intersex Persons, adopted in 2018, the Committee recommends that the State party ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to intersex children, and provide families with intersex children with adequate counselling and support.</p> <p>Best Interest of the Child: 13. The Committee welcomes the fact that the right of the child to have his or her best interests taken as a primary consideration is routinely invoked in the State party. Nevertheless, with reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party strengthen its efforts to ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions as well as in all policies, programmes and projects that are relevant to and have an impact on children, in particular with regard to unaccompanied children, children deprived of a family environment, intersex children and children with disabilities. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration.</p>	link
CRC/C/CHE/CO/5-6	2021	Switzerland	<p>Harmful Practices:</p> <p>29(b) Prohibit the performance of unnecessary medical or surgical treatment on intersex children where those procedures may be safely deferred until children are able to provide their informed consent;</p>	link

			(c) Provide social, medical and psychological services, as well as adequate counselling, support and reparations, to families with intersex children;	
CRC/C/AUT/CO/5-6	2020	Austria	<p>Harmful Practices:</p> <p>27 (a) Prohibit the performance of unnecessary medical or surgical treatment on intersex children where those procedures may be safely deferred until children are able to provide their informed consent;</p> <p>(b) Gather data with a view to understanding the extent of instances of unnecessary medical or surgical treatment performed on intersex children, which constitute a harmful practice, so that children at risk can be more easily identified and their abuse prevented;</p>	link
CRC/C/ITA/CO/5-6	2019	Italy	<p>Harmful Practices:</p> <p>23. (a) Develop and implement a child rights-based health-care protocol for intersex children, setting the procedures and steps to be followed by health teams, ensuring that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to children concerned, and provide families with intersex children with adequate counselling and support;</p> <p>(b) Educate and train medical and psychological professionals on the range of sexual, and related biological and physical, diversity and on the consequences of unnecessary surgical and other medical interventions for intersex children.</p>	link
CRC/C/PRT/CO/5-6	2019	Portugal	<p>Harmful Practices</p> <p>28 (b) Continue to implement measures, including legal and administrative measures, to guarantee that no child, including intersex children, is subjected to unnecessary medical or surgical treatment during infancy or childhood, in line with the rights of children to bodily integrity, autonomy and</p>	link

			self-determination, and provide social, medical and psychological services, where necessary, as well as adequate counselling, support and reparations to families with intersex children.	
CRC/C/BEL/CO/5-6	2019	Belgium	<p>Harmful practices</p> <p>25. The Committee notes with concern that:</p> <p>(b) Intersex children are subjected to medically unnecessary surgeries and other procedures.</p> <p>26. With reference to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, and taking into account target 5.3 of the Sustainable Development Goals, the Committee urges the State party:</p> <p>(e) To prohibit the performance of unnecessary medical or surgical treatment on intersex children where those procedures may be safely deferred until children are able to provide their informed consent; and ensure that intersex children and their families have access to adequate counselling and support and to effective remedies, including by lifting the relevant statute of limitations.</p>	link
CRC/C/AUS/CO/5-6	2019	Australia	<p>Harmful Practices:</p> <p>31 (b) To enact legislation explicitly prohibiting coerced sterilisation or unnecessary medical or surgical treatment, guaranteeing the bodily integrity and autonomy of intersex children and providing adequate support and counselling to families of intersex children.</p>	link
CRC/C/MLT/CO/3-6	2019	Malta	<p>Harmful Practices</p> <p>28. While welcoming the State party's efforts to eliminate harmful practices against children, including the amendment to article 251 of the Criminal Code that criminalizes female genital mutilation, forced sterilization and forced marriage, and the adoption of the Gender Identity, Gender Expression and Sex Characteristics Act which provides for the recognition of gender identity on</p>	link

			<p>the basis of a person's self-identification rather than harmful medical and surgical requirements, the Committee remains concerned:</p> <p>(b) That there are cases of intersex children who have allegedly been subjected to surgical and other procedures, which were medically unnecessary, without their consent to such procedures, which often entail irreversible consequences and can cause severe physical and psychological suffering; and at the lack of redress and compensation in such cases</p> <p>29. With reference to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, and taking note of target 5.3 of the Sustainable Development Goals, the Committee urges the State party to:</p> <p>(d) Ensure that intersex children are not subjected to unnecessary medical or surgical procedures during infancy or childhood, and guarantee the bodily integrity, autonomy and self-determination of the children concerned, and provide families with intersex children with adequate counselling and support;</p> <p>(e) Investigate effectively incidents of surgical and other medical treatment of intersex children without informed consent and provide redress to victims of such treatment, including adequate compensation and rehabilitation.</p>	
CRC/C/ARG/CO/5-6	2018	Argentina	<p>Harmful Practices</p> <p>26. The Committee recommends that the State party develop and implement a rights-based health-care protocol for intersex children, ensuring that no child is subjected to unnecessary surgery or treatment and that children are involved, to the greatest extent possible, in decision-making about their treatment and care. Families with intersex children should be provided with adequate counselling and support.</p>	link
CRC/C/ESP/CO/5-6	2018	Spain	<p>Harmful Practices</p>	link

			<p>24. The Committee recommends that the State party prohibit the performance of unnecessary medical or surgical treatment on intersex children, where those procedures entail a risk of harm and can be safely deferred until the child can actively participate in the decision-making process. It also recommends that the State party ensure that intersex children and their families receive adequate counselling and support.</p>	
CRC/C/DNK/CO/5	2017	Denmark	<p>Harmful Practices</p> <p>24. In view of ongoing surgical interventions on intersex children, the Committee recommends that the State party:</p> <p>(a) Ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination for the children concerned and provide families with intersex children with adequate counselling and support;</p> <p>(b) Develop and implement a child rights-based health-care protocol for intersex children, setting out the procedures and steps to be followed by health teams;</p> <p>(c) Undertake investigation of incidents of surgical and other medical treatment of intersex children without informed consent and adopt legal provisions in order to provide redress to the child victims of such treatment, including adequate compensation;</p> <p>(d) Educate and train medical and psychological professionals on the range of sexual and related biological and physical diversity and on the consequences of unnecessary surgical and other medical interventions for intersex children.</p>	link
CRC/C/KEN/CO/3-5	2016	Kenya	<p>Birth registration & nationality:</p> <p>29. The Committee welcomes the adoption of the Citizenship and Immigration Act (2011) which provides for Kenyan nationality for all children born</p>	link

			<p>in the State party and recognizes the equal right of women and men to transmit Kenyan nationality to their children, as well as the substantial increase in the number of birth registrations. Nevertheless, the Committee is concerned that:</p> <p>(c) Some groups of children, such as refugee children, children of Nubian descent, Makonde children, indigenous Somali children in Kenya, children with mothers in custody and intersex children, face difficulty in obtaining birth registration;</p>	
CRC/C/NPL/CO/3-5	2016	Nepal	<p>Harmful Practices</p> <p>41. The Committee welcomes the positive steps taken by the State party towards the recognition of lesbian, gay, bisexual, transgender and intersex rights, including the reference to “gender and sexual minority” in the grounds for discrimination that are prohibited under article 18 of the new Constitution (right to equality) and the recent addition to identity documents of a third gender category recognizing genders other than “male” and “female”. However, the Committee remains concerned about:</p> <p>(a) Lack of awareness of issues related to intersex children in Nepal and the high levels of stigma and discrimination faced by intersex children;</p> <p>(b) Challenges faced by intersex children in accessing identity documents that correspond with the sex/gender identity of their choosing;</p> <p>(c) Cases of medically unnecessary surgeries and other procedures on intersex children before they are able to provide their informed consent, which often entail irreversible consequences and can cause severe physical and psychological suffering, and the lack of redress and compensation in such cases.</p> <p>42. The Committee recommends that the State party:</p> <p>(a) Conduct awareness-raising campaigns to combat stigmatization of and discrimination against intersex children;</p> <p>(b) Ensure that intersex children have access</p>	link

			<p>to identity documents that correspond with the sex/gender identity of their choosing;</p> <p>(c) Ensure that no child is subjected to unnecessary medical or surgical treatment; guarantee bodily integrity, autonomy and self-determination to the children concerned; and provide families with intersex children with adequate counselling and support;</p> <p>(d) Undertake investigations of incidents of surgical and other medical treatment of intersex children without informed consent and adopt legal provisions in order to provide redress to the victims of such treatment, including reparation and/or adequate compensation;</p> <p>(e) Educate and train medical and psychological professionals on the range of sexual, and related biological and physical, diversity and on the consequences of unnecessary surgical and other medical interventions for intersex children.</p>	
CRC/C/NZL/CO/5	2016	New Zealand	<p>Harmful Practices</p> <p>While welcoming the adoption of a new provision of criminal law prohibiting genital mutilation, the Committee is deeply concerned at:</p> <p>(b) Cases of medically unnecessary surgical and other procedures on intersex children, without their informed consent, which often entail irreversible consequences and can cause severe physical and psychological suffering, and the lack of redress and compensation in such cases.</p> <p>The Committee draws the attention of the State party to the joint recommendation/general comment No. 31 of the Committee on the Elimination of Discrimination against Women and No. 18 of the Committee on the Rights of the Child on harmful practices (2014), and urges the State party to:</p> <p>(b) In line with the recommendations of the National Advisory Commission on Biomedical Ethics on ethical issues relating to intersexuality , ensure that no one is subjected</p>	link

			<p>to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to the children concerned, and provide families with intersex children with adequate counselling and support.</p>	
CRC/C/ZAF/CO/2	2016	South Africa	<p>Harmful Practices</p> <p>39. The Committee is concerned at the high prevalence of harmful practices in the State party, which include child and forced marriage, virginity testing, witchcraft, female genital mutilation, polygamy, violent or harmful initiation rites and intersex genital mutilation. The Committee is also concerned that, although the practice of <i>ukuthwala</i> involving children is considered an “abuse of <i>ukuthwala</i>” and is a crime, as the State party noted during the dialogue, this practice still exists.</p> <p>40. In the light of its general comment No. 18 (2014) on harmful practices, adopted jointly with the Committee on the Elimination of Discrimination against Women, the Committee urges the State party to:</p> <p>d) Guarantee the bodily integrity, autonomy and self-determination of all children, including intersex children, by avoiding unnecessary medical or surgical treatment during infancy and childhood;</p>	link
CRC/C/GBR/CO/5	2016	United Kingdom	<p>Harmful Practices</p> <p>46. The Committee welcomes the enactment of the Serious Crime Act (2015) in England and Wales, which enables the courts to issue protection orders to protect potential or actual child victims of female genital mutilation. However the Committee is concerned at:</p> <p>(b) Cases of medically unnecessary surgeries and other procedures on intersex children before they are able to provide their informed consent, which often entail irreversible consequences and can cause severe physical and psychological suffering, and the lack of redress and compensation in such cases.</p> <p>47. With reference to its general comment No. 18 (2014) on harmful practices, the Committee</p>	link

			<p>recommends that the State party:</p> <p>(c) Ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to children concerned and provide families with intersex children with adequate counselling and support;</p> <p>(d) Provide redress to the victims of such treatment;</p> <p>(e) Educate medical and psychological professionals on the range of sexual, and related biological and physical diversity and on the consequences of unnecessary interventions for intersex children.</p>	
CRC/C/IRL/CO3-4	2016	Ireland	<p>Harmful Practices</p> <p>9. The Committee notes as positive the adoption of the Gender Recognition Act 2015 by the State party. It remains concerned, however, about cases of medically unnecessary surgeries and other procedures on intersex children before they are able to provide their informed consent, which often entail irreversible consequences and can cause severe physical and psychological suffering, and the lack of redress and compensation in such cases.</p> <p>40. The Committee recommends that the State party:</p> <p>(a) Ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to children concerned, and provide families with intersex children with adequate counselling and support;</p> <p>(b) Undertake investigation of incidents of surgical and other medical treatment of intersex children without informed consent and adopt legal provisions in order to provide redress to the victims of such treatment, including adequate compensation;</p> <p>(c) Educate and train medical and</p>	link

			<p>psychological professionals on the range of sexual, and related biological and physical, diversity and on the consequences of unnecessary surgical and other medical interventions for intersex children.</p>	
CRC/C/FRA/CO/5	2016	France	<p>Harmful Practices</p> <p>47. While noting with appreciation the progress made by the State party in eradicating female genital mutilation, the Committee is nevertheless concerned by the many young girls still at risk and the possible resurgence of the phenomenon. The Committee is also concerned that medically unnecessary and irreversible surgery and other treatment are routinely performed on intersex children.</p> <p>48. Recalling the joint general recommendation/general comment No. 31 of the Committee on the Elimination of Discrimination against Women and No. 18 of the Committee on the Rights of the Child on harmful practices , the Committee recommends that the State party gather data with a view to understanding the extent of these harmful practices so that children at risk can be more easily identified and their abuse prevented. It recommends that the State party:</p> <p>(b) Develop and implement a rights-based health - care protocol for intersex children, ensuring that children and their parents are appropriately informed of all options ; that children are involved, to the greatest extent possible , in decision-making about their treatment and care ; and that no child is subjected to unnecessary surgery or treatment.</p>	link
CRC/C/CHL/CO/4-5	2015	Chile	<p>Harmful Practices</p> <p>48. While noting the proposed development of a protocol on the health care of intersex babies and children, the Committee is seriously concerned about cases of medically unnecessary and irreversible surgery and other treatment on intersex children, without their informed consent, which can cause severe suffering, and the lack of redress and compensation in such cases.</p> <p>49. In the light of its general comment No. 18</p>	link

			<p>(2014) on harmful practices , adopted jointly with the Committee on the Elimination of Discrimination against Women , the Committee recommends that the State party expedite the development and implementation of a rights-based health - care protocol for intersex children that set s the procedures and steps to be followed by health teams in order to ensure that no one is subjected to unnecessary surgery or treatment during infancy or childhood, protect the rights of the children concerned to physical and mental integrity, autonomy and self-determination, provide intersex children and their families with adequate counselling and support, including from peers, and ensure effective remedy for victims, including redress and compensation.</p>	
CRC/C/CHE/CO/2-4	2015	Switzerland	<p>Harmful Practices:</p> <p>While welcoming the adoption of a new provision of criminal law prohibiting genital mutilation, the Committee is deeply concerned at:</p> <p>(b)Cases of medically unnecessary surgical and other procedures on intersex children, without their informed consent, which often entail irreversible consequences and can cause severe physical and psychological suffering, and the lack of redress and compensation in such cases.</p> <p>(b) In line with the recommendations of the National Advisory Commission on Biomedical Ethics on ethical issues relating to intersexuality , ensure that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guarantee bodily integrity, autonomy and self-determination to the children concerned, and provide families with intersex children with adequate counselling and support.</p>	link

CAT - Committee Against Torture

Abbreviation +	Year	Country	Quote/Excerpt	Link
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session no.				
CAT/C/FIN/CO/8	2024	Finland	<p>Transgender and intersex persons</p> <p>44. While noting the adoption of the Act on Legal Recognition of Gender, which abolishes the requirements for medical examinations and sterilization, and the action plan on equal opportunities for lesbian, gay, bisexual, transgender and intersex persons in Åland society, the Committee is concerned that consenting transgender children may be unable to access the procedure for legal gender recognition. It is also concerned about reports of cases of unnecessary surgery and other medical treatment with lifelong consequences, including severe pain and suffering, to which intersex children have been subjected before reaching an age at which they are able to provide their free, prior and informed consent. It is further concerned about the inadequate provision of support and counselling for the families of intersex children and of redress and rehabilitation for victims (arts. 2 and 16).</p> <p>45. The State party should:</p> <p>(a) Consider extending access to the procedure for legal gender recognition to transgender children who are of sufficient age or maturity to make their own decisions and provide free, prior and informed consent, in line with international human rights norms and standards on the rights of the child, respect for physical and psychological integrity, freedom of expression, autonomy, the right to be heard and the right to identity;</p> <p>(b) Consider adopting legislative provisions that explicitly prohibit the performance of non-urgent and non-essential medical or surgical treatment on intersex children before they are of sufficient age or maturity to make their own decisions and provide free, prior and informed consent;</p> <p>(c) Ensure independent oversight of decision-making to ensure that medical treatments for children with intersex traits who are unable to consent are necessary and urgent and the least invasive option;</p> <p>(d) Provide redress to victims of non-urgent and</p>	link

			<p>non-essential treatment, including appropriate compensation and rehabilitation, and ensure that all intersex children and adolescents and their families receive professional counselling services and psychological and social support.</p>	
CAT/C/AUT/CO/7	2024	Austria	<p>Intersex persons</p> <p>42. While expressing appreciation for the assurances provided by the delegation that surgical interventions on intersex children are carried out only when necessary, following medical and psychological opinions, the Committee is concerned about reports of cases of unnecessary and irreversible surgery and other medical treatment with lifelong consequences, including severe pain and suffering, to which intersex children have been subjected before they have reached an age at which they are able to provide their free, prior and informed consent (arts. 2 and 16).</p> <p>43. The State party should:</p> <p>(a) Consider adopting legislative provisions that explicitly prohibit the performance of non-urgent and non-essential medical or surgical treatment on intersex children before they are of sufficient age or maturity to make their own decisions and provide their free, prior and informed consent;</p> <p>(b) Ensure independent oversight of decision-making to ensure that medical treatments for children with intersex traits who are unable to consent are necessary, urgent and the least invasive option;</p> <p>(c) Provide redress, including appropriate compensation and rehabilitation, to victims of non-urgent and non-essential treatment, and ensure that all intersex children and adolescents and their families receive professional counselling services and psychological and social support.</p>	<p>link</p>

CAT/C/DNK/CO/8	2023	Denmark	<p>Intersex persons</p> <p>32. The Committee is concerned over reports that unnecessary and irreversible surgery and other medical treatments are performed on intersex children without their informed consent and that intersex adults in need of gender-affirming care who disagree with their assigned gender at birth experience discrimination in treatment when compared with intersex persons who access medical care based on their originally assigned gender (arts. 2, 11–14 and 16).</p> <p>33. The State party should ensure that its legislation, which prohibits irreversible surgical operations that are performed on intersex children for cosmetic reasons, is adequately enforced and should conduct studies into this matter in order to better understand and approach it. The parents or guardians of intersex children should receive impartial counselling services, psychological and social support and information, including information on the possibility of deferring any decision on treatment until it can be carried out with the full, free and informed consent of the persons concerned.</p> <p>All persons who experience severe pain and suffering as a result of unnecessary medical procedures conducted without their consent should have access to effective remedies. The State party should also ensure that all intersex persons receive the same level of specialized care, regardless of their conformity with the gender they were assigned at birth or place of residence.</p>	link
CAT/C/CHE/CO/8	2023	Switzerland	<p>Intersex persons</p> <p>37. The Committee remains concerned about reports of unnecessary and irreversible surgery and other medical treatment to which intersex children have been subjected without their informed consent and impartial counselling. The Committee is concerned that such procedures, which can cause long-term physical and psychological suffering, have not been the object of inquiry, sanction or reparation and that</p>	link

			<p>there are no specific legal provisions for providing redress to the victims. The Committee takes note of motion No. 22.3355 on the criminal prohibition of interventions to change the biological sex of intersex children (arts. 2, 12, 14 and 16).</p> <p>38. The State party should ensure that: (a) Children are not subjected without their consent, during infancy or childhood, to unnecessary medical or surgical procedures intended to decide their sex; (b) The parents or guardians of intersex children receive professional counselling services and psychological and social support, including information on the possibility of deferring any decision on unnecessary medical or surgical treatment until such treatment can be carried out with the full, free and informed consent of the person concerned; (c) Medical records can be consulted and investigations initiated in all cases in which intersex persons were treated or operated on without their effective consent; (d) Adequate redress is provided for the physical and psychological suffering caused by such practices to intersex persons; (e) Legislative and policy measures are taken to protect the rights of intersex persons, in particular children; (f) Training is provided to persons working with or for intersex persons, in particular children.</p>	
CAT/C/LUX/CO/8	2023	Luxembourg	<p>Intersex persons</p> <p>35. The Committee takes note of the implementation of the National Action Plan to Promote the Rights of Lesbian, Gay, Bisexual, Transgender and Intersex Persons, presented in July 2018, which includes actions prohibiting the “normalization” of non-vital medical treatments performed without the free and informed consent of the intersex person and the cessation of their reimbursement by the State. However, it is concerned that these principles have not yet been transposed into Luxembourg law.</p> <p>36. The State party should continue its efforts,</p>	link

			<p>including the ongoing preparation of a bill on surgical operations for variations in sexual development, to end the performance of irreversible medical acts, especially surgical operations, on intersex children who are not yet capable of giving their full, free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons. Measures should also be taken to ensure that victims of such interventions have access to effective remedies and to strengthen the collection of statistics on this issue.</p> <p>Follow-up procedure</p> <p>37. The Committee requests the State party to provide, by 12 May 2024, information on the follow-up to its recommendations on searches, sexual and gender-based violence, and intersex persons (see paras. 18, 34 and 36). In that context, the State party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the concluding observations.</p>	
CAT/C/KEN/CO/3	2022	Kenya	<p>Sexual orientation, gender identity and intersexuality</p> <p>43. The Committee welcomes the adoption of the Registration of Persons (Amendment) Act of 2019, which provides for the legal recognition of intersex persons. It is, however, concerned about:</p> <p>(c) Cases of non-urgent, irreversible surgical procedures, undertaken without full, free and informed consent, infanticide and abandonment among intersex children (arts. 2 and 16).</p> <p>44. The State party should:</p> <p>(c) Strengthen measures to end the performance of irreversible medical acts, especially surgical operations, on intersex children who are not yet capable of giving their full, free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons. Access to effective remedies for victims of</p>	link

			such interventions should also be ensured.	
CAT/C/GBR/CO/6	2019	The United Kingdom of Great Britain and Northern Ireland	<p>Intersex persons</p> <p>64. While noting that in January 2019 the Government Equalities Office launched a call for evidence to better understand the experiences of intersex persons in the United Kingdom, the Committee remains concerned about reports of cases of unnecessary surgery and other medical treatment with lifelong consequences, including severe pain and suffering, to which intersex children have been subjected. The Committee is further concerned about the lack of legal provisions providing redress and rehabilitation in such cases (arts. 14 and 16).</p> <p>65. The State party should ensure that: (a) The parents or guardians of intersex children receive impartial counselling services and psychological and social support, including information on the possibility of deferring any decision on unnecessary treatment until they can be carried out with the full, free and informed consent of the person concerned; (b) Persons who have been subjected to such procedures without their consent and resulting in severe pain and suffering obtain redress, including the means for rehabilitation.</p>	link
CAT/C/NLD/CO/7	2018	The Netherlands	<p>Intersex persons</p> <p>52. The State party is concerned at reports that unnecessary and irreversible surgery and other medical treatments are performed on intersex children without their informed consent and impartial counselling. It is concerned that such procedures, which cause long-term physical and psychological suffering, have not been the object of any inquiry, sanction or reparation and that there are no specific legal provisions providing redress and rehabilitation to the victims.</p> <p>53. The State party should: (a) Take the legislative, administrative and other measures necessary to guarantee respect for the physical integrity and</p>	link

			<p>autonomy of intersex persons and to ensure that no one is subjected during infancy or childhood to non-urgent medical or surgical procedures intended to decide the sex of the child without his or her informed consent;</p> <p>(b) Guarantee impartial counselling services and psychological and social support for all intersex children and their parents, so as to inform them of the consequences of unnecessary and non-urgent surgery and other medical treatment to decide on the sex of the child and the possibility of postponing any decision on such treatment or surgery until the persons concerned can decide by themselves;</p> <p>(c) Guarantee that full, free and informed consent is ensured in connection with medical and surgical treatments for intersex persons and that non-urgent, irreversible medical interventions are postponed until a child is sufficiently mature to participate in decision-making and give effective consent;</p> <p>(d) Undertake investigation of instances of surgical interventions or other medical procedures performed on intersex persons without effective consent and prosecute and, if found responsible, punish perpetrators. It should also ensure that the victims are provided with redress including adequate compensation.</p>	
CAT/C/SR.1519	2017	n/a	<p>41. Mr. Zhang, said that, as the rights of lesbian, gay, bisexual, transgender and intersex persons had been raised in the discussion, he would like to take the opportunity to relay a number of recommendations he had received from an intersex genital mutilation NGO in relation to the status of intersex persons in Argentina. They wished the State party to take legislative, administrative and other measures to guarantee respect for the physical autonomy of intersex persons, to provide counselling services for intersex minors and their parents, to uphold the rights of identity of intersex persons in accordance with human rights standards, and to involve intersex persons in the design, implementation and monitoring of public policies affecting them.</p>	link

			<p>52. Ms. Quinteros (Argentina) said that, under the new Code of Civil Procedure and the Act on Gender Identity of 2012, intersex persons had the right to self-determination regarding their own bodies and that their free and informed prior consent was a fundamental requirement for any medical operation they underwent</p>	
CAT/C/FRA/CO/7	2016	France	<p>Intersex persons</p> <p>34. The Committee is concerned about reports of unnecessary and sometimes irreversible surgical procedures performed on intersex children without their informed consent or that of their relatives and without their having all possible options always explained to them. It is also concerned that these procedures, which are purported to cause physical and psychological suffering, have not as yet been the object of any inquiry, sanction or reparation. The Committee regrets that no information was provided on specific legislative and administrative measures establishing the status of intersex persons (arts. 2, 12, 14 and 16).</p> <p>35. The Committee recommends that the State party:</p> <p>(a) Take the necessary legislative, administrative and other measures to guarantee respect for the physical integrity of intersex individuals, so that no one is subjected during childhood to non-urgent medical or surgical procedures intended to establish one's sex;</p> <p>(b) Ensure that the persons concerned and their parents or close relatives receive impartial counselling services and psychological and social support free of charge;</p> <p>(c) Ensure that no surgical procedure or medical treatment is carried out without the person's full, free and informed consent and without the person, their parents or close relatives being informed of the available options, including the possibility of deferring any decision on unnecessary treatment until they can decide for themselves;</p> <p>(d) Arrange for the investigation of cases of</p>	link

			<p>surgical or other medical treatment reportedly carried out on intersex individuals without their informed consent and take steps to provide redress, including adequate compensation, to all victims;</p> <p>(e) Conduct studies into this issue in order to better understand and deal with it.</p>	
CAT/C/DNK/CO/6-7	2016	Denmark	<p>Intersex persons</p> <p>42. While taking note of the information provided by the delegation on the decision-making process related to treatment of intersex children, the Committee remains concerned at reports of unnecessary and irreversible surgery and other medical treatment with lifelong consequences to which intersex children have been subjected before the age of 15, when their informed consent is required. The Committee is further concerned at hurdles faced by these persons when seeking redress and compensation in such cases (arts. 14 and 16).</p> <p>43. The State party should:</p> <p>(a) Take the necessary legislative, administrative and other measures to guarantee the respect for the physical integrity and autonomy of intersex persons and ensure that no one is subjected during infancy or childhood to unnecessary medical or surgical procedures;</p> <p>(b) Guarantee counselling services for all intersex children and their parents, so as to inform them of the consequences of unnecessary surgery and other medical treatment;</p> <p>(c) Ensure that full, free and informed consent is respected in connection with medical and surgical treatments for intersex persons and that non-urgent, irreversible medical interventions are postponed until a child is sufficiently mature to participate in decision-making and give full, free and informed consent;</p> <p>(d) Provide adequate redress for the physical and psychological suffering caused by such practices to intersex persons.</p>	link
CAT/C/CHN-HKG/CO/5	2016	China – Hong	Transgender and intersex persons	link

		Kong	<p>28. While welcoming the set-up of an interdepartmental working group on gender recognition (see para. 5 (e) above), the Committee is concerned about reports that transgender persons are required to have completed sex-reassignment surgery, which includes the removal of reproductive organs, sterilization and genital reconstruction, in order to obtain legal recognition of their gender identity. The Committee is also concerned that intersex children are subjected to unnecessary and irreversible surgery to determine their sex at an early stage. Furthermore, the Committee is concerned at the long-term physical and psychological suffering caused by such practices (arts. 10, 12, 14 and 16).</p> <p>29. Hong Kong, China should:</p> <p>(a) Take the necessary legislative, administrative and other measures to guarantee respect for the autonomy and physical and psychological integrity of transgender and intersex persons, including by removing abusive preconditions for the legal recognition of the gender identity of transgender persons, such as Sterilization;</p> <p>(b) Guarantee impartial counselling services for all intersex children and their parents, so as to inform them of the consequences of unnecessary and non-urgent surgery and other medical treatment to decide on the sex of the child and the possibility of postponing any decision on such treatment or surgery until the persons concerned can decide by themselves;</p> <p>(c) Guarantee that full, free and informed consent is ensured in connection with medical and surgical treatments for intersex persons and that non-urgent, irreversible medical interventions are postponed until a child is sufficiently mature to participate in decision-making and give full, free and informed consent;</p> <p>(d) Provide adequate redress for the physical and psychological suffering caused by such practices to some intersex persons.</p>	
CAT/C/CHN/CO/5	2016	China	Lesbian, gay, bisexual, transgender and	link

			<p>intersex persons</p> <p>55. The Committee is concerned about reports that private and publicly run clinics offer the so-called “gay conversion therapy” to change the sexual orientation of lesbian and gay persons, and that such practices include the administration of electroshocks and, sometimes, involuntary confinement in psychiatric and other facilities, which could result in physical and psychological harm. While noting that, in December 2014, a Beijing court ordered one such clinic to pay compensation for such treatment, the Committee regrets the State party’s failure to clarify whether such practices are prohibited by law, have been investigated and ended, and whether the victims have received redress (arts. 10, 12, 14 and 16).</p> <p>56. The State party should:</p> <p>(a) Take the necessary legislative, administrative and other measures to guarantee respect for the autonomy and physical and personal integrity of lesbian, gay, bisexual, transgender and intersex persons and prohibit the practice of so-called “conversion therapy”, and other forced, involuntary or otherwise coercive or abusive treatments against them;</p> <p>(b) Ensure that health professionals and public officials receive training on respecting the human rights of lesbian, gay, bisexual, transgender and intersex persons, including their rights to autonomy and physical and psychological integrity;</p> <p>(c) Undertake investigations of instances of forced, involuntary or otherwise coercive or abusive treatments of lesbian, gay, bisexual, transgender and intersex persons and ensure adequate redress and compensation in such cases.</p>	
CAT/C/AUT/CO/6	2016	Austria	<p>Intersex persons</p> <p>44. The Committee appreciates the assurances provided by the delegation that surgical interventions on intersex children are carried out only when necessary, following medical and psychological opinions. It remains concerned, however, about reports of cases of unnecessary surgery and other medical treatment</p>	link

			<p>with lifelong consequences to which intersex children have been subjected without their informed consent. The Committee is further concerned at the lack of legal provisions providing redress and rehabilitation in such cases (arts. 14 and 16).</p> <p>45. The State party should:</p> <p>(a) Take the legislative, administrative and other measures necessary to guarantee the respect for the physical integrity and autonomy of intersex persons and to ensure that no one is subjected during infancy or childhood to non-urgent medical or surgical procedures intended to decide the sex of the child;</p> <p>(b) Guarantee impartial counselling services for all intersex children and their parents, so as to inform them of the consequences of unnecessary and non-urgent surgery and other medical treatment to decide on the sex of the child and the possibility of postponing any decision on such treatment or surgery until the persons concerned can decide by themselves;</p> <p>(c) Guarantee that full, free and informed consent is ensured in connection with medical and surgical treatments for intersex persons and that non-urgent, irreversible medical interventions are postponed until a child is sufficiently mature to participate in decision-making and give effective consent;</p> <p>(d) Undertake investigation of instances of surgical interventions or other medical procedures performed on intersex persons without effective consent and ensure that the persons concerned are adequately compensated.</p>	
CAT/C/CHE/CO/7	2015	Switzerland	<p>Intersex persons</p> <p>20. The Committee welcomes the Federal Council decision to give an opinion by the end of 2015 on the recommendations of the National Advisory Commission on Biomedical Ethics with regard to the unnecessary and in some cases irreversible surgical procedures that have been carried out on intersex persons (i.e. persons with</p>	link

			<p>variations in sexual anatomy) without the effective, informed consent of those concerned. However, the Committee notes with concern that these procedures, which reportedly caused physical and psychological suffering, have not as yet given rise to any inquiry, sanction or reparation (arts. 2, 12, 14 and 16).</p> <p>The Committee recommends that, in light of the forthcoming decision by the Federal Council, the State party:</p> <p>(a) Take the necessary legislative, administrative and other measures to guarantee respect for the physical integrity and autonomy of intersex persons and to ensure that no one is subjected during infancy or childhood to non-urgent medical or surgical procedures intended to decide the sex of the child, as recommended by the National Advisory Commission on Biomedical Ethics and the Committee on the Rights of the Child (see CRC/C/CHE/CO/2-4, para. 43 (b));</p> <p>(b) Guarantee counselling services and free psychosocial support for all persons concerned and their parents, and inform them that any decision on unnecessary treatment can be put off until the person concerned are able to decide for themselves;</p> <p>(c) Undertake investigation of reports of surgical and other medical treatment of intersex people without effective consent and adopt legal provisions in order to provide redress to the victims of such treatment, including adequate compensation.</p>	
CAT/C/DEU/CO/5	2011	Germany	<p>Intersex people</p> <p>20. The Committee takes note of the information received during the dialogue that the Ethical Council has undertaken to review the reported practices of routine surgical alterations in children born with sexual organs that are not readily categorized as male or female, also called intersex persons, with a view to evaluating and possibly changing current practice. However, the Committee</p>	link

			<p>remains concerned at cases where gonads have been removed and cosmetic surgeries on reproductive organs have been performed that entail lifelong hormonal medication, without effective, informed consent of the concerned individuals or their legal guardians, where neither investigation, nor measures of redress have been introduced. The Committee remains further concerned at the lack of legal provisions providing redress and compensation in such cases (arts. 2, 10, 12, 14 and 16).</p> <p>The Committee recommends that the State party:</p> <p>(a) Ensure the effective application of legal and medical standards following the best practices of granting informed consent to medical and surgical treatment of intersex people, including full information, orally and in writing, on the suggested treatment, its justification and alternatives;</p> <p>(b) Undertake investigation of incidents of surgical and other medical treatment of intersex people without effective consent and adopt legal provisions in order to provide redress to the victims of such treatment, including adequate compensation;</p> <p>(c) Educate and train medical and psychological professionals on the range of sexual , and related biological and physical , diversity; and</p> <p>(d) Properly inform patients and their parents of the consequences of unnecessary surgical and other medical interventions for intersex people.</p>	
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CEDAW - Committee on the Elimination of Discrimination against Women

Abbreviation + session no.	Year	Country	Quote/Excerpt	Link
CEDAW/C/BEL/C O/8	2022	Belgium	<p>24. The Committee recommends that the State party:</p> <p>(c) Put an end to irreversible medical interventions, in particular surgery, on intersex children;</p>	link
CEDAW/C/FIN/CO /8	2022	Finland	<p>22. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and the Committee's previous recommendations (CEDAW/C/FIN/CO/7 , paras. 17 and 29), the Committee recommends that the State party:</p> <p>(b) Specifically criminalize surgical interventions on the genitalia of intersex children, unless medically necessary;</p>	Link
CEDAW/C/CHE/C O/6	2022	Switzerland	<p>56. The Committee [...] further recommends that the State party:</p> <p>(d) Specifically criminalize surgical interventions on the genitalia of intersex children unless medically necessary.</p>	Link
CEDAW/C/PAK/C O/5	2020	Pakistan	<p>43. The Committee commends the State party for the adoption of the National Vision 2016–2025 for Coordinated Priority Actions to Address Challenges of Reproductive, Maternal, Newborn, Child, Adolescent Health and Nutrition and its action plan. However, it notes that the action plan fails to specify indicators, targets and budgetary commitments for its implementation. Furthermore, the Committee notes with concern:</p> <p>(e) The subjection of women with disabilities, in particular those living in institutions, to forced sterilization, and the performance of</p>	Link

			gender reassignment surgery on intersex persons for the purpose of legal gender recognition and victims' limited access to justice.	
CEDAW/C/BGR/C O/8	2020	Bulgaria	<p>34. Recalling its general recommendation No. 24 (1999) on women and health and target 3.7 of the Sustainable Development Goals, with the aim of ensuring universal access to sexual and reproductive health-care services , as well as its previous recommendation (CEDAW/C/BGR/CO/4 – 7 , para. 36), the Committee recommends that the State party:</p> <p>(e) Develop and implement a rights-based health-care protocol for intersex women and ensure that intersex women are not subjected to surgery or treatment without their free, informed and prior consent.</p>	Link
CEDAW/C/NPL/C O/6	2018	Nepal	<p>19. Recalling its previous recommendation (CEDAW/C/NPL/CO/4-5 , para. 18), the Committee recommends that the State party, in line with the joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, and with target 5.3 of the Sustainable Development Goals, to eliminate all harmful practices:</p> <p>(d) Adopt legislative provisions that explicitly prohibit the performance of unnecessary surgical or other medical procedures on intersex children before they reach the legal age of consent and train medical and psychological professionals on the rights of intersex persons;</p>	Link
CEDAW/C/LUX/C O/6-7	2018	Luxembourg	<p>28. In the light of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, the Committee recommends that the State party:</p> <p>(b) Specifically prohibit non-consensual sex reassignment surgery on intersex</p>	Link

			<p>persons, develop and implement a rights-based health-care protocol for intersex children that requires medical doctors to inform intersex children about all available options and requires their involvement in decision-making about medical interventions and the full respect of their choices;</p> <p>(c) Adopt legal provisions to provide redress to intersex persons who are victims of surgical or other medical interventions performed without their free, prior and informed consent or that of their parents.</p>	
CEDAW/C/NZL/C O/8	2018	New Zealand	<p>24. The Committee [...] further recommends that the State party:</p> <p>(c) Adopt clear legislative provisions explicitly prohibiting the performance of unnecessary surgical or other medical treatment on intersex children before they reach the legal age of consent, provide the families of intersex children with adequate counselling and support and provide redress to intersex persons who have undergone such unnecessary surgical or medical treatment.</p>	Link
CEDAW/C/AUS/C O/8	2018	Australia	<p>26. The Committee [...] also recommends that the State party:</p> <p>(c) Adopt clear legislative provisions that explicitly prohibit the performance of unnecessary surgical or other medical procedures on intersex children before they reach the legal age of consent, implement the recommendations made by the Senate in 2013 on the basis of its inquiry into the involuntary or coerced sterilization of intersex persons, provide adequate counselling and support for the families of intersex children and provide redress to intersex persons having undergone such medical procedures;</p>	Link
CEDAW/C/LIE/CO/5	2018	Liechtenstein	<p>36. The State party should:</p> <p>(c) Specifically prohibit non-consensual</p>	Link

			<p>sex-reassignment surgery on intersex persons and develop and implement a rights-based health-care protocol for intersex children that requires their informed consent about the performance of medically irreversible sex-reassignment surgery;</p>	
<p>CEDAW/C/MEX/C O/9</p>	<p>2018</p>	<p>Mexico</p>	<p>21. The Committee is concerned about the limited provisions prohibiting unnecessary medical procedures on intersex children and the inadequate support and lack of effective remedies for intersex persons who have undergone medically unnecessary surgical procedures.</p> <p>22. In the light of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee of the Rights of the Child (2014) on harmful practices, the Committee recommends that the State party adopt provisions explicitly prohibiting the performance of unnecessary surgical or other medical procedures on intersex children until they reach an age when they can give their free, prior and informed consent and provide families of intersex children with adequate counselling and support.</p>	<p>Link</p>
<p>CEDAW/C/CHL/C O/7</p>	<p>2018</p>	<p>Chile</p>	<p>22. The Committee is concerned about:</p> <p>(a) The lack of clear legislation prohibiting the performance of unnecessary medical procedures on intersex infants and children until they reach an age when they are able to give their free, prior and informed consent;</p> <p>(b) The lack of support and effective remedies for intersex persons who have undergone medically unnecessary surgical procedures at a very early age, often with irreversible consequences and resulting in long-term physical and psychological suffering.</p> <p>23. In the light of joint general</p>	<p>Link</p>

			<p>recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee of the Rights of the Child (2014) on harmful practices, the Committee recommends that the State party:</p> <p>(a) Adopt legislation to explicitly prohibit the performance of unnecessary surgical or other medical treatment on intersex children until they reach an age when they are able to give their free, prior and informed consent, ensure that medical practitioners are informed about such legislation and provide families with intersex children with adequate counselling and support;</p> <p>(b) Ensure that intersex persons who have undergone unnecessary surgical or other medical treatment without their free, prior and informed consent have effective access to justice and consider establishing a State compensation fund for them.</p>	
CEDAW/C/ITA/CO/7	2017	Italy	<p>41. The Committee is concerned about:</p> <p>(e) The fact that intersex children are subjected to irreversible surgery for intersex variation and other medical treatment without their free and informed consent.</p> <p>42. The Committee, recalling its general recommendation No. 24 (1999) on women and health, recommends that the State party:</p> <p>(e) Develop and implement a rights-based health-care protocol for intersex children, ensuring that children and their parents are appropriately informed of all options, that the children are involved, to the greatest extent possible, in decision-making about medical interventions and that their choices are respected and that no child is subjected to unnecessary surgery or treatment.</p>	Link

CEDAW/C/IRL/CO/6-7	2017	Ireland	<p>The Committee is, however, concerned that:</p> <p>(b) Medically irreversible and unnecessary sex assignment surgery and other treatments are reportedly performed on intersex children.</p> <p>25. The Committee recommends that the State party:</p> <p>(b) Develop and implement an appropriate rights-based health-care protocol for intersex children, which ensures that children and their parents are properly informed of all options and that children are, to the greatest extent possible, involved in decision-making about medical interventions and that their choices are fully respected.</p>	Link
CEDAW/C/DEU/CO/7-8	2017	Germany	<p>23. the Committee is concerned about:</p> <p>(d) The lack of clear legislative provisions prohibiting the performance of unnecessary medical procedures on infants and children of indeterminate sex until they reach an age at which they are able to provide their free, prior and informed consent;</p> <p>(e) Inadequate support and the lack of effective remedies for intersex persons who have undergone medically unnecessary surgical procedures at a very early age, often with irreversible consequences, resulting in long-term physical and psychological suffering.</p> <p>24. In the light of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, the Committee recommends that the State party:</p> <p>(d) Adopt clear legislative provisions</p>	Link

			<p>explicitly prohibiting the performance of unnecessary surgical or other medical treatment on intersex children until they reach an age at which they can provide their free, prior and informed consent; provide the families of intersex children with adequate counselling and support; and ensure that the German Medical Association provides information to medical professionals on the legal prohibition of unnecessary surgical or other medical interventions for intersex children;</p> <p>(e) Ensure the effective access to justice, including by amending the statute of limitations, of intersex persons who have undergone unnecessary surgical or other medical treatment without their free, prior and informed consent; and consider the proposal of the German Ethics Council to establish a State compensation fund.</p>	
CEDAW/C/NLD/C O/6	2016	Netherlands	<p>21. The Committee notes with concern that:</p> <p>(f) Develop and implement a rights-based health-care protocol for intersex children that ensures that children and their parents are properly informed of all options, that children are, to the greatest extent possible, involved in decision-making about medical interventions and that their choices are fully respected.</p>	Link
CEDAW/C/CHE/C O/4-5	2016	Switzerland	<p>24. The Committee welcomes the adoption of legislative and other measures to combat harmful practices, including female genital mutilation, intersex genital mutilation, child marriage and forced marriage. Nevertheless, the Committee is concerned about:</p> <p>(b) Information on harmful practices not being readily available, in particular for ethnic minority and migrant women owing to language and cultural barriers, and the lack of a national comprehensive strategy, in particular to eliminate female genital mutilation, along with limited training for</p>	Link

			<p>relevant professionals;</p> <p>(c) Insufficient support for intersex persons who have undergone involuntary and medically unnecessary disfiguring surgical procedures when they were babies and children, often with irreversible consequences, resulting in significant physical and psychological suffering;</p> <p>(d) The pressure placed on parents of intersex children by medical professionals, the media and society at large, which often forces them to give their consent for so-called “medical procedures”, justified by psychosocial indications; and the fact that intersex children and adults are often unaware of the procedures to which they have been subjected, while access to legal remedies for intersex persons affected by unnecessary medical procedures is extremely limited, with the statute of limitations often expiring by the time that intersex children reach adulthood;</p> <p>(e) The lack of integration of intersex persons and their families into interdisciplinary working groups and the failure to consult those directly affected by these procedures in decisions that affect their lives.</p> <p>25. In the light of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (2014), the Committee recommends that the State party:</p> <p>(c) Ensure that, in line with recommendations by the Swiss National Advisory Commission on Biomedical Ethics, no child is subjected to unnecessary medical or surgical treatment during infancy or childhood, adopt legislation to protect the bodily integrity, autonomy and self-determination of intersex persons and provide families with intersex children with adequate counselling and support;</p>	
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			<p>(d) Adopt legal provisions, under the guidance of the courts, in order to provide redress to intersex persons affected by cases of surgical or other medical treatment without their free, prior and informed consent by or that of their parents;</p> <p>(e) Educate and train medical professionals on the harmful impact of unnecessary surgical or other medical interventions for intersex children and ensure that the views of intersex persons are fully considered by the interdisciplinary working groups established to review these procedures.</p>	
CEDAW/C/FRA/C O/7-8	2016	France	<p>18. The Committee is concerned:</p> <p>(f) That medically unnecessary and irreversible surgery and other treatment are routinely performed on intersex children, as noted by the Committee on the Rights of the Child and the Committee against Torture.</p> <p>19. The Committee recommends that the State party:</p> <p>(f) Develop and implement a rights-based health-care protocol for intersex children, ensuring that children and their parents are appropriately informed of all options; that children are involved, to the greatest extent possible, in decision-making about medical interventions and that their choices are respected; and that no child is subjected to unnecessary surgery or treatment, as recommended recently by the Committee against Torture (see CAT/C/FRA/CO/7, para. 35) and the Committee on the Rights of the Child (see CRC/C/FRA/CO/5, para. 48).</p>	Link
CEDAW/C/SVK/C O/5-6	2015	Slovakia	<p>37. The Committee urges the State party:</p>	Link

			(c) To review current laws and take measures to ensure that the rights of transgender and intersex women and girls to control their bodies are respected and protected and that they are free from non-consensual medical treatment, including by abolishing the requirement of compulsory sterilization and surgery for transgender women who wish to obtain legal recognition of their gender.	
CEDAW/C/DEU/C O/6	2009	Germany	<p>Cooperation with non-governmental organizations</p> <p>61. The Committee notes with satisfaction the cooperation of the State party with civil society organizations, particularly women's organizations, which is mostly achieved through government cooperation with such organizations on specific programmes and projects. The Committee regrets, however, that the call for dialogue by non-governmental organizations of intersexual and transsexual people has not been favourably entertained by the State party.</p> <p>62. The Committee request the State party to enter into dialogue with non-governmental organizations of intersexual and transsexual people in order to better understand their claims and to take effective action to protect their human rights.</p>	link

CRPD: Committee on the Rights of Persons with Disabilities

Abbreviation + session no.	Year	Country	Quote/Excerpt	Link
CRPD/C/SWE/CO/2-3	2024	Sweden	Protecting the integrity of the person (art. 17)	link

			<p>37. The Committee is concerned about the unnecessary, invasive or irreversible medical interventions that modify the sex characteristics of intersex children.</p> <p>38. The Committee recommends that the State party closely consult and actively involve representative organizations of intersex persons to ensure comprehensive protection for intersex children from unnecessary, invasive or irreversible medical interventions that modify sex characteristics.</p>	
CRPD/C/AUT/CO/2-3	2023	Austria	<p>39. The Committee is concerned about the continued performance of sex-reassignment surgery on intersex children.</p> <p>40. The Committee recommends that the State party enact a legal ban on non-life-saving sex-reassignment medical intervention on intersex children.</p> <p>71. The Committee notes with concern: (a) The serious shortcomings in the collection and publication of data on the situation of persons with disabilities across all areas of life, including health, education, employment and the justice system; (b) The lack of disaggregated data, including in relation to the situation of lesbian, gay, bisexual, transgender and intersex persons with disabilities, refugees and stateless persons with disabilities, persons with disabilities in refugee-like situations, persons with disabilities under temporary protection, children with disabilities (in particular concerning education), women and girls with disabilities and persons with disabilities in institutions.</p> <p>72. The Committee recommends that the State party develop a comprehensive national disability data framework to ensure appropriate, nationally consistent measures for the collection, interpretation and public reporting of disaggregated data on the full range of obligations under</p>	link

			<p>the Convention, in particular with regard to lesbian, gay, bisexual, transgender and intersex persons with disabilities, refugees and</p>	
CRPD/C/ISR/CO/1	2023	Israel	<p>Protecting the integrity of the person (art. 17)</p> <p>39. The Committee is concerned about cases of forced sterilization against persons with disabilities and medically unnecessary and irreversible surgery and interventions on intersex children and the lack of measures to ensure accountability and reparations.</p> <p>40. The Committee recommends that the State party:</p> <p>(a) Prohibit sterilization without the free and informed personal consent of the person concerned;</p> <p>(b) Take measures to prohibit medically unnecessary and irreversible surgery and medical interventions on intersex children until they are able to give their personal consent and adopt measures to provide redress and reparations for the physical and psychological harms inflicted.</p>	link
CRPD/C/DEU/CO/2-3	2023	Germany	<p>Protecting the integrity of the person (art. 17)</p> <p>39. The Committee is concerned that the Act on the Protection of Children with Variations in Sex Development of 2021 does not provide comprehensive protection for all intersex children from invasive or irreversible medical procedures that modify sex characteristics.</p> <p>40. The Committee recommends that the State party closely consult and actively involve representative organizations of intersex persons to review and amend the Act on the Protection of Children with Variations in Sex Development of 2021 to</p>	link

			<p>ensure comprehensive protection for intersex children from invasive or irreversible medical procedures that modify sex characteristics unless necessary to avoid serious, urgent and irreparable harm.</p>	
CRPD/C/CHE/CO/1	2022	Switzerland	<p>Protecting the integrity of the person (art. 17)</p> <p>35. The Committee notes with concern:</p> <p>(c) That intersex persons can be subjected to unnecessary and irreversible medical and/or surgical interventions, including during infancy or childhood; and that there is a lack of ongoing health care, psychosocial support and social reintegration for intersex persons who have been subjected to intersex genital mutilation and a lack of access to redress.</p> <p>36. The Committee recommends that the State party:</p> <p>(c) Adopt clear legislative provisions that explicitly prohibit the performance of unnecessary and irreversible medical interventions, including surgical, hormonal or other medical procedures, on intersex infants and children; provide adequate counselling and support for families of intersex children; extend the statute of limitations to enable criminal and civil remedies; and provide health care and psychosocial support to intersex persons who have been subjected to intersex genital mutilation.</p>	link
CRPD/C/FRA/CO/1	2021	France	<p>Protecting the integrity of the person (art. 17)</p> <p>36. The Committee notes with concern that:</p> <p>(c) Intersex persons are subjected to medical interventions without their consent.</p> <p>37. The Committee recommends that the</p>	link

			<p>State party:</p> <p>(c) Prohibit the practice of subjecting intersex persons to medical interventions without their consent.</p>	
CRPD/C/IND/CO/1	2019	India	<p>Right to life (art. 10)</p> <p>22. The Committee is concerned about the deaths of children with disabilities in institutions, and information about “mercy killings” of intersex children with disabilities. It is also concerned about information about alleged extrajudicial executions of persons with intellectual or psychosocial disabilities in conflict areas.</p> <p>23. The Committee recommends that the State party adopt measures to ensure respect for the right to life of all persons with disabilities, enforce investigations aimed at identifying the cause of death of children with disabilities in institutions and sanction the perpetrators. It also recommends that the State party protect intersex children from attacks against their lives and any related harmful practices, and adopt measures to prevent the execution of persons with disabilities in relation to violence and armed conflict.</p> <p>Protecting the integrity of the person (art. 17)</p> <p>36. The Committee is concerned about:</p> <p>(c) Sex-assignment or “sex-normalizing” surgery on intersex children, stigmatization and bullying against intersex children and their restricted access to community services.</p> <p>37. The Committee recommends that the State party:</p> <p>(c) Adopt measures to prevent sex-assignment or “sex-normalizing” surgery, stigmatization and bullying against intersex children and ensure their right to respect for their physical and</p>	link

			<p>mental integrity.</p> <p>Liberty of movement and nationality (art. 18)</p> <p>38. The Committee is concerned about:</p> <p>(a) The lack of registration at birth of children with disabilities, particularly deafblind children, children requiring high levels of support and intersex children at a heightened risk of neglect, the absence of disaggregated data and the insufficiency of measures to ensure the early registration of and access to unique disability identification cards by children with disabilities in remote and rural areas, those internally displaced and those in refugee camps, resulting in their lack of access to community services;</p> <p>Education (art. 24)</p> <p>50. The Committee is concerned about:</p> <p>(b) Rejection from school of children with disabilities, particularly children affected by leprosy, and bullying against intersex children, causing many to drop out of school;</p> <p>51. The Committee recommends that the State party, guided by the Committee ' s general comment No. 4 (2016) on the right to inclusive education and taking account of targets 4.5 and 4. a of the Sustainable Development Goals:</p> <p>(b) Take measures to prevent the rejection, stigmatization and bullying of children with disabilities, particularly children affected by leprosy and intersex children, review regulations to ensure access to education, undertake campaigns to combat disability stereotypes and establish complaint mechanisms and sanctions in cases of discrimination;</p>	
CRPD/C/AUS/CO/2-3	2019	Australia	Protecting the integrity of the person (art.	link

			<p>17)</p> <p>33. The Committee is seriously concerned about:</p> <p>(b) The unregulated use of involuntary surgery on infants and children born with variations in sex characteristics and of other intrusive and irreversible medical interventions without the free and informed consent of those undergoing such interventions or without evidence of the need to carry them out.</p> <p>34. The Committee urges the State party to:</p> <p>(a) Review and amend laws, including the section of the Family Law Rules 2004 relating to applications for medical procedures, in line with the Convention and adopt uniform legislation prohibiting, in the absence of free and informed consent, the sterilization of adults and children, the administration of contraception and the imposition of abortion procedures on women and girls with disabilities;</p> <p>(b) Adopt clear legislative provisions that explicitly prohibit the performance of unnecessary, invasive and irreversible medical interventions, including surgical, hormonal or other medical procedures on intersex children before they reach the legal age of consent; also provide adequate counselling and support for the families of intersex children and redress to intersex persons having undergone such medical procedures;</p>	
CRPD/C/MAR/CO/1	2017	Morocco	<p>Protecting the integrity of the person (art. 17)</p> <p>36. The Committee notes with concern that persons with disabilities in the State party, particularly intersex persons with disabilities, are subjected to corrective surgeries and to the practice of forced sterilization, including</p>	link

			<p>forced chemical castration.</p> <p>37. The Committee recommends that the State party prohibit and criminalize the practice of corrective surgeries on intersex persons with disabilities, in the absence of prior and informed consent, and the practice of forced sterilization, including forced chemical castration. It also recommends that the State party raise awareness of such practices as harmful and strengthen mechanisms aimed at ensuring that the informed consent of persons with disabilities is given for any medical and surgical treatment.</p>	
CRPD/C/GBR/CO/1	2017	United Kingdom	<p>A. General principles and obligations (arts. 1-4)</p> <p>10. The Committee is concerned about:</p> <p>(a) The challenges facing organizations of persons with disabilities, including organizations representing women, children and intersex persons with disabilities, in accessing support and being consulted and actively involved in the implementation of the Convention</p> <p>11. The Committee recommends that the State party:</p> <p>(a) Allocate financial resources to support organizations representing persons with disabilities, including women and children with disabilities, and develop mechanisms to ensure the inclusive, strategic and active involvement of organizations of persons with disabilities, including women, children and intersex persons, in the planning and implementation of all legislation and measures that affect the lives of persons with disabilities;</p> <p>Freedom from exploitation, violence and abuse (art. 16)</p> <p>38. The Committee is concerned about</p>	link

			<p>abuse, ill-treatment, sexual violence and exploitation of women, children, intersex persons and elderly persons with disabilities, and the insufficient measures to prevent all forms of exploitation, violence and abuse against persons with disabilities. It is also concerned at reports of cases of disability hate crime, in the absence of consistent data collection and differences in legal provisions for sentencing different types of hate crime, particularly in England and Wales.</p> <p>39. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities, and in line with target 16.3 of the Sustainable Development Goals:</p> <p>(a) Establish measures to ensure equal access to justice and to safeguard persons with disabilities, particularly women, children, intersex persons and elderly persons with disabilities from abuse, ill-treatment, sexual violence and exploitation;</p> <p>Protecting the integrity of the person (art. 17)</p> <p>40. The Committee is concerned that persons with disabilities, including women, intersex persons, girls and boys, reportedly continue to be subjected to involuntary medical treatment, including forced sterilization and conversion surgeries.</p> <p>41. The Committee recommends that the State party repeal all types of legislation, regulations and practices allowing any form of forced intervention or surgery, and ensure that the right to free, prior and informed consent to treatment is upheld and that supported decision-making mechanisms and strengthened safeguards are provided, paying particular attention to women, intersex persons, girls and boys.</p>	
CRPD/C/ITA/CO/1	2016	Italy	Protecting the integrity of the person (art.	link

			<p>17)</p> <p>45. The Committee is concerned that children are subjected to irreversible surgery for intersex variation and other medical treatments without their free and informed consent.</p> <p>46. The Committee recommends that the State party ensure that no one is subjected to scientific undocumented medical or surgical treatment during infancy or childhood; that it guarantee bodily integrity, autonomy and self-determination to the children concerned; and that it provide families with intersex children with adequate counselling and support.</p>	
CRPD/C/URY/CO/1	2016	Uruguay	<p>Protecting the integrity of the person (art. 17)</p> <p>44. The Committee recommends that the State party amend Act No. 9581 of 1936 and the mental health regulations issued by the Ministry of Health to require in all cases, without exception, the free and informed consent of persons with disabilities, including those whose legal capacity has been revoked, as an essential prerequisite for any surgery or medical treatment, especially those of an invasive nature and whose effects are irreversible, such as sterilization and procedures on intersex children.</p>	link
CRPD/C/CHL/CO/1	2016	Chile	<p>Protecting the integrity of the person (art. 17)</p> <p>42. The Committee requests the State party to amend Act No. 20.584 and Decree No. 570 to require in all cases, without exception, the free and informed consent of persons with disabilities, including those whose legal capacity has been revoked, as an essential prerequisite for</p>	link

			<p>any surgery or medical treatment, especially those of an invasive nature and whose effects are irreversible, such as sterilization and procedures on intersex children.</p>	
CRPD/C/DEU/CO/1	2015	Germany	<p>Protecting the integrity of the person (art. 17)</p> <p>37. The Committee is concerned about: (a) the use of compulsory and involuntary treatment, in particular for persons with psychosocial disabilities in institutions and older persons in residential care; (b) the lack of data on involuntary placement and treatment; (c) the practice of carrying out forced sterilization and coercive abortions on adults with disabilities on the basis of substituted consent; and (d) the lack of implementation of the 2011 recommendations of the Committee against Torture (see CAT/C/DEU/CO/5, para. 20) regarding upholding the bodily integrity of intersex children.</p> <p>38. The Committee recommends that the State party take the measures, including of a legislative nature, necessary to:</p> <p>(a) Repeal section 1905 of the German Civil Code and explicitly prohibit in law sterilization without the full and informed consent of the individual concerned, eliminating all exceptions, including those based upon substituted consent or court approval;</p> <p>(d) Implement all the recommendations of the Committee against Torture (ibid.) relevant to intersex children.</p>	link

CCPR: Human Rights Committee

Abbreviation + session no.	Year	Country	Quote/Excerpt	Link
CCPR/C/CHL/CO/7	2024	Chile	<p>Children with variations of sex characteristics (intersex)</p> <p>23. The Committee welcomes the adoption of Ministry of Health circular No. 15 of 7 November 2023, which instructs health teams to take all measures necessary to ensure respect for the best interests of children and adolescents with variations of sex characteristics. However, the Committee is concerned about reports that the circular is not yet being effectively and fully implemented (arts. 7, 17, 24 and 26).</p> <p>24. The State party should ensure the effective and immediate implementation of circular No. 15 and take steps to end the administration of irreversible medical treatment, especially surgical operations, on intersex children who are not yet capable of giving their full, free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons. The State party should consider enacting a law to that effect, and:</p> <p>(a) Provide victims of the above practices with access to remedies and effective reparation, mental health and social services, and legal assistance, including support for families;</p> <p>(b) Strengthen awareness-raising and education programmes on the harmful consequences of the above practices and on the rights of intersex children and adolescents, with a view to eradicating these practices, with a particular focus on health professionals.</p>	link
CCPR/C/IRL/CO/5	2023	Ireland	Sexual orientation, gender identity and intersex persons	link

			<p>19. The Committee is concerned about social stigmatization and discrimination against persons based on their sexual orientation or gender identity. While noting the information provided on the ongoing review of conversion practices, the Committee is concerned about reports of the continued practice of conversion therapy. The Committee is also concerned that irreversible and invasive medical interventions continue to be performed on intersex children. It notes with concern that such actions are often based on a stereotyped vision of gender roles and carried out before children are of an age to allow them to give their full, free and informed consent (arts. 3, 7, 9, 17, 24 and 26).</p> <p>20. The State party should:</p> <p>(b) Take all steps necessary to ensure that all acts relating to the assignment of a sex to intersex children performed without their free and informed consent are specifically prohibited, except in cases in which such interventions are absolutely necessary for medical reasons and the best interests of the child have been duly considered.</p>	
CCPR/C/LUX/CO/4	2022	Luxembourg	<p>Sexual orientation, gender identity and intersex persons</p> <p>11. While welcoming the adoption of the National Plan of Action to Promote the Rights of Lesbian, Gay, Bisexual, Transgender and Intersex Persons, dated 13 July 2018, and the fact that a draft bill is being prepared on the right to self-determination of intersex children, the Committee notes with concern that children with variations in sexual development at birth sometimes undergo invasive and irreversible medical procedures aimed at assigning them a sex, that these procedures are often based on a stereotypical view of gender roles and that they are performed before the persons concerned are of an age to give their free and informed consent. The Committee is also concerned about the lack of centralized</p>	link

			<p>statistics on interventions of this nature and on the rehabilitation and compensation measures that have been provided to persons who have undergone such interventions (arts. 2, 7, 24 and 26).</p> <p>12. The State party should strengthen the measures to end the performance of irreversible medical acts, especially surgical operations, on intersex children who are not yet capable of giving their free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons. In this regard, the State party should expedite the adoption of a law to this effect, as foreseen by the above-mentioned plan of action. The State party should also accelerate the establishment of a centralized system for the collection of relevant statistics, including on rehabilitation and compensation measures.</p>	
CCPR/C/FIN/CO/7	2021	Finland	<p>Sexual orientation, gender identity and intersex status</p> <p>20. The Committee is concerned about social stigmatization, discrimination and violence against persons based on their sexual orientation or gender identity. While noting the ongoing process to amend the Trans Act, the Committee is concerned about the lengthy procedure for legal gender recognition and the requirements to be sterilized and diagnosed with “transsexualism”, which is defined as a mental disorder. It is further concerned that consenting transgender children may be unable to access the procedure for legal gender recognition. The Committee is also concerned that irreversible and invasive medical interventions continue to be performed on intersex children. It notes with concern that such actions are often based on a stereotyped vision of gender roles and carried out before children are of an age to allow them to give their full, free and informed consent (arts. 3, 7, 9, 17, 24 and 26).</p>	link

			<p>21. The State party should take legislative and other measures to:</p> <p>(c) Effectively prevent the performance of irreversible medical interventions, especially surgical operations, on intersex children who are not yet capable of giving their full, free and informed consent, unless such procedures constitute an absolute medical necessity, and ensure access to effective remedies for victims of such interventions.</p>	
CCPR/C/KEN/CO/4	2021	Kenya	<p>B. Positive aspects</p> <p>3. The Committee welcomes the following legislative, institutional and policy measures taken by the State party:</p> <p>(b) The enactment of the Registration of Persons (Amendment) Bill of 2019, which provides for the legal recognition of intersex persons;</p> <p>Sexual orientation, gender identity and intersexuality</p> <p>12. The Committee is concerned about:</p> <p>(c) Reports of lesbian, gay, bisexual, transgender and intersex individuals experiencing harassment, discrimination and violence, including violations perpetrated by law enforcement officers and vigilante groups, and facing barriers to access justice and remedies;</p> <p>(e) Cases of non-urgent, irreversible surgical procedures, infanticide and abandonment among intersex children (arts. 2, 6, 7, 17 and 26).</p> <p>13. The State party should take appropriate steps to:</p> <p>(b) Address discriminatory attitudes and stigma towards lesbian, gay, bisexual, transgender and intersex persons among the general public, including through comprehensive awareness-raising and sensitization activities;</p> <p>(e) Strengthen measures to end the performance of irreversible medical acts, especially surgical operations, on</p>	link

			<p>intersex children who are not yet capable of giving their full, free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons. Access to effective remedies for victims of such interventions should also be ensured.</p>	
CCPR/C/PRT/CO/5	2020	Portugal	<p>Sexual orientation, gender identity and intersexuality</p> <p>16. While welcoming the recent adoption of Law No. 38/2018, the Committee notes with concern reports that children born with intersex traits are sometimes subjected to invasive and irreversible medical procedures aimed at assigning them with a sex, that such actions are often based on a stereotyped vision of gender roles and that they are carried out before the persons in question are of an age to give their free and informed consent (arts. 3, 7, 9, 17, 24 and 26).</p> <p>17. The State party should strengthen the measures to end the performance of irreversible medical acts, especially surgical operations, on intersex children who are not yet capable of giving their free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons.</p>	link
CCPR/C/BEL/CO/6	2019	Belgium	<p>Sexual orientation, gender identity and intersexuality</p> <p>21. The Committee notes with concern that children born with intersex traits are sometimes subjected to invasive and irreversible medical procedures aimed at assigning them with a sex, that such actions are often based on a stereotyped vision of gender roles and that they are carried out before the persons in question are of an age to give their free and informed consent (arts. 3, 7, 9, 17, 24 and 26).</p> <p>22. The State party should take the necessary measures to end the performance of irreversible medical acts, especially surgical operations, on</p>	link

			<p>intersex children who are not yet capable of giving their free and informed consent, except in cases where such interventions are absolutely necessary for medical reasons.</p>	
CCPR/C/MEX/CO/6	2019	Mexico	<p>Discrimination and violence based on sexual orientation and gender identity</p> <p>12. The Committee is concerned about the discrimination and the high level of violence, including a large number of homicides, that are motivated by the victim's sexual orientation or gender identity and regrets that consolidated data on investigations and prosecutions initiated, convictions and punishments handed down and reparations granted in such cases are not available. In spite of the explanations provided by the State party's delegation, the Committee is concerned about reports of irreversible and invasive medical procedures being performed on intersex children (arts. 2, 6, 7, 17 and 26).</p> <p>13. The State party should adopt the investigation protocols necessary to ensure that: (c) victims have access to safe complaint mechanisms, due support and assistance, adequate protection and comprehensive redress. The State party should redouble its efforts to combat stereotypes and prejudice against lesbian, gay, bisexual, transgender and intersex persons and to guarantee that acts of discrimination and violence directed against them are prevented. It should also take steps to stop irreversible medical treatments being performed, in particular surgical procedures performed on intersex children who do not yet have the capacity to give fully informed and free consent, except when these procedures are absolutely necessary from the medical point of view.</p>	link
CCPR/C/AUS/CO/6	2017	Australia	<p>Sexual orientation, gender identity and intersex status</p> <p>25. The Committee is concerned that infants</p>	link

			<p>and children born with intersex variations are sometimes subject to irreversible and invasive medical interventions for purposes of gender assignment, which are often based on stereotyped gender roles and are performed before the children concerned are able to provide fully informed and free consent (arts. 3, 7, 9, 17, 24 and 26).</p> <p>26. The State party should give due consideration to the recommendations the Senate Standing Committee on Community Affairs made in its 2013 inquiry report on involuntary or coerced sterilization of intersex persons, and move to end irreversible medical treatment, especially surgery, of intersex infants and children, who are not yet able to provide fully informed and free consent, unless such procedures constitute an absolute medical necessity.</p>	
CCPR/C/PAK/CO/1	2017	Pakistan	<p>Non-discrimination</p> <p>11. The Committee is concerned that the non-discrimination provisions adopted by the State party, including articles 25 to 27 of the Constitution, do not afford protection against discrimination on all the grounds prohibited under the Covenant. It is also concerned that same-sex relations between consenting adults are criminalized. While welcoming the information about progress made in the State party on the situation of intersex persons, the Committee regrets the absence of information from the delegation on effective measures to prevent and punish all forms of discriminations against lesbian, gay, bisexual, transgender and intersex persons (arts. 2, 3 and 26).</p> <p>12. The State party should take all necessary measures, including the adoption of comprehensive anti-discrimination legislation, to ensure that its legal framework; (a) Provides full and effective protection against discrimination in all spheres, including the private sphere, and prohibits direct, indirect and multiple discrimination;</p>	link

			<p>(b) Includes a comprehensive list of grounds for discrimination, including colour, language, political or other opinion, national or social origin, property, disability, sexual orientation and gender identity or other status;</p> <p>(c) Provides for effective remedies in cases of violation. It should also decriminalize same-sex relations between consenting adults.</p>	
CCPR/C/CHE/CO/4	2017	Switzerland	<p>Intersex persons</p> <p>24. The Committee takes note of the work of the National Advisory Commission on Biomedical Ethics regarding intersexuality and of the 6 July 2016 press statement by the Federal Council. It remains concerned, however, that the performance of surgical procedures on intersex children, causing physical and mental suffering, is still not strictly regulated. It also wishes to express concern that the conduct of surgery without consent has not yet given rise to any inquiry, sanction or reparation (arts. 3, 7, 24 and 26).</p> <p>25. The State party should:</p> <p>(a) take all necessary measures to ensure that no child undergoes unnecessary surgery intended to assign sex;</p> <p>(b) see to it that medical records are accessible and that inquiries are launched in cases where intersex persons are subjected to treatment or surgical procedures without their effective consent; and</p> <p>(c) ensure that psychological assistance and reparation, including compensation, are provided for victims of needless surgical procedures.</p>	link

CESCR: Committee on Economic, Social and Cultural Rights

Abbreviation + session no.	Year	Country	Quote/Excerpt	Link
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E/C.12/LUX/CO/4	2022	Luxembourg	<p>Right to physical and mental health</p> <p>36. The Committee notes with concern that:</p> <p>(b) There are no regulations prohibiting the performance of surgical procedures on intersex children, which are often irreversible, not medically necessary and harmful to the child's physical and mental integrity;</p> <p>37. The Committee recommends that the State party:</p> <p>(b) Ensure that, in practice, surgical procedures are not performed on the sex characteristics of intersex children, in the absence of medical necessity or emergency, until such children are capable of forming their own views and giving informed consent, and expedite the adoption of a law to this effect, as provided for in the National Action Plan for the Promotion of the Rights of Lesbian, Gay, Bisexual, Transgender and Intersex Persons;</p>	Link
E/C.12/CZE/CO/3	2022	Czech republic	<p>Right to health</p> <p>38. The Committee is further concerned about the lack of regulation on the rights of intersex persons, including to prohibit the performing surgical procedures on intersex children.</p> <p>39. The Committee recommends that the State party:</p> <p>(d) Ensure that medically unnecessary procedures on intersex children are not performed until they can give their</p>	Link
E/C.12/BEL/CO/5	2020	Belgium	<p>Intersex persons</p> <p>54. The Committee is concerned at the situation of intersex minors, and in particular the practice of performing surgical procedures that are often irreversible and medically unnecessary or non-urgent and that are detrimental to the physical and</p>	Link

			<p>mental integrity of the individuals concerned (arts. 10 and 12).</p> <p>55. The Committee recommends that, under the Interfederal Action Plan to Combat Discrimination and Violence against Lesbian, Gay, Bisexual, Transgender and Intersex Persons, the State party:</p> <p>(a) Ensure that, in practice, medically unnecessary or non-urgent procedures on the sex characteristics of intersex children are not performed until the children are capable of forming their own views and can give their informed consent;</p> <p>(b) Provide greater information on intersexuality and train health-care personnel on the health needs and human rights of intersex persons, including their right to autonomy and physical integrity;</p> <p>(c) Ensure that intersex persons and organizations continue to be consulted and participate in the development of research, legislation and policies concerning their rights.</p>	
E/C.12/DNK/CO/6	2019	Denmark	<p>Intersex children</p> <p>64. The Committee is concerned that the definition of “disorders (differences) of sex development” in the State party’s legislation does not contain all elements of the definition of “intersex”. It is also concerned at reports that medically unnecessary procedures continue to be performed on intersex children (arts. 10 and 12).</p> <p>65. The Committee recommends that, in the implementation of the 2018–2021 National Action Plan on lesbian, gay, bisexual, transgender and intersex persons, the State party:</p> <p>(a) Replace in its legislation the concept</p>	Link

			<p>of “ disorders (differences) of sex development ” with a definition of intersex person in which differences in sex characteristics include genitals, gonads and chromosome patterns;</p> <p>(b) Ensure that, in practice, medically unnecessary procedures on the sex characteristics of intersex children are not performed until the children are capable of forming their own views and can give their informed consent;</p> <p>(c) Train health-care personnel on the health needs and human rights of intersex persons, including their right to autonomy and physical integrity;</p> <p>(d) Ensure that, in addition to the information material for parents of intersex children to be published by the Danish Health Authority, intersex persons and their families receive adequate counselling and support, including from peers;</p> <p>(e) Identify and investigate human rights violations against intersex persons in the context of the examination of the living conditions of intersex persons to be conducted in 2020;</p> <p>(f) Ensure that intersex persons and organizations continue to be consulted and participate in the development of research, legislation and policies that impact on their rights.</p>	
E/C.12/DEU/CO/6	2018	Germany	<p>Intersex children and transgender persons</p> <p>24. The Committee welcomes the decision of the Federal Constitutional Court of 10 October 2017 concerning the third gender. The Committee is, however, concerned that gender confirmation surgery has continued to be performed on intersex infants and children</p>	Link

			<p>since the adoption of the Law on Amendments to the Civil Status Act and is also concerned at the lifelong devastating consequences of such surgery on the mental, physical and psychological health and well-being of the children concerned. It is further concerned that gender laws (<i>Transsexuellengesetz</i>) in the State party pathologize transgender status (arts. 2 (2) and 12).</p> <p>25. The Committee recommends that the State party take necessary measures to prohibit medically unnecessary gender confirmation surgery on intersex infants and children and to provide an enabling environment in which intersex infants and children can develop and in which their preferred gender identity can be respected. It also recommends that the State party revise its gender laws in accordance with international human rights standards and best practice.</p>	
E/C.12/ARG/CO/4	2018	Argentina	<p>55. The Committee is concerned about the high number of unsafe abortions in the State party, which is directly linked to maternal mortality; the obstacles that women encounter when they seek abortion on the grounds provided for by law; the lack of necessary medications; and the adverse impact of conscientious objection by doctors. The Committee also regrets that the bill to decriminalize abortion was not adopted. Finally, the Committee is concerned about the lack of a policy and institutional framework for ensuring that appropriate health services are available to intersex persons (art. 12).</p> <p>56. The Committee recommends that the State party:</p> <p>(g) Adopt a policy and institutional framework for ensuring that appropriate health services are available to intersex persons.</p>	Link

E/C.12/NLD/CO/6	2017	Netherlands	<p>Intersex children</p> <p>48. The Committee is concerned that the State party's practice of early surgery and medical interventions on intersex children, which are not necessary for physical health and alters their sex characteristics, do not respect their right to free, prior and informed consent (art. 12).</p> <p>49. The Committee recommends that the State party review the practice of early surgery and medical interventions on intersex children, in order to make sure that they are mature enough to be consulted on their preferred treatments on the basis of their informed choices and consent.</p>	Link
E/C.12/AUS/CO/5	2017	Australia	<p>Intersex persons</p> <p>49. The Committee is concerned that children born with intersex variations are subject to early surgeries and medical interventions before they are able to provide full and informed consent (art. 12).</p> <p>50. The Committee recommends that the State party study and implement the recommendations put forward in the 2013 report of the Senate Community Affairs References Committee entitled “ Involuntary or coerced sterilisation of intersex people in Australia ” .</p>	Link