

LUNCH BRIEFING

Joint Intersex NGO Oral Statement CEDAW71 Nepal, 22.10.2018

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Presented by Daniela Truffer (StopIGM.org)

Thank you.

I'm an intersex person and an IGM survivor, representing the **Joint Intersex NGO report**¹ as the Nepali intersex community can't afford travelling to Geneva. I will speak on article 5, harmful practices on intersex children.²

Intersex people belong to the most marginalised communities in Nepal, also within the LGBTI community, with others speaking in their name and depriving them of their own voice. In society as in the Government, the **near total lack of awareness** of intersex as a natural physical variation persists, and intersex people are generally **misrepresented as transgender**. The **societal ignorance and stereotypes** are compounded by **religious prejudice** framing intersex as a result of karmic debt caused by sins in a previous life, and as a **bad omen**.

As shown in our report,³ **intersex genital mutilation** remains a **growing practice** in Nepal, currently in at least 6 public and private hospitals. Children are also **sent to India** for IGM. **Infanticide** and **child abandonment** are frequent, particularly in rural regions. There are reports of **expulsion of adolescents from their families**, of **forced marriage** to avoid conspicuousness, of **massive bullying** preventing intersex children from attending school, and more.

In 2016, **CRC** urged Nepal to eliminate **harmful practices** on intersex children.⁴ To this day the **State party fails to act**. Also⁵ in its replies to the LOI, Nepal simply **ignored the questions on intersex**.⁶

We therefore respectfully ask the Committee to raise **infanticide, IGM and other harmful practices** on intersex children under art. 5 and General recommendation 31.

Thank you.

1 <http://intersex.shadowreport.org/public/2018-CEDAW-Nepal-NGO-Intersex-IGM.pdf>

2 CEDAW/C/FRA/CO/7-8, paras 18e-f + 19e-f; CEDAW/C/CHE/CO/4-5, paras 24-25, 38-39; CEDAW/C/NLD/CO/6, paras 21-22, 23-24; CEDAW/C/DEU/CO/7-8, paras 23-24; CEDAW/C/IRL/CO/6-7, paras 24-25; CEDAW/C/CHL/CO/7, paras 22-23, 12(d)-13(d), 14(d)-15(d); CEDAW/C/LUX/CO/6-7, paras 27b-c + 28b-c; CEDAW/C/MEX/CO/9, para 21 – 22; CEDAW/C/NZL/CO/8, paras 23(c) – 24(c); CEDAW/C/AUS/CO/8, paras 25(c) – 26(c); CRC/C/CHE/CO/2-4, paras 42–43; CRC/C/CHL/CO/4-5, paras 48–49; CRC/C/FRA/CO/5, paras 47-48; CRC/C/IRL/CO/3-4, paras 39-40; CRC/C/NPL/CO/3-5, paras 41–42; CRC/C/GBR/CO/5, paras 46-47; CRC/C/NZL/CO/5, paras 25 + 15; CRC/C/ZAF/CO/2, paras 39-40 + 23-24; CRC/C/DNK/CO/5, paras 24+12; CRC/C/ESP/CO/5-6, para 24; CRC/C/ARG/CO/5-6, para 26

3 See p. 11–14

4 CRC/C/NPL/CO/3-5, paras 38, 41-42

5 Already during the **2016 CRC review of Nepal**, when CRC raised **harmful practices** on intersex children during the interactive dialogue, the **State party first ignored the question**, and when the CRC Co-Rapporteur repeated her question about harmful practices on intersex children, the State party **then replied on 3rd gender passports instead**, see NGO Report, p. 11 and CRC72 Nepal transcript: <http://stop.genitalmutilation.org/post/Geneva-Nepal-Questioned-over-Intersex-Genital-Mutilations-by-UN-Committee-on-the-Rights-of-the-Child>

6 CEDAW/C/NPL/Q/6, para 8(d). See also our NGO report, p. 12–14