

## **StopIGM.org: NGO Oral Statement CEDAW PSWG Germany, 25.07.2016**

Daniela Truffer

Thank you.

I'm an intersex person and a survivor of IGM practices, including involuntary sterilising procedures, and partial clitoris amputation, speaking for StopIGM.org, an international intersex NGO including a German constituency.

In personal capacity I'm also a member of the German intersex self-help group XY-Women, serving as a first contactor for 7 years, and of the German Association of Intersex People, serving as chair when it submitted a thematic report to this Committee, leading to the first ever recommendations on intersex by a treaty body in 2009.

Intersex Genital Mutilations have been considered by CAT as "ill-treatment", starting with Germany in 2011, as well as by CRPD, again starting with Germany in 2015, and by CRC, who so far six times considered IGM a "harmful practice", repeatedly referring to the CEDAW/CRC Joint general recommendation 31.

Regarding this Committee, our NGO recently contributed a thematic report on IGM<sup>1</sup> for the 64th session, and we're anxiously awaiting the publication of the Concluding Observations for France later today.

As referenced in our report for this pre-session<sup>2</sup>, also in Germany all forms of IGM practices persist, paid for by the public health insurances, and perpetrated in public university and regional children's clinics with impunity, including "vaginoplasty" and partial clitoris amputation, now most often performed during the first year of life.<sup>3</sup>

German intersex organisations, including the Association of Intersex People<sup>4</sup> and StopIGM.org<sup>5</sup>, demand to "explicitly prohibit by law" IGM practices, seconded by the Conference of the Equality and Women's Ministers of the German Federal States<sup>6</sup> and the Federal Anti-Discrimination Agency<sup>7</sup>.

However, to this day, in Germany there is no law to protect intersex children from these daily mutilations.

To this day, instead of investigating IGM practices and to guarantee "equal access to legal remedies and appropriate reparations" also for intersex children, the German Government insists on focusing on civil status and gender identity issues, which for intersex children are at best marginal, or in the case of the Civil Status Act 2013, harmful.

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1 <http://intersex.shadowreport.org/public/2016-CEDAW-France-NGO-Zwischengeschlecht-Intersex-IGM.pdf>

2 <http://intersex.shadowreport.org/public/2016-CEDAW-Germany-NGO-Zwischengeschlecht-Intersex-IGM.pdf>

3 Anike Krämer, Katja Sabisch, Jörg Woweries: Varianten der Geschlechtsentwicklung. Kinder- und Jugendarzt 5/2016, p. 318-321, see figure 2 and figure 1, <http://www.kinder-undjugendarzt.de/download/47.%20%2865.%29%20Jahrgang%202016/KJA%205-2016%20Web.pdf>

4 <https://www.tagesschau.de/inland/intersexualitaet100.html>

5 <http://www.ethikrat.org/dateien/pdf/anhoerung-08-06-2011-truffer.pdf>

6 p. 53-54,

[https://www.gleichstellungsministerkonferenz.de/documents/2014\\_10\\_13\\_Beschluesse\\_GESAMT\\_Extern.pdf](https://www.gleichstellungsministerkonferenz.de/documents/2014_10_13_Beschluesse_GESAMT_Extern.pdf)

7 p. 28-29,

[http://www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Handlungsempfehlungen\\_Kommission\\_Geschlecht.pdf;cid350?\\_\\_blob=publicationFile&v=5](http://www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Handlungsempfehlungen_Kommission_Geschlecht.pdf;cid350?__blob=publicationFile&v=5)

To this day, the German Government refuses to acknowledge that this is a human rights issue, but, as in the state report, instead frames involuntary surgeries as “medical treatment” or “sex reassignment surgery [carried out] hastily”, and continues to protect and fund the perpetrators.

We thus implore the Committee to ask Germany tough questions on data collection and monitoring of IGM practices, the ongoing impunity of the perpetrators, and how to remove obstacles to redress for survivors.

Thank you.