



2016 YEAR END REVIEW

Revised January 4, 2017

The Intersex Campaign for Equality

Oii-USA, aka the Intersex campaign for Equality (ICE), advocates for equality and human rights for intersex people, particularly the rights to physical integrity, self determination, legal recognition and de-pathologization. We are dedicated to representing all intersex people regardless of sex, sexual orientation, gender identity, race, religion, ability or class. We do so via lecturing, publishing, consulting, social media, providing peer support, and lobbying the government to acknowledge intersex people as equal citizens.

2016 heralded some groundbreaking achievements for intersex Americans as a result of ICE's work, and 2017 promises more. We successfully called for the following, as found in the Public Statement of the Third International Intersex Forum, cited below (<http://ilga-europe.org/what-we-do/our-advocacy-work/trans-and-intersex/intersex/events/3rd-international-intersex-forum>):

1. International, regional and national human rights institutions to take on board, and provide visibility to intersex issues in their work.
2. National governments to address the concerns raised by the Intersex Forum and draw adequate solutions in direct collaboration with intersex representatives and organisations.
3. Media agencies and sources to ensure intersex people's right to privacy, dignity, accurate and ethical representation.
4. Funders to engage with intersex organisations and support them in the struggle for visibility, increase their capacity, the building of knowledge and the affirmation of their human rights.
5. Human rights organisations to contribute to build bridges with intersex organisations and build a basis for mutual support. This should be done in a spirit of collaboration and no-one should instrumentalise intersex issues as a means for other ends.

1. We successfully called on international, regional and national human rights institutions to take on board, and provide visibility to intersex issues in their work.

In 2016, ICE continued to consult with the UN OHCHR, a relationship which began on Human Rights Day 2012, when a letter authored by our E.D. Hida Vloria was signed by participants of the Second International Intersex Forum and delivered to the High Commissioner of Human Rights and Charles Radcliffe, with ILGA's assistance (http://www.ilga-europe.org/sites/default/files/hrd_2012_-_intersex_forum_-_un_navil_pillay_letter_2012.pdf). In September 2015, the U.N.'s Free and Equal Campaign, directed by Charles Radcliffe, published the *Intersex Fact Sheet*, a groundbreaking resource which ICE was called upon to review, alongside a short video featuring our E.D. titled, "What Does It Means to be Intersex?" (<https://www.unfe.org/en/actions/intersex>). In 2016, ICE consulted the UN Free & Equal Campaign on their Awareness Day campaign, which featured a fantastic animated video for families of intersex children, and a picture of our E.D. Hida Vloria with the following quote:

"I feel blessed that my parents allowed me to be who I am, and I encourage all parents of intersex kids to do the same. Trying to 'fix' healthy babies' bodies to fit social ideals is innately prejudiced, and prejudice is never the solution."

(<https://www.unfe.org/intersex-awareness/>).

Circulating this quote promotes our call for an end to medically unnecessary "normalizing" medical treatments of intersex babies and kids, a.k.a. Intersex Genital Mutilation, or IGM.

2. We successfully called on national governments to address the concerns raised by the Intersex Forum and draw adequate solutions in direct collaboration with intersex representatives and organizations.

Legal Recognition

One of the demands of Third International Intersex Forum was for "all adults and capable minors to be able to choose between female, male, non-binary or multiple gender options."

We feel that limiting adult gender recognition to male or female categories facilitates the erroneous assumption that we should all thereby be surgically carved into male or female bodies without our request or consent. We thus support the Forum's demand for non-binary gender recognition, and we believe it is particularly significant for this to be achieved in the U.S., as it is the birthplace of Intersex Genital Mutilation (IGM), and is practiced in an effort to erase intersex people from society.

In this vein, on Intersex Awareness Day 2015, we called on the United States government to acknowledge the right of intersex people who feel our gender is not male or female to have our gender accurately registered as non-binary, with a groundbreaking lawsuit against the United States State Department by our associate director Dana Zzyym, for legal recognition of their gender as neither male nor female on their passport

(http://www.lambdalegal.org/blog/20151026_zzyym-intersex-denied-passport).

On November 22, 2016, the District Court for the District of Colorado ruled in favor of Zzyym, stating that the State Department violated federal law.^[91] The ruling stated that the court found "no evidence that the Department followed a rational decision-making process in deciding to implement its binary-only gender passport policy," and ordered the U.S. Passport Agency to reconsider its earlier decision (http://www.lambdalegal.org/in-court/legaldocs/zzyym_co_20161122_order). This victory means that the federal government can no longer pretend that intersex people are all "really" males or females (http://www.lambdalegal.org/blog/20161122_zzyym). It thus puts us one step closer to ensuring that intersex babies are given the right to make their own decisions about their bodies and identities, a.k.a. the right to bodily autonomy and self-determination).

In addition, our E.D. consulted with Lambda Legal about discriminatory practices against intersex people by the U.S. Department of Homeland Security's Transportation Security Administration (TSA), and will continue to address these regulations in 2017.

3. We successfully called on media agencies and sources to ensure intersex people's right to privacy, dignity, accurate and ethical representation.

One of the demands of the Public Statement of the Third International Intersex Forum (as well as the one before it in Stockholm), was for "intersex to be classified as a "disorder of sex development", and we attained this goal in several high impact ways during 2016.

Ethical Representation and Depathologization in Education

In January, our E.D. Hida Vioria's essay "What's in Name: Intersex and Identity" was published in the college textbook *Queer: A Reader for Writers*, by Oxford University Press. The book features essays from academic luminaries in gender studies such as Michel Foucault, Gayle Rubin, and Eve Kosofsky Sedgwick, and a section on intersex issues. Our E.D.'s essay—the only one by an intersex author selected for the first year curriculum textbook-- is a groundbreaking examination of how stigmatizing, medicalized labels such as "disorders of sex development"/"DSD" further discrimination and limit human identity. The essay's inclusion ensures that thousands of college students will learn about intersex people and our need for equality, de-pathologization, bodily autonomy and self-determination, from an intersex person--a victory after centuries of intersex people being studied and written "about" by others.

Later in 2016, our E.D.'s essay, "Promoting Health and Social Progress by Accepting and Depathologizing Benign Intersex Traits," appeared in the "Normalizing Intersex" issue of *Voices: Personal Stories from the Pages of NIB*, an online version of the journal *Narrative Inquiry in Bioethics*, in which the essay first appeared in 2015

(http://www.nibjournal.org/news/documents/Voices_2016_OA_FINAL-withOLOS_version_001.pdf). The publication's readership consists of physicians and other health care professionals, and the essay shares how happy Vioria is about being born visibly intersex and not having been subjected to IGM. Vioria also shares that having doctors who did not treat he/r any differently upon learning that s/he's intersex allowed he/r to access quality healthcare, and encourages all physicians to treat intersex patients equally, just as they would anyone else, and to acknowledge that being intersex is a natural human variation rather than a "disorder."

Accurate and Ethical Representation in the Media

In December, we celebrated an important win for intersex equality: *National Geographic* magazine decided, upon our E.D. and others' request--not to use the pathologizing definition of

intersex which they had originally chosen for their "Gender Revolution" issue. Upon receiving news of the original definition, our E.D. called upon allies to contact National Geographic via social media, and we were touched and thrilled to see that many did and that it generated results. *National Geographic* corrected the definition of intersex in the online issue of "Gender Revolution", and their editor-in-chief explained, in a subsequent *National Geographic* article, why they decided to change the definition, quoting our E.D.:

"This definition is opposed by intersex advocates across the globe for the simple reason that it pathologizes us, thereby promoting the erroneous, stigmatizing view that intersex people require 'fixing.'"

<http://www.nationalgeographic.com/magazine/2017/01/gender-issue-reader-comments-faq>

In addition, on January 4, 2017, our E.D. was quoted in People Magazine around the historic issuing of the first U.S. intersex birth certificate, and used the opportunity to bring attention to need to end IGM, the need for non-binary gender registration to be a voluntary adult designation, the need for equal rights and protections for intersex people.

"Intersex people have suffered for centuries because of the notion that only males and females exist, which is why our associate director Dana Zzyym successfully fought for federal gender recognition as intersex on their passport last year," Hida Vioria, chairperson of the Organisation Intersex International tells PEOPLE. "Having intersex acknowledged as a legal sex/gender category is critical to ending intersex oppression, such as the barbaric nonconsensual medical practices which attempt to render us all males or females," Vioria continues. "We commend Keegan and Zzyym, and note that until equal services and protections are available to all intersex citizens, this designation should remain a voluntary one only, for adults who seek it." (<http://people.com/bodies/new-york-city-issues-nations-first-known-intersex-birth-certificate/>).

4. We successfully called on funders to engage with intersex organizations and support them in the struggle for visibility, increase their capacity, the building of knowledge and the affirmation of their human rights.

Intersex Visibility in the Arts

In 2015, the Astraea Lesbian Fund for Justice announced its new Intersex Fund, a first of its kind funding program. We called on them to support our efforts for intersex visibility by applying for a grant to fund filming costs for the trailer of a documentary about intersex people that we are co-producing with filmmaker Sam McConnell (The Out List, The Trans List), and they did. We used the grant to film the historic filing of our associate director Dana Zzyym's groundbreaking lawsuit against the U.S. State Department on Intersex Awareness Day 2015. Our grant was renewed during the following grant cycle, and we continued to film for the trailer throughout 2016. We're very excited about the documentary as Mr. McConnell is a highly experienced, successful, respected professional in the field whose former work has been lauded for helping further acceptance of LGBTQIA people, and we are working with him closely in order to ensure that our message of equality and human rights for intersex people.

ICE has always believed that art is a powerful medium for social change as it can change hearts and minds. We thus look forward to this film being able to help further awareness and acceptance of intersex people. Similarly, we are excited that our E.D.'s memoir *Born Both: An Intersex Life*, will be published on March 14th by Hachette Book Group. It is the first book by an openly intersex person to be published by one of the "Big Four" publishers, and although Hachette is not an LGBTQIA funder, they are dedicated to drawing as much attention as possible to the memoir's message of the need for an end to IGM and for intersex acceptance and equal rights. We have been notified that there is interest in foreign language translations, and curriculum use in the United States, which will give the message even wider reach.

5. We called on human rights organisations to contribute to build bridges with intersex organisations and build a basis for mutual support. This should be done in a spirit of collaboration and no-one should instrumentalise intersex issues as a means for other ends.

Last year we continued and expanded our relationships with human rights NGO's Attorneys for the Rights of the Child (ARC) and Genital Autonomy America (GA America). Both organizations advocate and lobby for an end to Female Genital Mutilation and circumcision, and are expanding their belief in genital integrity and their stance against infant genital cutting to include Intersex Genital Mutilation (IGM). ARC renewed its commitment to serve as our fiscal non-profit sponsor, enabling us to receive donations and our grant from Astraea, and GA America invited us to consult them on their website renovation (scheduled to launch in spring 2017), which will include intersex information and resources. Both organizations have allies and staff/board members in the fields of law and health care, and we welcome their inclusion and the continuing coalition. In turn, we stand against all non-consensual infant genital cutting as all forms have known health risks, and we believe that decisions about cosmetic genital cutting should be made by the individual involved when they are old enough to assess the risks and factors involved, and have added a sentence about this to our mission in order to support our allies in promoting genital autonomy for all humans.

Bodily Autonomy and Self-Determination

One of ICE's founding goals, and the primary goals of the intersex advocacy community, as stated in the first demand of the Public Statement of the Third International Intersex Forum, is: "to put an end to mutilating and 'normalising' practices such as genital surgeries, psychological and other medical treatments through legislative and other means. Intersex people must be empowered to make their own decisions affecting own bodily integrity, physical autonomy and self-determination."

As always, we continued to educate regarding the medical human rights abuse of IGM. More notably, we consulted with Lambda Legal, the legal representatives in our associate director's lawsuit, throughout the year on intersex issues. Thus, in April, 2016, when they filed their opening brief and response to the federal government's attempt to dismiss the case, Lambda

Bodily Autonomy and Self-Determination Con't

Legal used the opportunity to bring attention to the medical abuses which we had shared with them through their article, "Surgery for our Communities: Inflicted or Accessed?" http://www.lambdalegal.org/blog/20160422_zzyym-surgery. This coverage was greatly appreciated and influential because of the high level of legal and community discourse which the organization generates as the nation's oldest and largest legal organization fighting for LGBT civil rights.

Throughout the year, we continued to educate and provide peer support to parents of intersex children as to the need to put an end to IGM, and we are touched and thrilled to report that parents have been heeding the call. Throughout the year, we received emails from several parents who, motivated by our E.D.'s highly publicized story of being happy that they were born with ambiguous genitalia and raised without IGM, have decided to forego operations for their intersex babies, and to love them as they are. These children are being allowed to be healthy and whole, able to make their own choices about their bodies and identities. They will grow up as recipients of two of our greatest goals: the right to bodily autonomy and self-determination.

We feel that changing hearts and minds is as critical to ending IGM as legislation, and we increased our use of social media this last year as a means of doing so. We frequently authored posts geared at promoting intersex equality, in order to foster acceptance for bodily autonomy and self-determination, and featured news about, and stories by, intersex community members in order to further intersex visibility. We also created a series of Intersex Awareness Day 2016 Memes which promote equal rights for intersex people. We look forward to continuing to work for equal rights for intersex people in 2017, and the day when all intersex citizens are treated equally under the law and by society at large.
