



San José de Costa Rica Statement

Intersex persons and those with genetic variations of sex characteristics meeting from March 1 to 3, 2018, in San José de Costa Rica during the First Latin American Regional Conference of Intersex Persons celebrate, in this our first gathering, the plurality of our bodies and the diversity of our voices. With the collective strength of this space today we expose all the ways in which our experiences have been historically and repeatedly colonized, from the invasion of our lands to that of our bodies. We acknowledge the multiple ways in which we name ourselves in our different mother tongues including Spanish and Portuguese, especially acknowledging Indigenous languages. We demand that those names be recognized and included in the linguistic and cosmogonic wealth of human diversity, without subjecting them to colonization by the English language or the medical discourse, both originating in the Global North.

We also acknowledge the long history behind our current political work. We acknowledge the different challenges (different forms of violence, injustices, inequities and poverty) that throughout history have ravaged the societies making up our region. And we demand international recognition of that history while also affirming our commitment to not put it aside in our own work. Our Latin American Regional Conference of Intersex Persons unanimously endorses the statement issued by the Third International Intersex Forum held in Malta¹ in 2013.

We call **States** to:

1. Immediately prohibit any practice that modifies a person's sexual characteristics without irrefutable medical reasons and the full and informed consent of the person affected.
2. Abolish "sex" as a legal category to be recorded in official documents (birth certificates, identity cards, passports, etc.).
3. Reject any notion and labelling of intersexuality as a "third sex", "third gender", "indefinite sex", "non-determined sex", "ambiguous sex" or similar ones at birth, along with the practice of leaving blank the box corresponding to sex assignment after birth, because these categories do not reflect the diversity of the bodies we inhabit and

¹ <https://www.intersexequality.com/consensus-public-statement-by-the-third-international-intersex-forum/>

violate our right to privacy. As, at present, it is compulsory in our countries to assign all newborns a particular sex, we recommend that each one is assigned the masculine or the feminine sex based on best expectations without this involving any modification to our Intersex bodies in order to adjust our bodily forms to the notions of what is believed to be a typically male or female body.

4. Guarantee that all persons can access multiple options for the legal recognition of their gender identity to simple and free administrative procedures that require nothing more than the will of the person demanding them.
5. Guarantee the right of all persons subjected to any practice aimed to modify their sex characteristics to learn the truth about their birth, sex assignment, diagnosis, practices performed on their body and their rationale, as well as the names of those involved in such practices and their follow-up.
6. Recognize that pathologizing our bodies has deeply negative implications for our access to education and employment, and implement specific and effective reparation policies.
7. Incorporate the diversity of sex and bodily characteristics in all training programs, government-issued educational materials and public policies.

We call **national and regional Human Rights institutions** to:

- 8 Investigate all systematic violations against our human rights that have been widely recognized and exposed by different international bodies and to produce reports that specifically address these violations while also following-up on the reports submitted by Intersex movements.
- 9 Provide spaces (such as Human Rights Tribunals) where those suffering such violations and their consequences on our physical and mental health and integrity can make them public.
- 10 Compile data that contributes in formulating public policies for Intersex persons.

We call **funders** to:

- 11 Increase support to our movements.
- 12 Recognize that our movements mainly rely on activists most of whom lack enough basic resources to guarantee their subsistence and well-being, and support their personal and professional growth by providing resources to individuals and not only to groups.

We call **allied movements** to:

- 13 Acknowledge the specificity of our needs as a population and of the issues affecting us.
- 14 Fully respect our spaces, processes and decisions.
- 15 Avoid blocking, distorting or usurping, by any means whatsoever, our visibility, our voices, and the definitions and names of our corporealities, along with any rationalizations to justify such acts.
- 16 Join us in our work.

We call the **media** to:

- 17 Avoid stigmatization, mockery, ridicule, disinformation and distorted representations of our bodies, identities, sexualities and political claims.
- 18 Contribute to make our realities visible.
- 19 Promote and produce content that includes affirmative representations and the message that our corporealities can enjoy full, healthy and positive lives.
- 20 Put an end to the practice of forcing us to confront those who violate our human rights and/or those who defend such violations (be they health practitioners, relatives or others).

We call **health institutions** to:

- 21 Immediately put an end to any practice that modifies a person's sexual characteristics without irrefutable medical reasons and the full and informed consent of the person affected.
- 22 Put an end to any practice of photographing, filming and/or exhibiting Intersex persons unless the person involved explicitly consents to being photographed, filmed and/or exhibited.
- 23 Ensure that all persons can access their full medical records.
- 24 Ensure that all persons can access accurate and understandable information about their sexual characteristics and their manifestations throughout their lives, the practices aimed at modifying them, their consequences and the different options available.
- 25 Instruct their staff on Intersex issues from a human rights perspective so they can provide care free from discrimination to all Intersex persons.
- 26 Ensure that all Intersex persons coming into health facilities as adolescents or adults are not recommended surgeries and/or other medically unnecessary treatments unless the person explicitly requests them, regardless of the condition of their Intersex bodies (surgically intervened or intact). Instead, provide Intersex persons with information on local Intersex organizations where they can find peer advice and support.
- 27 Design, implement and reinforce training campaigns on healthcare for our population aimed at all health service providers and staff working in health facilities to sensitize and train them on the subject so they can provide quality and discrimination-free services.

We call **our families** to:

- 28 Listen to us.
- 29 Listen and/or provide support to other families.
- 30 Join us in our work to dismantle the human rights violations affecting us.
- 31 Learn about this issue through the information produced by Intersex movements.

We call **other intersex persons and those with genetic variations of sexual characteristics** to:

- 32 Form peer groups and/or join existing ones.
- 33 Seek and/or provide information and support.
- 34 Document our existence through photography, video, writing, creation of archives, oral history and any other recording means.

- 35 Respect the diversity of our bodies, identities, expressions, sexualities, feelings, ways of naming, experiences, trajectories and decisions.
- 36 Join local, regional and international efforts to realize our human rights.

San José de Costa Rica, March 3, 2018