

**Open Letter of Concern
to 6th ISHID Hypospadias Workshop 2015,
Sana Klinikum Offenbach, and Emma Klinik Seligenstadt
by Persons Concerned, Partners, Families, Friends and Allies**

6th ISHID Hypospadias Workshop
c/o Hotel MainChateau
Kleine Maingasse 16-18
63500 Seligenstadt

ISHID General Council
c/o Hotel MainChateau
Kleine Maingasse 16-18
63500 Seligenstadt

Emma Klinik
Direktion
Frankfurter Straße 51
63500 Seligenstadt

Sana Klinikum Offenbach GmbH
Krankenhausleitung
Starkenburgring 66
63069 Offenbach

Seligenstadt, June 2015

Dear Organisers, Speakers, and Participants of the 6th ISHID Hypospadias Workshop
Dear Board and Members of ISHID
Dear Directors of Sana Klinikum Offenbach
Dear Directors of Emma Klinik Seligenstadt

As survivors of non-consensual childhood genital surgeries and other unnecessary treatments, as persons concerned grateful for having escaped such surgeries and treatments, as partners, family members and friends of persons concerned, and as allies, we note with deep concern that ISHID and the ISHID Hypospadias Workshop,¹ the Sana Klinikum Offenbach,² and the Emma Klinik Seligenstadt³ continue to advocate, justify, facilitate, arrange and perform non-consensual, medically unnecessary, irreversible, cosmetic genital surgeries and other unnecessary treatments of children with variations of sex anatomy on an increasingly industrial scale.

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- 1 See scientific programme consisting mostly of “live surgery”,
<http://www.ishid.net/resources/Hypo-scientific-program-final.pdf>
 - 2 E.g. 896 hypospadias surgeries in 2012 according to Weiße Liste,
http://kastrationsspital.ch/public/weisse-liste_hypospadiе-2012.pdf
 - 3 Where the “live surgeries” take place. See also joint press release 21.04.2008
http://kastrationsspital.ch/public/hadidi-schonbucher-hypospadiе_205259.pdf

We'd like to respectfully remind you that such unnecessary, non-consensual procedures on children

- **constitute fundamental human rights violations (see below),**
- **constitute violations of civil, criminal, constitutional and international law,⁴**
- **constitute violations of ethics principles and regulations,⁵**
- **have been criticised by survivors as harmful and mutilating for more than 20 years.⁶**

For national and international human rights bodies criticising non-consensual unnecessary procedures on intersex children, we'd like to draw your attention to the following list included for your convenience.⁷ Please note, that since our last Open Letter to ISHID in 2011, four additional national bodies, and no less than thirteen additional international bodies explicitly criticise non-consensual, irreversible treatments of children with variations of sex anatomy, as well as lack of redress (including the WHO, the UN Committee on the Rights of the Child, The UN Committee against Torture, and the UN Special Rapporteur on Torture), as well as the Parliament of Malta outlawing non-consensual unnecessary treatments on minors concerned:

- WHO: Report "Sexual health, human rights and the law", particularly p. 26–27, 15.06.2015
- Australian Human Rights Commission: Report "Resilient Individuals: Sexual Orientation Gender Identity & Intersex Rights 2015", particularly p. 57–59, 10.06.2015
- Council of Europe Commissioner for Human Rights: Issue Paper "Human rights and intersex people", 12.05.2015
- Office of the United Nations High Commissioner for Human Rights (OHCHR): "Discrimination and violence against individuals based on their sexual orientation and gender identity", A/HRC/29/23, particularly paras 13, 14 (To prevent torture and ill-treatment), 04.05.2015
- UN Committee on the Rights of Persons with Disabilities, CRPD/C/DEU/CO/1, paras 37–38, 17.04.2015
- Parliament of Malta: "Gender Identity Gender Expression and Sex Characteristics Act", Art. 14 "Right to bodily integrity and physical autonomy", 02.04.2015
- UN Committee on the Rights of the Child, CRC/C/CHE/CO/2-4, paras. 42-43, 04.02.2015
- 24. Konferenz der Gleichstellungs- und Frauenministerinnen und -senatorinnen und -senatoren (GFMK): Beschlüsse, p. 52–55, 02.10.2014

4 In 2008, a German surgeon was sentenced to pay € 100,000 damages. 2015 two more cases are ongoing in Germany, with both the surgeon and the University Clinics as defendants. In another ongoing case in the United States, in addition to the surgeon and the University Clinic, also an involved paediatric endocrinologist stands as a defendant, with 2014 motions to dismiss non-surgical personnel from the case denied by the court.

5 See e.g. the recommendations by the Swiss National Advisory Commission on Biomedical Ethics NEK-CNE, "On the management of differences of sex development. Ethical issues regarding 'intersexuality'", 2012, http://www.nek-cne.ch/fileadmin/nek-cne-dateien/Themen/Stellungnahmen/en/NEK_Intersexualitaet_En.pdf

6 For sources, please see e.g. our 2011 Open Letter of Concern to the IV World Congress of ISHID, Endnotes 1–8, http://zwischenengeschlecht.org/public/ISHID-2011_Open-Letter_R.pdf

7 For national and international human rights groups and experts, please see our 2013 Open Letter of Concern to the 9th Joint Meeting in Milan, p. 5, footnotes 13, 26–30, http://zwischenengeschlecht.org/public/Open_Letter_9th-Joint-Meeting_2013.pdf

- WHO, UNICEF, OHCHR, UN Women, UNAIDS, UNDP and UNFPA Interagency Statement “Eliminating forced, coercive and otherwise involuntary sterilization”, May 2014
- Australian Senate, Community Affairs References Committee, Second Report: Involuntary or coerced sterilisation of intersex people in Australia, 25.10.2013
- Council of Europe, Resolution 1952 (2013) “Children’s right to physical integrity”, paras 2, 6, 7, 01.10.2013
- UN Special Rapporteur on Torture, A/HRC/22/53, paras 77, 76, 88, 01.02.2013
- UN Committee against Torture, CAT/C/DEU/CO/5, para 20, 12.12.2011
- UN High Commissioner for Human Rights, A/HRC/19/41, para 57, 17.11.2011
- Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, A/64/272, para 49, 10.08.2009
- UN Committee on the Elimination of Discrimination against Women, CEDAW/C/DEU/CO/6, para 61–62, 10.02.2009
- San Francisco Human Rights Commission, A Human Rights Investigation into the “Normalization” of Intersex People, 28.04.2005

We therefore would like to reiterate our pleas to ISHID and its affiliates, including Emma Klinik Seligenstadt and Sana Klinikum Offenbach,

- **to kindly reconsider non-consensual cosmetic treatments of children and adolescents with intersex variations (including hypospadias and CAH)**
- **to kindly reconsider the stigmatising nomenclature ‘Disorders of Sex Development’**
- **to do so in consultation with intersex people and the organisations that represent them**
- **to acknowledge the harm and suffering inadvertently caused by non-consensual treatments of children and adolescents with intersex variations (including hypospadias and CAH)**
- **to initiate a process of coming to terms with the past as a necessary first step towards reconciliation.**

And we respectfully suggest it would be in the best interest of all parties if such a process could be initiated before legislators will become involved eventually.

Thank you for your consideration.

Kind regards

Daniela Truffer, Markus Bauer (corresponding authors)
 Founding Members, Human Rights Group Zwischengeschlecht.org
 P.O.Box 2122, CH-8031 Zurich, Switzerland
 info_at_zwischengeschlecht.org

Anis Akhtar, Bradford, UK

Anne Alex, Berliner Bündnis "Stop Trans*-Pathologisierung", Berlin, Germany

Thomas Ammann, Zurich, Switzerland

Karen L. Barouski, Fond du Lac, Wisconsin, USA

Dr. Nicolas Jonathan Beger, Brussels, Belgium

Till Benz, Berlin, Germany

Aleksander Berezkin, intersex activist, New York, USA

Christian Berger, BA, Vienna, Austria

Maryse Bloch, VoGay, Lausanne, Switzerland

Anne Borchers, Templin, Germany

Mauro Cabral, Justicia Intersex, Buenos Aires, Argentina

Alex Callow, Inter* individual, member of TriQ (Trans Inter Queer) Berlin, Germany
(Personal Capacity, Affiliation given for identification purposes only)

Adrienne Carmack, MD, Urologist, private practice, Austin, Texas, USA

Morgan Carpenter, President, OII Australia

Philippe Chételat, Switzerland

Hiker Chiu, founder, Organization Intersex International-Chinese

Milena Coccalotto, Torino, Italy

Gavan Hareth Coleman, Dublin, Ireland

Maximo Corelli, Houston, Texas, USA

Dr. med. Michael Cremer, medical practitioner, member VDAEAE, Mannheim, Germany

Josi Davanee Wilson, Columbia, Maryland, USA

Georgiann Davis, PhD, President of AIS-DSD Support Group for people with differences of sex development, Las Vegas, Nevada, USA

Tiger Devore PhD, Gender Justice Nevada, Las Vegas, Nevada, USA

Leah Diamond, Teltow, Germany

Milton Diamond, Professor, University of Hawaii, USA

Diana Demiel, Berliner Bündnis Stop Trans* Pathologisierung, Berlin, Germany (Personal Capacity, Affiliation given for identification purposes only)

Richard Duncker, Men Do Complain, London, UK

Hayo Eilers-Jacobs, Norden, Germany

Isabelle Fantini, Zurich, Switzerland

Anya Feddersen-Wolff, Bretten, Germany

Dagmar Fink, Verband feministischer Wissenschaftleri*nnen in Österreich, Vienna, Austria

Odile Fillod, Paris, France

M. Thomas Frederiksen, Clearwater, Florida, USA

Martha Freitas, Gendercare Gender Clinic, Sao Paulo, Brazil

Claudia Frenkel, Itzehoe, Germany

Oliver Frenkel, Itzehoe, Germany

Sandro Gähler, Zurich, Switzerland

Eleni Giannakou, Heilkuenste Hamburg, Germany

Angelika Gödde, Berlin, Germany

Holly Greenberry, Co Director, Intersexuk, Tavistock, UK

Claudia Griesser, Waltalingen, Switzerland

Stefanie Gröpel, Bremen, Deutschland

Fiona Grounds, Support For Action Against Intersex Surgery, London, UK

Helga Grünsteudel, Meinheim, Germany

Vincent Guillot, chercheur doctorant à l'Université Paris8, Landelo, Frankreich

Andrea Gurtner, Member WyberNet, Senior researcher, lecturer Bern University of Applied Sciences, Bern, Switzerland (Personal Capacity, Affiliation given for identification purposes only)

Bonnie Hart, President, AIS Support Group Australia, Brisbane, Australia

Diana Hartmann, Hamburg, Germany

Miriam van der Have, Nederlands Netwerk Intersekse/DSD (NNID), Nijmegen, the Netherlands

Bernd Hillebrand, intaktiv e.V., Germany

Renate Hofmann, Freiburg im Breisgau, Germany

Tino Hofmann, Berlin, Germany

Leslie Jaye, Chair, OII-UK

Natasha Jiménez Mata, Coordinadora General, Mulabi/Espacio Latinoamericano de Sexualidades y Derecho, San José, Costa Rica

Karin Joss, Dällikon, Switzerland

Christiane Jungblut, Hamburg, Germany

Alex Jürgen, Intersex Austria

Claudia Kasper, Munich, Germany

Michaela Katzer, Consultant Urologist, Halle, Germany

Jennie Kermode, Chair, Trans Media Watch, Glasgow, Scotland (Personal Capacity, Affiliation given for identification purposes only)

Dan Kern, mediator, social anthropologist, Zurich, Switzerland

Rebecca Knecht, Lauingen a.d. Donau, Germany

Klaus Koch, Ravensburg, Germany

Michaela Koch, Oldenburg University, Germany

Takwa Kohlmeyer, Hamburg, Germany

Claudia Koltzenburg, Nürtingen, Germany

Anne Kuil, Enschede, Netherlands

Anja Kumst, Hamburg, Germany

Dr. Stephanie Leopold, GDNÄ, Halle/Saale, Germany (Personal Capacity, Affiliation given for identification purposes only)

Tobias Linnemann, Bremen, Germany

Gillian Longley, RN, BSN, MSS, Nurses for the Rights of the Child, Boulder, Colorado, USA (Personal Capacity, Affiliation given for identification purposes only)

James Loewen, Vancouver, Canada

Ruth Luschnat, Heilpraktikerin/Sozialarbeiterin, Berlin, Germany

Nanna Lüth, Berlin, Germany

Sefik_a Mai, Wuppertal, Germany

Heinz Markwalder, Scientist, Zurich, Switzerland

Gorji Marzban, Obmensch Plattform Intersex Österreich, Vienna

Jenny Mathys, Zug, Switzerland

Eva Mattausch, Queere Hochschulgruppe Tübingen, Tübingen, Germany

Heyward McKinney, NOCIRC-NC, Raleigh, NC, USA

Patricia Metzger, Vorstand, dgti e.V., Berlin, Germany

Marilyn Fayre Milos, RN, Executive Director, National Organization of Circumcision Information Resource Centers (NOCIRC), San Anselmo, California, USA

Mani B Mitchell MNZAC, Counsellor/Educator/Intersex Change Agent, New Zealand

Imke Muffler, Freiburg, Germany

Fiona Neuhold, member Intersexuelle Menschen e.V., AIS, Germany

Alena Ondratschek, Berlin, Germany

Pidgeon Pagonis, Chicago, USA

Belissa Andía Pérez, Runa Institute for development and Gender Research, Lima, Perú

Zora Quast, Berlin, Germany

Michaela Raab, Germany

Regenbogen-Referat für sexuelle und geschlechtliche Vielfalt, AStA Uni Freiburg, Germany

Tom Reucher, Psychologist, Brest, France

Christof Rolker, University Konstanz/University Zurich (Personal Capacity, Affiliation given for identification purposes only)

Gabriele Rothuber, Obfrau Plattform Intersex Österreich, Intersex-Beauftragte der HOSI Salzburg, Austria

Jessica Ranek, Greece

Jemma Redmond, Dublin, Ireland

Dipl.-Psych. Viola Schäfer, intaktiv - eine Stimme für genitale Selbstbestimmung e.V., Mainz, Germany

S. Schelinski, Oldenburg, Germany

Isabel Schön, Freiburg, Germany

Renate Schweizer, Interdisziplinäre Künstlerin, Art & Soul, Karlsruhe, Germany

I. Seijts, Almere, Netherlands

Dr. Tove Soiland, Zurich, Switzerland

Chris Somers xxy, M.Ed. by Research (UWA); B.Ed. (Melbourne); Former Honorary Guest Researcher and Fellow at the Combined Universities Centre for Rural Health (CUCRH) in Geraldton, Western Australia; Board Member of the Organisation Intersex International (HQ) & former Founding Vice President of OII Australian Affiliate

Liane Somogyi-Schäfer, Karlsruhe, Germany

Annika Spahn, Regenbogen-Referat des AStA der Uni Freiburg, Germany (Personal Capacity, Affiliation given for identification purposes only)

Annika Spahn, FLUSS e.V. für Bildungsarbeit zu Geschlecht und sexueller Orientierung, Freiburg, Germany

Alex Stern, Bielefeld, Germany

Hayden Soto, Aguada, Puerto Rico

Jochen Stimming, Herzogenrath, Germany

Anne Tamar-Mattis, Legal Director, Advocates for Informed Choice (AIC)

Suegee Tamar-Mattis, D.O.

Valeria Torres, Gendercare Gender Clinic, Sao Paulo, Brazil

Jemma Tosh, Simon Fraser University, Vancouver, Canada (Personal Capacity, Affiliation given for identification purposes only)

Emma Charlott Ulrich, Berlin, Germany

Dawn Vago, Co Director, Intersexuk, Warrington, UK

Janneke van der Ros, Assoc. professor in gender studies, University College of Lillehammer, trans studies expert, Norway

Lucie G. Veith, NGO, author of parallel reports to CEDAW, CAT + CRC, Graftschaff, Germany

Hida Vilorio, Chairperson, Organisation Intersex International, Director, OII-USA

J. Vreer Verkerke, Vreerwerk, Amsterdam, Netherlands

Prof. Dr. Heinz-Jürgen Voß, Merseburg/Hannover, Germany

Sean Saifa Wall, Atlanta GA, USA

Solveigh Wallrabenstein, Brühl, Germany

Jessica Ward, Berlin, Germany

Michael Weger, member Intersexuelle Menschen e.V., Sexten, Italy

Petra Weitzel, dgti e.V., Beratungsstelle Rheinland-Pfalz / Mainz, Germany

Mirjam Werlen, Dr. iur., LL.M., Bern, Switzerland

Joanna Wirth, Hamburg, Germany

Kimberly Zieselman, Executive Director, Advocates for Informed Choice, Cotati, CA, USA