



The Experiences and Perspectives of LGBTIQ Victims and Survivors of Torture and other Cruel, Inhumane, or Degrading Treatment and Punishment

Submission to the Special Rapporteur on torture

September 26, 2025

Outright International works with partners around the globe to strengthen the lesbian, gay, bisexual, transgender, intersex, and queer (LGBTIQ) human rights movement, document and amplify human rights violations against LGBTIQ people, and advocate for inclusion and equality. Founded in 1990, Outright works with civil society organizations, the United Nations, regional human rights monitoring bodies, governments, humanitarian and development institutions, and philanthropic and corporate partners to create lasting change. With staff in twenty countries, Outright holds consultative status at the United Nations, where it serves as the secretariat of the UN LGBTI Core Group.

This submission is a response to the call for inputs for the Special Rapporteur on torture's report on the experiences and perspectives of victims and survivors of torture and other cruel, inhuman, or degrading treatment or punishment (CIDTP) to be presented to the 61st session of the UN Human Rights Council in March 2026.

Based on Outright International's primary and secondary research, this submission focuses on the experiences and perspectives of LGBTIQ victims and survivors of torture and other CIDTP. It starts with an **overview** of LGBTIQ people's vulnerabilities to various forms of torture and CIDTP. This is followed by sections on **conflict-related gender-based violence**, **conversion practices**, and **intersex genital mutilation**, focusing on victims' experiences, the impact of torture and CIDTP on them, their families, and communities, and their experiences in seeking justice and reparation. It ends with **recommendations** to the Special Rapporteur, UN member states, and other relevant stakeholders.

Overview: LGBTIQ People, Torture, and CIDTP

Persecution based on sexual orientation, gender identity, gender expression, and sex characteristics can amount to torture or CIDTP when it causes severe physical or mental



suffering and is inflicted with discriminatory intent.¹ Together with social prejudice, discriminatory laws, policies, and state practices lead to violence against LGBTIQ individuals that could amount to torture and CIDTP, such as sexual violence, hate crimes, and, as this input intends to highlight, some forms of conversion practices and intersex genital mutilation (IGM).²

In countries that criminalize same-sex sexual acts or freedom of expression, association, and assembly on LGBTIQ issues, LGBTIQ people are at a particular risk of forced anal examinations, a form of torture.³ They also face a heightened risk of arbitrary arrest and detention.⁴ In detention settings, trans people, who are often housed in facilities that disregard their gender identity, are exposed to sexual violence and solitary confinement, misused under the guise of protection.⁵

This submission does not intend to detail all documented forms of torture and CIDTP to which LGBTIQ people are subjected. It zooms into three categories: conflict-related gender-based violence, conversion practices, and intersex genital mutilation.

Conflict-Related Gender-Based Violence Against LGBTIQ People

In conflict settings, LGBTIQ people are subjected to various forms of torture and CIDTP against the backdrop of large-scale and serious violations of human rights occurring in such settings. Gender-based violence, including sexual and related practices, impacts a diverse array of LGBTIQ persons in conflict settings.

¹ UN Human Rights Council, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, UN Doc. A/HRC/31/57, January 5, 2016, <https://documents.un.org/doc/undoc/gen/g16/000/97/pdf/g1600097.pdf>; UN Human Rights Council, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez, UN Doc. A/HRC/22/53, February 1, 2013, <https://docs.un.org/en/A/HRC/22/53>, para. 79.

² Ibid.

³ See Human Rights Watch, *Dignity Debased Forced Anal Examinations in Homosexuality Prosecutions*, July 12, 2016, <https://www.hrw.org/report/2016/07/12/dignity-debased/forced-anal-examinations-homosexuality-prosecutions>.

⁴ ILGA World, *Our Identities Under Arrest*, 2023, <https://ilga.org/our-identities-under-arrest>.

⁵ Guadalupe Marquez-Velard et al., "Transgender in Detention: Victimization Experiences in Immigration Facilities," *Transgender Health* 9, no. 6 (2024): 591-600, <https://www.liebertpub.com/doi/abs/10.1089/trgh.2022.0083>.



Testimonies

In **Afghanistan**, following the Taliban's return in 2021, several LGBTIQ Afghans spoke with Outright about the abuse they went through at the hands of Taliban men.⁶ For example, Farzad, a trans woman in her 20s, was arbitrarily detained, beaten, and raped by Taliban forces:

Farzad said the two men took her to a police station, where they were met by a third Talib. All three began to beat her, dragging her across gravel and whipping her, laughing and egging each other on. "I don't know how humans can be this heartless. I didn't say even one word against them. I was begging all the time, but they continued torturing me," Farzad said. After beating Farzad, the Taliban members left her in the police station. During the night, a guard came to give her water and offered her a deal: he would let her go if she would have sex with him. "You are beautiful, you have a good body. Why are you not a woman?" Farzad said he told her. Farzad agreed. "I didn't have another option for staying alive and escaping from there but to accept his demand – even if I was full of injuries, blood, and pain, I accepted," she said. In the morning, the guard let her go.⁷

The report documents other testimonies of violence against LGBTIQ people committed by Taliban forces. Outright found that a year after the Taliban takeover of Afghanistan:

Taliban violence towards LGBTIQ Afghans is growing more systematic, more institutionalized, and more brutal as they consolidate their hold on power. Armed men acting in de facto state roles as police, guards, and local authorities are detaining and abusing people without due process, targeting them for gender-based violence because of their sexual orientation, gender identity, gender expression, or sex characteristics.⁸

In **Ukraine**, after the Russian Federation occupied the Kherson region in 2022, the Ukrainian NGO PROJECTOR, in partnership with the charitable organization INSHA, and with the support of Outright, documented eight case studies and seven secondhand testimonies of potential

⁶ See Outright International, *A Mountain on My Shoulders: 18 Months of Taliban Persecution of LGBTIQ Afghans*, February 2023, <https://outrightinternational.org/Afghanistan-Report2023>.

⁷ Ibid, 22.

⁸ Ibid, 29.



Russian war crimes against LGBTIQ people.⁹ One case involved Mykyta, a gay man in his 30s, who was arbitrarily detained and tortured by Russian soldiers for taking a photo of a military vehicle. As the report states:

Mykyta stayed in the temporary detention center for one week. Every day, soldiers tortured him, including waterboarding. They put a rag on Mykyta's face, which was pre-soaked in water, and poured water on top of it. During this abuse, Mykyta could not breathe, and it seemed to him that he was drowning. The soldiers stopped, asked questions, and continued the torture again. [He was also subjected to] electric shock torture using wires under his armpits. When the Russian militaries found antiretroviral therapy pills in Mykyta's possession, they called him "AIDS" and concluded that he was gay. Based on this, they beat him even more and took away his medication.¹⁰

In **Myanmar**, following the military coup in February 2021, Rainbow Organization collected firsthand documentation of 68 cases of human rights violations against LGBTIQ people between April 2022 and July 2024, eight of which were included in a 2024 report by Outright.¹¹ One case involved Z, a self-described feminine-presenting gay man who went through physical and sexual torture at the hands of soldiers. A Rainbow Organization lawyer summarized verbatim interview records as follows:

In March 2021, he was arrested at an anti-coup protest in Yangon Region and detained at Tamwe Township police station, where a military junta soldier and an inmate in the men's cell raped Z in a back room. The soldier led the sexual assault. Z was transferred to the Shwe Pyi Thar interrogation center, Yangon Region. During interrogation, he was blindfolded and physically and sexually assaulted. He could not identify the two interrogators. They hit Z's head with a gun, stabbed his thigh with a blade, slapped him, and poked [jabbed] his arms, thighs, and neck with [wand] lighters. They groped Z's hips and chest area and said, "You wanted it to be like this, right?" The abuse and interrogation went on all night. Z was given water to drink so he could remain conscious and answer the interrogators' questions.¹²

⁹ See PROJECTOR, INSHA and Outright International, *Documenting War Crimes Against LGBTQ+people in Kherson Oblast during March-September 2023*, September 2023, <https://www.projector.org.ua/en/final-report-on-documenting-war-crimes-against-lgbtq>.

¹⁰ Ibid, 30.

¹¹ See Outright International, *LGBTQ Anti-Coup Resistance in Myanmar*, September 2024, <https://outrightinternational.org/our-work/human-rights-research/lgbtq-anti-coup-resistance-myanmar>.

¹² Ibid, 27.



Transitional Justice

Transitional justice mechanisms must recognize and respond to serious violations of LGBTIQ people's human rights, such as gender persecution and sexual violence in conflict and crisis settings.

Anti-LGBTIQ violence has long been excluded from international peace and security efforts, "dismissed as 'too hard' to document, naturalized as an ordinary part of the landscape in environments where same-sex sexual practices are criminalised, or simply overlooked by atrocity prevention specialists or investigators, who lack adequate training or a specific mandate to consider sexuality or gender identity."¹³ There is no Security Council subsidiary body mandate that includes language on sexual orientation, gender identity, and gender expression, and no perpetrator has ever been convicted of gender persecution for targeting queer people. Only a few states have explicitly integrated LGBTIQ inclusion into their peace and security policies, such as National Action Plans for Women, Peace, and Security.¹⁴ In addition, no post-conflict truth-telling mechanism had analyzed violence against LGBTIQ people, until Colombia did so in 2022.¹⁵

Colombia's Special Jurisdiction for Peace is the first transitional justice tribunal to legally recognize gender persecution against LGBTIQ people, standing out as a model for inclusion.¹⁶ The Commission for the Clarification of Truth, Coexistence and Non-Repetition, another one of the mechanisms forming the country's transitional justice system, released a report on rape, murder, torture, and killings of LGBTIQ people committed by state armed forces, paramilitary, and guerrilla groups.¹⁷ This came as a result of the Commission's dialogue with 408 LGBTIQ

¹³ Neela Ghoshal, "The Weaponization of Prejudice: Security Council Meeting Acknowledges LGBTIQ Experiences in Conflict and Crisis," *Outright International*, March 21, 2023, <https://outrightinternational.org/UN-Arria>.

¹⁴ See Outright International, *LGBTQ Lives in Conflict and Crisis*, February 2023, <https://outrightinternational.org/our-work/human-rights-research/lgbtq-lives-conflict-and-crisis>, 19.

¹⁵ Ibid.

¹⁶ Matthew Bocanument and Hannah Kohn, "Colombia's Peace Tribunal Breaks New Ground on LGBTQ Persecution," *Outright International*, October 2, 2023, <https://outrightinternational.org/insights/colombias-peace-tribunal-breaks-new-ground-lgbtq-persecution>; Hannah Kohn, "Queering the Security Council? An Uphill Battle, but Colombian Activists Push for Progress," *Outright International*, April 18, 2024, <https://outrightinternational.org/insights/queering-security-council-uphill-battle-colombian-activists-push-progress>.

¹⁷ Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición, *Mi cuerpo es la verdad. Experiencias de mujeres y personas LGBTIQ+ en el conflicto armado*, July 2022, <https://www.comisiondelaverdad.co/sites/default/files/descargables/2022-07/Informe%20final%20Mi%20Cuerpo%20Es%20La%20Verdad%20mujeres%20LGBTIQ.pdf>; Elias Dehnen, "What can the humanitarian community learn from the Colombian Truth Commission's LGBTIQ-subchapter?," *ICRC*, March 21, 2024, <https://blogs.icrc.org/law-and-policy/2024/03/21/what-can-the-humanitarian-community-learn-from-the-colombian-truth-commission-s-lgbtiq-subchapter>.



persons and 280 testimonies obtained by LGBTIQ organizations, underscoring the importance of victim testimonies to transitional justice.¹⁸

In a historic briefing before the UN Security Council in April 2024, Marcela Sánchez, the executive director of Colombia Diversa, the LGBTIQ organization leading advocacy for the inclusion of LGBTIQ victims in transitional justice, said:

That's why, Excellencies, I ask you: if we are brought violently into war, can we be left out of efforts to build peace? If we are to act on the foundational principle of the Women, Peace, and Security agenda, the answer is "no." For a lasting peace, LGBTQ people must be involved in every stage of peacebuilding: negotiations, ceasefires, demobilization efforts, transitional justice processes, and the design of reparations measures.¹⁹

The **International Criminal Court** made history in January 2025 when it issued arrest warrants for Taliban officials who are alleged to have committed gender persecution against women and "persons whom the Taliban perceived as not conforming with their ideological expectations of gender identity or expression" in Afghanistan. This is the first time LGBTIQ persons have been named as victims of gender persecution in a case the court will undertake.²⁰

Conversion Practices

Conversion practices include any sustained effort to change or suppress a person's sexual orientation, gender identity, or gender expression, by any means. These discredited practices are ineffective, unscientific, and harmful. Some conversion practices, such as beatings, rape, other forms of sexual assault, isolation and confinement, deprivation of food, forced nudity, force-feeding, and forced ingestion of medication or herbal concoctions, can amount to torture "depending on the circumstances, namely the severity of physical and mental pain and suffering inflicted."²¹

¹⁸ Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición, *Mi cuerpo es la verdad*, 245.

¹⁹ Outright International, "Lesbian Activist Delivers Landmark Security Council Briefing on LGBTQ Rights in Colombia's Armed Conflict," April 9, 2024, <https://outrightinternational.org/press-release/lesbian-activist-delivers-landmark-security-council-briefing-lgbtq-rights-colombias>

²⁰ Outright International and Afghanistan LGBTIQ+ Organisation (ALO), "In a First, ICC Recognizes LGBTIQ Victims in Afghanistan Gender Persecution Case," January 23, 2025, <https://outrightinternational.org/press-release/first-icc-recognizes-lgbtq-victims-afghanistan-gender-persecution-case>

²¹ Independent Forensic Expert Group, "Statement on conversion therapy," *Journal of Forensic and Legal Medicine* 72 (2020): <https://www.sciencedirect.com/science/article/abs/pii/S1752928X20300366>.



Experiences of Victims

Conversion practices can take a **variety of forms**. Cross-cutting findings from research that Outright's partner organizations conducted in Kenya, Nigeria, and South Africa identified a variety of conversion practices, including "talk therapy, exorcism, forced drinking of herbal concoctions, laying of hands for healing, beatings, and rape or another form of sexual assault."²² Although some LGBTQ people may seek out conversion practices due to cultural stigma, many of the survivors interviewed by Outright and its partner organizations report being forced into conversion practices. Some described a combination of multiple conversion practices, such as physical beatings, religious counseling, sexual abuse, and coerced fasting. These practices often take place over a long period of time and "usually do not end until the victims affirm that they have been changed and are now heterosexual and/or cisgender."²³

Family members are involved in many of these abusive practices, some of which may rise to the level of torture or CIDTP. Usi (pseudonym), a respondent from **Nigeria**, said that at age 17, his family subjected him to violent conversion practices in three different churches:

My mom caught me having sex with a boy. She and my dad took me to three different churches to pray and cast out the demons of queerness from my life. We went from a white garment church to MFM and then to my mom's church, Deeper Life. The toughest part for me was the white garment church. I was forced to do dry fasting for a week and every night they would flog me with a broom as they 'prayed'. After giving me prayer points to repeat, the prophet and prophetess would hold hands, with me in the middle, they would pray and then flog me with a broom. They tied me down with chains, like a mad person. I will never forget that.... They would make me kneel and then surround me with 24 candles, saying it signifies the 24 elders. I kept wondering, do these people understand what they're doing to me? They also took me to the water, a river at the back of the church. The prophet and prophetess in charge of the prayer went into the river with me, turned me over and dipped me in the river, holding my legs. They kept me in the water for a few minutes. Then they brought me out and

²² Outright International, *Converting Mindsets, Not Our Identities: Summary of the Research Findings on the Nature Extent, and Impact of Conversion Practices in Kenya, Nigeria, and South Africa*, 2022, https://outrightinternational.org/sites/default/files/2023-05/SOGIESummary_ConversionPractices_Fn_Updated2023_0.pdf, 8.

²³ Ibid.



washed my head with a sponge and all sorts of soap. After that, they continued with the beating.”²⁴

A **South African** survivor interviewed by Outright’s partner Access Chapter 2 described being “continually prayed and fasted over, and when that didn’t work, they made my cousin sleep with me forcefully. Actually, my cousin raped me.”²⁵ A **Kenyan** survivor interviewed by galck+ recounted:

I was first beaten by my dad and forced to kneel down for 5-hour prayer as they were binding the spirit in me, commanding it to come out by force by thunder. I thought things would change but I couldn’t change who I am.... I would be taken to my pastor for serious prayers and even had one-on-one meetings with different pastors who wasted their anointing oil and water (the blood of Jesus) to cast out the demon of who am out, but it never worked. It was just a painful experience.”²⁶

Impact on Survivors, Their Families, Communities, and Beyond

Outright’s research in **Kenya** found that conversion practices “can affect every realm of life of LGBTQ individuals, including the physical, psychological, spiritual, and economic spheres of their lives.”²⁷ Conversion practices can have devastating impacts on survivors’ **social lives and economic prospects**. For example, one survivor from **Nigeria** said:

[Conversion practices] affected me psychologically, and I had to cut all my friends off, apart from my best friend. . . . I stayed in my room all day, not going out or socializing with people. My pastor kept saying that I needed to pray and fast, but I kept trying, and nothing worked. I self-harmed too.”²⁸

Other survivors describe dropping out of high school after being subjected to conversion practices.

²⁴ The Initiative for Equal Rights, *The nature, extent and impact of conversion practices in Nigeria*, 2022, https://theinitiativeforequalrights.org/wp-content/uploads/2024/10/The_Nature_Extent_and_Impacts_of_Conversion_Practices_in_Nigeria_Web.pdf, 55.

²⁵ Outright International, *Converting Mindsets*, 28.

²⁶ galck+, ‘Shame is not a cure: So called Conversion “Therapy” Practices in Kenya’, 2022, https://outrightinternational.org/sites/default/files/2022-08/galck%2BConversion_Practices_in_Kenya.pdf, 24.

²⁷ Outright International, *Converting Mindsets*, 15.

²⁸ Outright International, *Health Ethics and the Eradication of Conversion Practices in Africa*, https://outrightinternational.org/sites/default/files/2024-05/042524_African%20CP%20Mental%20Health%20Practitioner%20%281%29.pdf, 11-12.



Rev. Elder Nokuthula Dhladhla of **South Africa** shared her personal and professional experiences to highlight the harmful impact of conversion practices within religious spaces. Speaking both as a religious leader and from lived experience, she traced her journey from growing up in a strict Christian family, where church attendance was compulsory and teachings labelled homosexuality as sinful, to facing direct coercion and abuse for her sexual orientation. During her teenage years, she and other young women were subjected to invasive questioning, weekly prayers, and physical and sexual violations under the guise of “prayer” and “spiritual intervention.” These practices fostered self-hate, shame, and a sense of exclusion, with threats of excommunication and public humiliation reinforcing the harm.²⁹

Experiences in Seeking Justice and Reparation

Survivors of conversion practices face barriers in accessing justice, particularly in **states where LGBTQ people are criminalized**. In Kenya, where consensual same-sex relationships are criminalized and political and religious leaders often fuel campaigns for non-inclusive “family values,” conversion practices are part of a “social, cultural, and state-sponsored system of repression based on sexual orientation, gender identity, and gender expression.”³⁰

It is also important to highlight the difficulty many people face in **recognizing themselves as victims or survivors**. In many cases, there is no awareness that what they experienced was a conversion practice—or that it was wrong. It has been common for Outright to hear activists share that they began their advocacy work after listening to survivors’ testimonies and realizing that they, too, were survivors.³¹

Intersex Genital Mutilation (IGM)

Intersex Genital Mutilation, or IGM, refers to the unnecessary and nonconsensual medical interventions on intersex babies and children intended to make their bodies conform to typical “male” and “female” bodies. The Special Rapporteur on Torture, the Committee Against Torture, and other UN human rights bodies have warned that these practices could violate the right to freedom from torture or CIDTP.

²⁹ Remarks made by Rev. Elder Nokuthula Dhladhla in an Outright workshop, Johannesburg, South Africa, September 17, 2025.

³⁰ Outright International, *Converting Mindsets*, 11, 15.

³¹ For more testimonies on the forms and impacts of conversion practices, see ILGA Asia, “Ban Conversion Therapy Now,” accessed September 22, 2025, <https://ilgaasia.org/banconversiontherapynow>.



The Yogyakarta Principles were amended to specifically address violations on the basis of sex characteristics, adding ten principles, including Principle 32, which recognizes the right to bodily and mental integrity.³² It affirms that forced and coercive medical practices like IGM violate the right to freedom from torture and other CIDTP and the right to bodily integrity, and require free, prior, and informed consent except in situations of urgent necessity for medical treatment.

Testimonies

These interventions are often carried out **without the full, free, and informed consent** of intersex people and even their families. In a panel discussion on the lived experiences of intersex women hosted by Outright in March 2025, intersex activist Magda Rakita of Interaction Foundation in **Poland** shared a statement with permission from a Polish parent named Kasia. Kasia told Magda the horrific story of being coerced into agreeing to surgery on her three-year-old intersex child to reduce the size of Kasia's toddler's clitoris for cosmetic reasons:

Surgery took 5 hours, then she was sent to the ICU where they tied up her wrists and ankles. The first night, she woke up crying, "Mom, it hurts." The pain meds weren't helping, so the doctor said she needed morphine for 3-4 days and that this was normal - but nobody had ever warned me of this. They told me she should only wear dresses and not play with cars.

Soon after that surgery, the urologist brought up the next steps "required" during puberty: that Kasia's child should undergo dilation of her surgically constructed vagina. "At that moment," Kasia wrote, she summoned up the courage to seize back control of her child's body and future. "I knew we wouldn't return to these doctors ever again."³³

In **Uganda**, the 2016 report of the organization Support Initiative for People with Congenital Disorders (SIPD Uganda) documented 22 cases of intersex genital mutilation performed without consent. The report narrates the case of a child born in Tororo, a town in eastern

³² Yogyakarta Principles Plus Ten: Additional Principles and State Obligations on the Application of International Human Rights Law in Relation to Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics to Complement the Yogyakarta Principles, 10 November 2017, http://yogyakartaprinciples.org/wp-content/uploads/2017/11/A5_yogyakartaWEB-2.pdf.

³³ Kimberly M. Zieselman, "Our Bodily Autonomy is Non-Negotiable: Intersex Voices at the UN," *Outright International*, March 24, 2025, <https://outrightinternational.org/insights/our-bodily-autonomy-non-negotiable-intersex-voices-un>.



Uganda, who had penile agenesis or was born without a penis, who suffered from complications following the intervention:

...this child had a non-consensual surgical operation, where the mother was so frightened by the child's case. The mother was always threatened by the husband, as he could always blame her for giving birth to such a child. Finally, the husband left the family, and the mother was left with the responsibility of looking after her children, this was worsened by the triple role burden of women. In a bid to look for family support, the mother took the child to the hospital for a surgical operation. The operation was not a success as doctors tried to create a penis for the little boy, and after three months, the penis fell off, yet a lot of money had been spent on this little boy. The current situation for this boy is worrying as he is now oozing pus, and his life is in peril. The conditions under which the consent for the surgery was given were not conducive for her to make an informed decision.³⁴

The **impacts of these interventions can be lifelong**, severely affecting intersex people's health and well-being. Kimberly Zieselman, Outright's Senior Advisor for Global Intersex Rights, talked about having experienced IGM as a child in the **United States** and suffering the life-long impacts of this procedure and the "shame and stigma resulting from medical secrets and lies":

Assigned female at birth, I have always identified and lived as a woman and have raised a family with my husband of more than thirty years. I also happen to have XY chromosomes, was born with testes inside my abdomen that can't produce sperm, and have no ovaries. Like so many others, I underwent surgery as a child in an attempt to "normalize" my healthy, well-functioning body, and have suffered lifelong physical and emotional harm as a result.

As an adult, I have never been able to find competent intersex-affirming health care. I have struggled with the impact of losing my natural hormone production due to a forced childhood gonadectomy and the effects of hormone replacement therapy, as well as profound mental health issues caused by the shame and stigma resulting from medical secrets and lies. Not finding out the truth about my body and what was done to me as a child until age 41 meant that I was not able to share accurate

³⁴ SIPD Uganda, *Uganda Report of Violations to Children and People Born Intersex or With Differences of Sex Development*, August 2016, <https://sipdug.org/uganda-report-of-violations-to-children-and-people-born-intersex>.



information with, or ask the right questions to, the medical providers caring for me for many years.

Today, as a 59-year-old, I have learned to adapt by clumsily advocating for myself, but others have not been as fortunate. So many intersex people, including those much younger than I, report physical harms, including chronic pain, loss of sensation and/or sexual function, urinary or vaginal complications, or early-onset osteoporosis.³⁵

Barriers to Justice and Reparation

As the UN Office of the High Commissioner for Human Rights affirmed, "These violations continue to happen in a generalized climate of impunity."³⁶ Among the reasons it cited were the statutes of limitations and limited disclosure of medical information.³⁷

Intersex people often experience **barriers in accessing their medical records**, which could derail seeking justice or reparations. Medical practitioners often conceal intersex patients' medical records or instruct their parents to do so, under the paternalistic justification of protecting them. A 2017 report on IGM in the **United States** by Human Rights Watch and interACT documents several instances of medical concealment, as well as firsthand testimonies attesting to difficulties encountered by intersex people in accessing their records, with one interviewee describing the process as an "ordeal."³⁸

Yogyakarta Principle 37 provides for the right to truth and specifically instructs states to protect individuals' right to know the truth about their medical histories, including through full access to accurate medical records.

Statutes of limitations or similar legal time barriers have also prevented or discouraged intersex people from seeking justice. Speaking on behalf of StopIGM.org before the UN Committee on the Elimination of Discrimination against Women (CEDAW), Claudia Balsamo from **Italy** said:

³⁵ Kimberly Zieselman, "Trump administration policies will create worse health care for intersex people like me," *STAT News*, March 20, 2025, <https://www.statnews.com/2025/03/20/intersex-people-us-trump-policy-health-care-existence>.

³⁶ UN OHCHR, *Background Note on Human Rights Violations against Intersex People*, 2016, <https://www.ohchr.org/sites/default/files/BackgroundNoteHumanRightsViolationsagainstIntersexPeople.pdf>, 37.

³⁷ *Ibid.*

³⁸ Human Rights Watch and interACT, *"I Want to Be Like Nature Made Me" Medically Unnecessary Surgeries on Intersex Children in the US*, July 2017, <https://www.hrw.org/report/2017/07/25/i-want-be-nature-made-me/medically-unnecessary-surgeries-intersex-children-us>.

When I was born in 1960, I looked like a girl, but after a year, my mother noticed I had atypical genitalia. Countless exams by different doctors followed. At four they opened my abdomen and found normal testes. When I was eleven, they removed my testes and cut my clitoris. Due to the removal of parts of my clitoris and scarring, it's really hard for me to achieve orgasm. Since 1985, I tried to obtain my medical records, but I was always refused on grounds of "professional secrecy". Only after my father died, in 2007 I found some documents in his desk, *but then it was too late, and statutes of limitations had long expired*. To this day, I still see a psychologist to deal with all this, which I have to pay for out of my own pocket.³⁹

Recommendations

To the Special Rapporteur on torture and other UN mechanisms:

- Build on the rich work of UN human rights mechanisms and explicitly recognize that some forms of intersex genital mutilation, conversion practices, and conflict-related gender-based violence could amount to torture and other forms of cruel, inhuman, and degrading treatment and punishment, and issue corresponding recommendations.
- Further investigate and report on how the criminalization of same-sex sexual acts, gender diversity, and advocacy on LGBTIQ issues can impact LGBTIQ people's experiences of torture and other CIDTP and their access to justice, particularly in conflict settings.
- Issue recommendations for gender-responsive transitional justice mechanisms that recognize and respond to serious violations of LGBTIQ people's human rights, such as conflict-related gender-based violence and gender persecution.

To UN member states:

- Enact legislation that comprehensively addresses intersex genital mutilation, conversion practices, and other forms of violence against LGBTIQ people, including by addressing their root causes and explicitly prohibiting practices that amount to torture and CIDTP.

³⁹ Claudia Balsamo, oral statement on behalf of StopIGM.org before the 67th Session of the UN Committee on the Elimination of Discrimination against Women (CEDAW), July 3, 2017, <https://stopigm.org/page/12>.



- Proactively involve LGBTIQ victim-survivors and LGBTIQ civil society organizations in the development and implementation of laws, policies, and programs seeking to address intersex genital mutilation, conversion practices, and other forms of violence against LGBTIQ people.
- Support the establishment of LGBTIQ-inclusive transitional justice processes, which recognize and respond to serious violations of LGBTIQ people's human rights, such as conflict-related gender-based violence and gender persecution.