

6. Ban on Surgeries on Intersex Minors

Prelims Level: Rights Issues.

Mains Level: GS-II Issues relating to Development and Management of Social Sector or Services relating to Health, Education, Human Resources.

Why in News?

- Intersex individuals and rights organisations have sought a national ban on unnecessary medical surgeries conducted on children with intersex traits and appealed to the Union government to protect their Human Rights.

About:

- The demand for a nation-wide ban comes months after the Tamil Nadu government banned normative surgeries on infants and children except in life-threatening situations after a historic judgment of the Madras High Court on April 22, 2019.
- If adopted nationally, India could become only the third country after Malta and Taiwan, to have a legal regime which protects the rights of intersex children.
- The World Health Organisation and the United Nations Human Rights Council have called upon Member States to end invasive and irreversible medical surgeries and other medical treatment on Intersex Children.

What is the Confusion?

- While the term intersex is confused with transgender, the two in-fact have very different meanings. Individuals who identify as transgender or transsexual have a gender that is different from the one traditionally associated with the sex they were assigned at birth.
- Intersex refers to people born with biological or physical characteristics that are more diverse than stereotypical male or Female Bodies.

Why Ban is Essential?

- You can self-determine your gender identity and sexual orientation, but not your sexual characteristics.
- That is why there is a need to regulate sex normalising surgeries for intersex children.
- Parents often subject their infants and children to these surgeries and the Madras High Court has once again underlined that the consent of the parents is not the same as that of their children.
- Often parents do not understand the nature of the condition exhibited by a child and under pressure from the society want to assign a gender.

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- There is a wide spectrum of genetic presentations possible. There are sex chromosomes and at least 100 genes associated with sex development and any variation in these could lead to differences.
 - Therefore, there is no straightjacket medical solution available — some variations may require hormonal treatment, others may require a surgical intervention and sometimes it may be advisable to wait until puberty.
 - There is a need to educate parents, activists and medical practitioners to ensure intersex is not treated as a medical disorder but as a sex characteristic.

