

## **IMUN 2024 Research Report**

### **Human Rights Commission Issue #2: The role of Member States in controlling a person's bodily autonomy in relation to gender affirmation surgery.**

The role of Member States in controlling a person's bodily autonomy in relation to gender affirmation surgery is a critical and complex issue that intersects with fundamental human rights and gender equality. This topic is especially pertinent in light of the ongoing global discussions about bodily autonomy, as highlighted by UNFPA Executive Director Dr. Natalia Kanem during the sixty-sixth session of the Commission on the Status of Women. Dr. Kanem emphasized that bodily autonomy, though often misunderstood and taboo, is a cornerstone of human dignity and agency, stating, "Bodily autonomy means my body is for me; my body is my own. It's about power, and it's about agency. It's about choice, and it's about dignity. Bodily autonomy is the foundation for gender equality, and above all, it's a fundamental right" ("Bodily Autonomy").

The Universal Declaration of Human Rights and other international human rights agreements affirm that bodily autonomy is an inalienable right. This includes the ability to make decisions about one's own body, such as the timing and number of children, as well as access to quality sexual and reproductive health information and services, even amidst conflict and disaster. Ensuring this right necessitates the eradication of all forms of gender-based violence, whether in domestic settings, workplaces, crisis situations, or online. Additionally, harmful practices like female genital mutilation and child marriage must be abolished ("Human Rights").

Empowering individuals, particularly women and girls, with the knowledge, services, and freedom to make decisions about their bodies leads to broader societal benefits. When free from

violence, discrimination, and coercion, women and girls can fully realize their potential, enhancing their health, education, income, and safety. These personal gains contribute positively to their communities and countries, underscoring that societies thrive when bodily autonomy is respected and upheld ("Bodily Autonomy").

While much of the advocacy for bodily autonomy has historically focused on women's rights, the issue of gender affirmation surgery highlights the need to extend these rights to all individuals, regardless of gender identity. Member States play a pivotal role in either facilitating or hindering access to gender affirmation surgery, thereby impacting the bodily autonomy of transgender and non-binary individuals. Surgeries are not required for gender affirmation, but many patients choose to undergo one or more surgical procedures. Gender affirmation is the process an individual undergoes to live as their authentic gender, rather than that presumed at birth. This process can include any combination of social, medical, and legal affirmation. Surgical options may include penile and vaginal reconstruction, top surgery, facial gender surgery, hysterectomy, and orchiectomy (Liang). This research aims to explore how state policies and practices influence bodily autonomy in the context of gender affirmation surgery and to highlight the importance of inclusive and supportive measures that respect and uphold the rights of all individuals.

The debate surrounding gender affirmation surgery encompasses a spectrum of viewpoints, particularly regarding the acceptance of queer individuals and the rights they have over their own bodies. In some countries, progressive policies support the bodily autonomy of transgender and non-binary people, allowing them to access medical procedures like gender affirmation surgery without excessive barriers. These nations often advocate for the right to self-determination, emphasizing that individuals should have the freedom to make decisions about

their own bodies, including the timing and nature of medical interventions. In contrast, other countries maintain restrictive laws that limit access to these surgeries, often reflecting societal resistance to accepting queer identities. These restrictions can include stringent legal requirements, such as high minimum age thresholds and mandatory psychological evaluations, which critics argue infringe on personal autonomy and delay or deny essential medical care. The debate is further complicated by differing perspectives on the appropriate legal age for individuals to consent to gender affirmation procedures, with some arguing for lower age limits to respect the autonomy of younger transgender individuals, while others call for higher limits, citing concerns about the permanence and implications of such surgeries. This divergence in viewpoints highlights the ongoing global struggle to balance respect for bodily autonomy with societal norms and legal frameworks.

Delegates should approach the issue with consideration for their respective delegations' perspectives, motives, and the political and social climates surrounding LGBTQIA+ rights and bodily autonomy. The debate may address the lack of a clear legal framework for changing one's legal gender, affecting official documents like national identification and school certificates. Transgender individuals often face discrimination and obstacles when their document details do not match their gender identity, impacting their access to employment, housing, healthcare, and public services. This discrepancy can also deny them access to crucial services like voting, banking, insurance, and social security, leading to negative mental health impacts and increased stress from discrimination. Additionally, they may struggle to access government assistance during emergencies and face difficulties crossing international borders ("International Experiences"). Investigating the implications of emerging technologies in gender affirmation can provide insights into the evolving landscape of this issue. Understanding the ethical and moral

questions surrounding bodily autonomy and gender affirmation surgery is crucial for effective debate.

## Works Cited

"Bodily Autonomy: A Fundamental Right." *United Nations Population Fund*, 16 Mar. 2022,

[www.unfpa.org/press/bodily-autonomy-fundamental-right](http://www.unfpa.org/press/bodily-autonomy-fundamental-right). Accessed 12 June 2024.

"Human rights require bodily autonomy for all – at all times." *United Nations Population Fund*, 9

Dec. 2023, [www.unfpa.org/press/human-rights-require-bodily-autonomy-all-](http://www.unfpa.org/press/human-rights-require-bodily-autonomy-all-)

[%E2%80%93-all-](http://www.unfpa.org/press/human-rights-require-bodily-autonomy-all-)

[times#:~:text=The%20Universal%20Declaration%20of%20Human%20Rights%20and%](http://www.unfpa.org/press/human-rights-require-bodily-autonomy-all-times#:~:text=The%20Universal%20Declaration%20of%20Human%20Rights%20and%20other%20international%20human,how%20many%20children%20to%20have.)

[20other%20international%20human,how%20many%20children%20to%20have.](http://www.unfpa.org/press/human-rights-require-bodily-autonomy-all-times#:~:text=The%20Universal%20Declaration%20of%20Human%20Rights%20and%20other%20international%20human,how%20many%20children%20to%20have.)

Accessed 12 June 2024.

"International Experiences on Personal and Property Rights of Transgender Persons." *UNDP*,

Dec. 2023, [www.undp.org/sites/g/files/zskgke326/files/2024-01/international-](http://www.undp.org/sites/g/files/zskgke326/files/2024-01/international-experiences-on-personal-and-property-rights-of-transgender-persons_2023.pdf)

[experiences-on-personal-and-property-rights-of-transgender-persons\\_2023.pdf](http://www.undp.org/sites/g/files/zskgke326/files/2024-01/international-experiences-on-personal-and-property-rights-of-transgender-persons_2023.pdf). Accessed

12 June 2024.

Liang, Fan. "Gender Affirmation Surgeries." *Johns Hopkins Medicine*,

[www.hopkinsmedicine.org/health/wellness-and-prevention/gender-affirmation-surgeries](http://www.hopkinsmedicine.org/health/wellness-and-prevention/gender-affirmation-surgeries).