Analysis of protection levels of IGM bans in the Council of Europe region based on the OII Europe IGM ban indicators checklist

Last updated: June 2025

Disclaimer: This document was drafted based on the criteria set out in the OII Europe IGM ban indicators checklist[1]. It compares the different levels of protection of bans on intersex genital mutilation (IGM)[2] across different Council of Europe Member States[3] and does not cover monitoring of implementation measures.

Please note: This is a working document which will **be updated regularly to reflect advancements in protecting intersex persons from IGM**.

If you would like to receive **regular updates** each time this document is modified with the latest information, please send a short email to **policy@oiieurope.org**.

[1] https://www.oiieurope.org/igm-ban-indicators-checklist/

[2]Intersex Genital Mutilation (IGM) is a harmful practice which entails surgical and medical procedures, or hormonal treatments on the sex characteristics of an intersex person, often performed at a very early age, without the person's free, personal, prior and fully informed consent.

[3] Germany, Greece, Iceland, Malta, Portugal and Spain.

Germany (2021)

Law: [Nr. 24 vom 21.05.2021 - Gesetz zum Schutz von Kindern mit Varianten der Geschlechtsentwicklung]

Prohibition of IGM	**Accountability**	**Provision of information and support**	**Access to truth, justice and reparations**	**Access to health**	**Effective monitoring mechanism**
✘ Comprehensive definition of prohibited treatments and interventions ✘ Inclusion of all variations of sex characteristics ✘ Clarity of scope of vital interventions or treatment ✘ Prior, free, explicit and fully informed consent ✘ Prohibition of other harmful practices	✘ Sanctions for healthcare professionals in breach of the IGM ban ✘ Sanctions for healthcare professionals encouraging the performance of IGM abroad	✘ / ✓ **(in the explanatory memorandum)** Provision of up-to-date, accurate, comprehensive and objective medical information ✘ / ✓ **(in the explanatory memorandum)** Provision of psychological or psychosocial counselling ✘ / ✓ **(in the explanatory memorandum)** Provision of peer support and counselling	✘ / ✓ (**but no access to reparations**) Access to truth, justice and reparations ✓ Accessibility of medical records	✘ Training for healthcare professionals ✘ Revision of medical protocols and guidelines from a depathologizing perspective	✘ Establish an independent monitoring body

Greece (2022)

Law: Νόμος 4958/2022 - ΦΕΚ 142/A/21-7-2022 (Κωδικοποιημένος)

Prohibition of IGM	**Accountability**	**Provision of information and support**	**Access to truth, justice and reparations**	**Access to health**	**Effective monitoring mechanism**
✓ Comprehensive definition of prohibited treatments and interventions ✓ Inclusion of all variations of sex characteristics ✓ Clarity of scope of vital interventions or treatment ✘ / ✓ (**no procedure to check it**) Prior, free, explicit and fully informed consent ✘ Prohibition of other harmful practices	✓ Sanctions for healthcare professionals in breach of the IGM ban ✘ Sanctions for healthcare professionals encouraging the performance of IGM abroad	✘ Provision of up-to-date, accurate, comprehensive and objective medical information ✘ Provision of psychological or psychosocial counselling ✘ Provision of peer support and counselling	✘ Access to truth, justice and reparations ✘ Accessibility of medical records	✘ Training for healthcare professionals ✓ Revision of medical protocols and guidelines from a depathologizing perspective	✘ Establish an independent monitoring body

Iceland (2022)

Law: [80/2019: Lög um kynrænt sjálfræði | Lög | Alþingi]

Prohibition of IGM	**Accountability**	**Provision of information and support**	**Access to truth, justice and reparations**	**Access to health**	**Effective monitoring mechanism**
✓ Comprehensive definition of prohibited treatments and interventions ✘ Inclusion of all variations of sex characteristics ✓ Clarity of scope of vital interventions or treatment ✘ / ✓ (**no procedure to check it)** Prior, free, explicit and fully informed consent ✘ Prohibition of other harmful practices	✘ Sanctions for healthcare professionals in breach of the IGM ban ✘ Sanctions for healthcare professionals encouraging the performance of IGM abroad	✓ Provision of up-to-date, accurate, comprehensive and objective medical information ✘ Provision of psychological or psychosocial counselling ✓ Provision of peer support and counselling	✘ / ✓ (**but no access to reparations**) Access to truth, justice and reparations ✓ Accessibility of medical records	✘ Training for healthcare professionals ✘ Revision of medical protocols and guidelines from a depathologizing perspective	✘ Establish an independent monitoring body

Malta (2015)

Law: Gender Identity, Gender Expression, and Sex Characteristics Act 2015 (as amended by Act XX of 2015, Act LVI of 2016, Act XIII of 2018 and Act XXV of 2024).

Prohibition of IGM	**Accountability**	**Provision of information and support**	**Access to truth, justice and reparations**	**Access to health**	**Effective monitoring mechanism**
✓ Comprehensive definition of prohibited treatments and interventions ✓ Inclusion of all variations of sex characteristics ✓ **(any intervention is prohibited) / ✘** (**no clarity about interventions authorised by interdisciplinary committee**) Clarity of scope of vital interventions or treatment ✘ / ✓ (**no procedure in the law but practice established**) Prior, free, explicit and fully informed consent ✓ **(broad scope of forbidden interventions and treatment)** Prohibition of other harmful practices	✓ Sanctions for healthcare professionals in breach of the IGM ban ✘ Sanctions for healthcare professionals encouraging the performance of IGM abroad	✘ Provision of up-to-date, accurate, comprehensive and objective medical information ✓ Provision of psychological or psychosocial counselling ✓ Provision of peer support and counselling	✘ / ✓ (**but no access to reparations**) Access to truth, justice and reparations ✓ Accessibility of medical records	✘ Training for healthcare professionals ✓ Revision of medical protocols and guidelines from a depathologizing perspective	✘ Establish an independent monitoring body

Portugal (2018)

Law: ::: Lei n.º 38/2018, de 07 de Agosto

Prohibition of IGM	Accountability	Provision of information and support	Access to truth, justice and reparations	Access to health	Effective monitoring mechanism
✓ Comprehensive definition of prohibited treatments and interventions ✘ Inclusion of all variations of sex characteristics ✘ Clarity of scope of vital interventions or treatment ✘ Prior, free, explicit and fully informed consent ✘ Prohibition of other harmful practices	✘ Sanctions for healthcare professionals in breach of the IGM ban ✘ Sanctions for healthcare professionals encouraging the performance of IGM abroad	✘ Provision of up-to-date, accurate, comprehensive and objective medical information ✘ Provision of psychological or psychosocial counselling ✘ Provision of peer support and counselling	✘ Access to truth, justice and reparations ✘ Accessibility of medical records	✘ Training for healthcare professionals ✓ Revision of medical protocols and guidelines from a depathologizing perspective	✘ Establish an independent monitoring body

Spain (2023)

Law: BOE-A-2023-5366 Ley 4/2023, de 28 de febrero, para la igualdad real y efectiva de las personas trans y para la garantía de los derechos de las personas LGTBI.

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