



EQUAL RIGHTS FOR INTERSEX PERSONS

Intersex persons are individuals who have innate variations of sex characteristics that vary from the societal and/or medical understanding of typical female and male bodies. They continue to face serious abuses of their rights, including harmful medical interventions without their consent, discrimination, stigmatisation and social exclusion. These practices amount to grave violations of their dignity, bodily integrity, autonomy, physical and mental well-being, protection from inhuman or degrading treatment, and hinder their full and equal participation in society.

The [Recommendation CM/Rec\(2025\)7](#) of the Council of Europe's Committee of Ministers on Equal Rights for Intersex Persons provides comprehensive guidance to protect and promote their human rights. Building on the European Convention on Human Rights and other existing standards, the Recommendation offers a holistic approach covering all areas of life and promoting the meaningful participation of intersex persons in public life.

**Council of Europe
policy framework**

Equal Rights for intersex persons

Anti-discrimination

EQUAL RIGHTS FOR INTERSEX PERSONS



The new recommendation on equal rights for intersex persons:

- Defines “**intersex**” as persons with innate variations of sex characteristic(s), including chromosomal, gonadal, anatomical or hormonal, that vary from the societal and/or medical understanding of typical female and male bodies.
- Recognises the **unique experiences, challenges and vulnerabilities** of intersex persons, including discrimination, stigmatisation, marginalisation, social exclusion and violence, often rooted in pathologisation and stereotypes related to sex, sexuality and gender, which seriously affect their physical and mental well-being.
- Affirms that equal protection, respect and enjoyment of human rights for intersex persons require **comprehensive and coherent approaches**, including appropriate legislation, policy and other protective measures, across all sectors, that are effectively implemented and regularly reviewed, supported by data collection and analysis.
- Highlights the importance of **meaningful participation of intersex persons** and their organisations, together with sustained efforts by States and co-operation with institutions and civil society at all levels.
- Promotes **dialogue and co-operation at national, European and international levels** to advance equality and dignity for intersex persons.

What governments should do:

- **Prohibition of non-consensual interventions** should be guaranteed for intersex persons, as for any other person, through legislation explicitly banning medical interventions on sex characteristics, including surgical, hormonal or mechanical procedures, without prior, free, informed, express and documented consent.
- Interventions on children or others without capacity to consent must be postponed until they can decide for themselves. Exceptions should be allowed only in cases of **imminent threat to life or serious physical harm**, or where a sufficiently mature minor explicitly requests intervention with robust safeguards in place.
- **Monitoring, accountability and redress** should be ensured through mechanisms to oversee compliance. In case of past violations, effective access to justice, compensation

and other remedies, as well as full access to medical records and information should be ensured.

- **Hate crime and hate speech legislation** should encompass sex characteristics as a protected ground and ensure protection, support and remedies for victims. This should be underpinned by systematic data collection and monitoring.
- **Intersex persons** should be protected in **asylum procedures** by recognising persecution on grounds of sex characteristics as a valid basis for asylum.
- In all **places of deprivation of liberty**, tailored protocols should be developed to ensure dignity, healthcare and privacy for intersex persons.
- **Equality and non-discrimination** should be ensured by promoting inclusion and diversity policies across education, work, sport, healthcare, housing, cultural and political life. Discrimination on the ground of sex characteristics should be prohibited in all sectors. In **education**, this requires safe and supportive environments free from bullying and exclusion, inclusive curricula that reflect the diversity of sex characteristics, and effective support for intersex students. Participation in **sport** at all levels should be ensured without any additional requirements, such as specific examinations or medical interventions on sex characteristics.
- **Healthcare** provision should be lifelong, publicly funded and tailored to the needs of intersex persons, including psychological and social support, fertility preservation, gender-affirming care where relevant, and reparative treatment for past harms. Families and caregivers should also have access to appropriate support. Medical protocols and training should be human-rights-compliant, non-discriminatory and regularly reviewed with the participation of intersex-led organisations.
- **Private and family life** should be protected by reviewing timeframes and ensuring privacy in birth registration, quick and accessible legal gender recognition procedures, and equal access to family rights, including partnerships, marriage and parenting.
- **Data and research** disaggregated by sex characteristics should be collected, include intersex persons and their organisations at all stages, study the long-term impact of non-consensual interventions, and fully protect privacy.
- **Training and awareness raising** should be ensured across all relevant sectors, emphasising the natural occurrence of variations in sex characteristics rather than framing them as a disease, promoting human rights based, accurate, stigma-free public and media representations.
- **Empowerment of intersex communities** should enable them to meaningfully participate in policy processes, to exercise freedom of expression, assembly and association, and ensure funding and peer-to-peer counselling.
- **International co-operation** should ensure cross-border protection of intersex persons’ rights, promote the exchange of good practices, and support human-rights-based reviews of international medical classifications and guidelines.

More on the Recommendation CM/Rec(2025)7
and the Council of Europe’s work on equal
rights for intersex persons:

[www.coe.int/web/sogi/
intersexrecommendation](http://www.coe.int/web/sogi/intersexrecommendation)

