A call on the Portuguese Parliament to reject bills attacking trans and intersex rights: joint statement by European LGBTI organisations

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Proposals due to be debated in Portugal on 19 March and voted on 20 March could pave the way for rollbacks to legal gender recognition, bodily autonomy, and other existing protections for trans and intersex people.

IGLYO, ILGA-Europe, OII Europe, TGEU, EL*C, and Bi+ Equal express deep alarm at the three bills due to be debated in the Portuguese Parliament on 19 March and voted on 20 March. These proposals represent a serious attack on the rights, dignity, safety and bodily autonomy of trans and intersex people in Portugal. They would mark a significant regression in a country that has, until now, been regarded as an important point of reference for legal protection in Europe. If adopted into law, Portugal would lose at least 4 places on the ILGA-Europe Rainbow Map ranking — dropping below Sweden, the Netherlands, Ireland, and France.

As reported by local organisations, this legislative package would roll back legal gender recognition based on self-determination — guaranteed until now by a 2018 law — and reintroduce medical gatekeeping and pathologising requirements, taking trans rights back to 2011. This proposal would also restrict legal gender recognition for young people, including those aged 16 to 18, and ban gender-affirming medical care for minors.

The package would strip away protections for people whose gender is not reflected in their identity documents, including young people, migrants and non-binary people, and would remove affirmative, non-discrimination measures in schools. These proposals would also erase protections for intersex children from non-consensual, medically unnecessary interventions — forbidden since 2018 by the same law. Less than 6 months after voting to adopt the Committee of Ministers' Recommendation on equal rights for intersex persons, this step from Portugal would make it the first to actively regress on intersex rights and clearly undermine even very recent human rights commitments.

These proposals instrumentalise harmful narratives that portray trans and intersex people as a problem to be controlled rather than as rights-holders entitled to dignity, safety, healthcare and recognition.

What is happening in Portugal does not emerge in a vacuum. Across Europe, we are witnessing how some political parties have increasingly targeted trans and intersex people using similar tactics: invoking "biological sex", "family protection", and "child protection" to justify rollbacks on rights, including in Bulgaria, Slovakia, and Hungary in the EU.

We call on the Portuguese Parliament not to join the growing list of countries where trans and intersex people are used as political targets to legitimise wider democratic backsliding. We call on all members of the Portuguese Parliament to reject these bills in full.

Signatories

IGLYO

ILGA-Europe

OII Europe

TGEU

EL*C

Bi+ Equal