Forced Sterilisation

Many European states impose conditions before enabling a change of documents, including the requirement to be sterile. Legal text can explicitly or implicitly request forced sterilisation. Implicit law might require proof of medical gender reassignment, or mandatory medical expertise that is often only provided after genital surgery. Most gender recognition procedures are not transparent in this regard, and medical and legal aspects are intertwined.

In April 2017, the European Court of Human Rights ruled that requiring sterilisation in legal gender recognition violates human rights law. All Council of Europe member states must bring relevant procedures in line with this legal principle. By setting an unequivocal standard for the human rights of trans persons, the ECHR ruling has precedential and evidentiary implications far beyond the Council of Europe region.

16 countries still require sterilisation of trans persons seeking recognition of their gender identity.