

Portugal votes to respect the rights of trans and intersex people

[Press Release](#), [Bodily Integrity](#), [Legal Protection](#), [Intersex](#), [Portugal](#), [Trans](#)

The Portuguese parliament has voted to adopt a ground-breaking law which better protects and respects the right to self-determination and bodily integrity of trans and intersex people.

“Portugal is really making history today – this law will make Portugal only the second country worldwide to outlaw medically unnecessary treatments on intersex kids.” said Katrin Hugendubel, ILGA-Europe’s Advocacy Director, in reaction to the vote.

The law was supported by members of parliament this afternoon, following two years of very hard work by LGBTI activists in Portugal.

As a result, when this law comes into effect:

- People will be able to change their legal gender through a procedure based on self-determination. This means that the law finally recognises and respects that trans people themselves know best who they are and how they identify.
- Trans people will no longer need to be diagnosed with gender identity disorder in order to have their gender legally recognised.
- Young people aged 16 and older will be able to access this procedure.
- It will become illegal to perform unnecessary surgery on intersex children.

Portugal joins its European neighbours (Malta, Norway, Denmark, Ireland and Belgium) in opting for a model based on self-determination. Encouraging as it is that the number of countries who opt for this model is growing, there are still too few and more governments need to show leadership here.

However, the current law is silent about a number of critical questions. Now a lot of work needs to be done to ensure that this law is implemented effectively – through guidelines for the health care and education sector for example – to best protect the fundamental rights of trans and intersex people and addresses concerns raised by LGBTI NGOs during the drafting phase.

Hugendubel continued “ILGA-Europe are very relieved that the law based on self-determination was adopted and that it will be accessible to everyone over 16. We are also encouraged that politicians (despite the fact that some parties’ commitment to equality seemed to be wavering in the past few weeks) ultimately voted in favour of respect and common sense. We congratulate Portugal – and look forward to celebrating with our members and friends at the 2018 IDAHOT Forum taking place in Lisbon next month!”

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- The Council of Europe’s PACE General Rapporteur on the rights of LGBTI people Piet De Bruyn recorded a [video message](#) in support of the proposed law earlier this year.
 - The new law will not immediately come into effect; the act now needs to be approved by the President and then published in the official state journal.

- The final vote figures were being confirmed by activists attending the parliament's plenary session at the time of this release, but the law was passed in the [plenary vote at 13.30 CEST](#).