C/2026/3539

22.7.2026

Opinion of the European Economic and Social Committee

Ban on conversion practices in the European Union

(own-initiative opinion)

(C/2026/3539)

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Plenary Assembly decision	4.12.2025
Legal basis	Rule 52(2) of the Rules of Procedure
Section responsible	Employment, Social Affairs and Citizenship
Adopted in section	24.2.2026
Adopted at plenary session	29.4.2026
Plenary session No	605
Outcome of vote (for/against/abstentions)	169/3/9

1. Conclusions and recommendations

1.1. The EESC strongly condemns any forms of conversion practices that aim to change, suppress or erase the sexual orientation, gender identity and/or gender expression of a person. Conversion practices violate the absolute prohibition of torture and inhumane or degrading treatment or punishment.

The EESC recommends that:

1.2. the European Commission ('Commission') introduce a proposal for a legally binding EU ban on conversion practices ('the ban'). The proposed ban should prohibit all activities and the advertisement of such activities that aim to change, suppress or erase the sexual orientation, gender identity and/or gender expression of a person;

1.3. the ban be drafted in comprehensive and precise terms, clearly defining the actions that constitute conversion practices;

1.4. the ban prohibit practices to convert children or adults and the advertisement of such practices. It should apply to all public, private, professional and non-professional actors who engage in or advertise conversion practices. Any ban should not be used to impose criminal or civil liability on the survivors of conversion practices;

1.5. the ban set out appropriate penalties for those who engage in or advertise conversion practices. These penalties should reflect the serious harm caused by conversion practices and be sufficient to deter individuals from engaging in or advertising these practices;

1.6. the ban cover sex characteristics in order to protect intersex individuals from non-therapeutic and non-consensual interventions, which constitute a form of conversion practice by forcing binary gender alignment;

1.7. the Commission implement an annual evaluation, in consultation with organised civil society, to oversee the implementation of the ban horizontally and vertically across all Member States. A ban is only effective if accompanied by a strong monitoring mechanism;

1.8. the Commission fund specialised training for key professionals to identify conversion practices and support survivors, and ensure cooperation with and adequate funding for LGBTIQ+ NGOs, which play a central role in first-line support, monitoring, reporting and specialised assistance;

1.9. the Commission fund education and awareness raising to increase public knowledge of conversion practices. Greater public awareness is key to identifying and eradicating such practices. The Commission should include these measures as part of its programme to address conversion practices in the LGBTIQ+ Equality Strategy 2026-2030.

2. **General comments**

2.1. The European Citizens' Initiative (ECI) asks the Commission to introduce a legal ban on conversion practices, which target LGBTIQ+ individuals in the EU ([1]). These practices, commonly referred to as 'conversion therapies', purport to alter or suppress a person's sexual orientation, gender identity or gender expression.

2.2. Conversion practices have been framed as cruel, inhuman and degrading, and potentially constituting torture, by the United Nations, the Commissioner for Human Rights of the Council of Europe and the European Union Agency for Fundamental Rights (FRA). Across the institutions of the EU and the Council of Europe, numerous additional stakeholders have explicitly advocated the prohibition of conversion practices, including the European Parliament, the Parliamentary Assembly of the Council of Europe and the Congress of Local and Regional Authorities.

2.3. Launched in January 2024 by the French association Against Conversion Therapy (ACT), the initiative quickly gained support and gathered 1 128 063 signatures. The Commission must respond by 18 May 2026, outlining any intended follow-up measures.

2.4. At present, conversion practices are banned, to different extents, in eight EU Member States: Belgium, Cyprus, France, Germany, Greece, Malta, Portugal and Spain. In the remaining nineteen Member States, no specific legal ban or framework exists to restrict such practices. There are also bans in Norway and Iceland, as well as in countries outside of Europe, such as Canada, New Zealand and Ecuador.

2.5. The EESC welcomes this important ECI with great satisfaction, as it has already called for a ban on conversion practices ([2]).

2.6. The EESC observes that, according to the results of the FRA LGBTIQ Survey III, one in four respondents had undergone some form of 'conversion therapy' ([3]). Eleven percent of these practices were reportedly carried out by family members and 5 % were perpetrated by members of religious organisations. Reported incidents included physical violence (3 % of respondents), sexual violence (1 %), and verbal abuse or humiliation (14 %). Half of trans women (47 %) and trans men (48 %) were subjected to such 'conversion therapies'. Among those surveyed, 76 % of respondents stated that they had not consented to these 'therapies', and 13 % answered that they had undergone conversion practices as a result of pressure or threats. Despite variations between estimates, these figures highlight the worrying scale of conversion practices in the EU.

([1]) European Citizens' Initiative, *Ban on conversion practices in the European Union*, Commission registration number: ECI(2024)000001.

([2]) OJ C 286, 16.7.2021, p. 128; European Economic and Social Committee Permanent Group on Fundamental Rights and the Rule of Law report ending its first country cycle: *FUNDAMENTAL RIGHTS AND THE RULE OF LAW National developments from a civil society perspective 2018-2024*, p. 39.

([3]) European Union Agency for Fundamental Rights, *LGBTIQ equality at a crossroads: progress and challenges* (European Union Agency for Fundamental Rights, 2024), p. 23.

2.7. The EESC stresses that survivors of conversion practices must be explicitly recognised as 'victims' of hate crimes and protected under the Victims' Rights Directive. They must have access to specialised support services, legal aid, and protection from secondary victimisation during legal proceedings, regardless of whether the practice was carried out by, among others, family members, religious advisors or medical professionals.

2.8. The EESC stresses that conversion practices have no scientific basis and have harmful consequences such as inducing or reinforcing feelings of shame, guilt, self-disgust and worthlessness. This can lead to higher rates of depression, anxiety, post-traumatic stress disorder (PTSD), suicidal ideation and suicide attempts. This undermining of mental health and well-being affects people of all ages, but it is particularly devastating for children and young adults. Major medical and psychological organisations have condemned conversion practices as scientifically unfounded, ineffective and dangerous, and as incompatible with human rights ([4]). Moreover, conversion practices have a negative impact on the public as they reinforce the false and stigmatising belief that sexual orientation, gender identity or gender expression can or should be 'cured'.

2.9. The EESC is convinced that conversion practices constitute violations of human rights, and that they potentially violate numerous safeguards set out in the European Convention on Human Rights ([5]) (ECHR, ETS No. 5), including Articles 2, 3, 8, 9, 10 and 14, as well as Article 1 of Protocol No. 12 to the Convention. Article 3 of the ECHR prohibits torture and inhuman or degrading treatment or punishment. The European Court of Human Rights has established that practices causing severe physical or psychological suffering – such as forced medical interventions, electric shocks or coercive psychological manipulation – may violate Article 3 ECHR ([6]).

2.10. The EESC is very concerned with the protection of children's rights. Children are particularly likely to be subjected to 'conversion therapies' and to be severely affected by them. The right of parents to control and care for their child is limited by the best interests of the child. The United Nations Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity observes that imposing conversion therapies on children is incompatible with the best interests of those children ([7]).

2.11. The EESC notes the new LGBTIQ+ Equality Strategy 2026-2030, which reaffirms the EU's commitment to equality and prioritises implementation and cooperation, including support for Member States in reducing the prevalence of conversion practices ([8]). The Commission commits to taking account of the ECI, and the EESC urges it to propose the inclusion of conversion practices as 'EU crimes' under Article 83(1) TFEU and to recognise them as hate crimes, ensuring a uniform level of protection across the EU.

2.12. Professional organisations across Europe, including national associations of psychologists, psychiatrists, psychotherapists and counsellors, formally ban conversion practices. However, while these professional bans play an important preventive role, they remain just ethical guidelines rather than legal guarantees, and the degree to which they are enforced varies across the EU. Legal bans offer a stronger and more consistent form of protection, complementing the ethical standards upheld by mental health professionals.

2.13. The EESC highlights that conversion practices lead to severe socio-economic deprivation and high rates of social exclusion for survivors. The resulting psychological trauma, including depression and Post Traumatic Stressed Disorder, severely undermines an individual's employability and performance in the workplace. To ensure the full inclusion for LGBTIQ+ people in the labour market, Member States must recognise these harms as barriers to employment and provide integrated assistance services to help victims reintegrate into professional life.

([4]) See e.g. European Psychiatric Association, 'EPA Statement on conversion "therapies" and LGBTQ Patients'.
([5]) Article 6(2) TEU provides that the European Union 'shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms'.
([6]) See e.g. *VC v Slovakia,* App. No. 18968/07 (ECtHR, 8 November 2011); *Spivak v Ukraine,* App. No. 21180/15 (ECtHR, 5 June 2025).
([7]) Report of the independent expert on protection against violence and discrimination based on sexual orientation and gender identity – Practices of so-called 'conversion therapy' 2020.
([8]) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Union of Equality: LGBTIQ+ Equality Strategy 2026-2030, COM(2025) 725 final.

2.14. The Commission, in cooperation with Member States, should adopt measures to combat misinformation regarding conversion practices, especially online. A mechanism to monitor the implementation of the Audiovisual Media Directive and the Digital Services Act is needed to prevent the advertising of these harmful practices.

2.15. EU funding programmes should be closely linked to and conditional on the respect for European values (Art. 2 TEU). The EESC recommends an ex-ante and ex-post diversity audit for EU funded projects to ensure that they do not promote conversion practices. Furthermore, specific funding under the CERV programme should be allocated to NGOs providing legal and psychological support to survivors.

2.16. The EESC is very concerned about breaches of human rights in general, and of LGBTIQ+ rights in particular, motivated by political or religious belief. Discrimination, violence and torture directed against individuals within the EU are incompatible with the EU fundamental values of tolerance and freedom.

3. **Specific comments**

Criminal law ban on conversion practices

3.1. The EESC recognises that, across Europe, there remains debate about the most effective means for combatting conversion practices.

3.2. Where bans currently exist in the EU, a majority of Member States have created criminal offences. Although the threat of criminal liability may dissuade some survivors from reporting abuse, using the criminal law best acknowledges the significant harms caused by conversion practices and it is likely to have a stronger deterrent effect than civil penalties.

3.3. While it may be possible that, in some Member States, existing criminal or civil law provisions could already be applied to condemn conversion practices, relying upon the existing laws, as opposed to introducing a specific legal prohibition on conversion practices, overlooks both the symbolic importance of an explicit ban, as well as the difficulties which some survivors may experience if they are required to fit their abuse into a more general definition of harm under the criminal or civil law.

3.4. While criminal law offers a strong deterrent, the EESC emphasises that any criminal ban on conversion practices must be part of a restorative justice approach. Penalties should be complemented by mandatory education for offenders and, crucially, by robust social support for survivors to prevent the fear of prosecution from discouraging reporting within familial or religious contexts.

Practical scope of a ban on conversion practices

3.5. It is important that any EU ban on conversion practices is framed in comprehensive and precise terms, particularly where the prohibition takes the form of criminal law.

3.6. An EU ban must clearly define the actions that constitute conversion practices. Although there is no uniform definition of conversion practices shared among Member States, the EESC observes that any EU definition must encompass the full range of abusive conduct – incl. physical, emotional, financial – that may be used in attempting to alter the sexual orientation, gender identity or gender expression of a person.

3.7. An EU ban must prohibit both engaging in conversion practices, as well as advertising those practices. A ban on advertising, common among Member States that have already outlawed conversion practices, is vital to reducing points of entry into these practices, as well as to properly sanctioning actors who do not provide conversion practices but who direct individuals towards such activities.

3.8. The EESC recommends that, as for similar offences, any EU ban on conversion practices operate with extra-territorial effect, so as to prohibit the removal of a person outside of the EU with the aim of subjecting that individual to conversion practices in a non-EU jurisdiction.

Protected grounds in ban on conversion practices

3.9. The EESC recommends that an EU ban on conversion practices cover efforts to change the *sexual orientation, gender identity* or *gender expression* of a person. These three grounds are currently included in conversion practices laws in Belgium, Cyprus, Greece, Malta, Spain and Portugal.

3.10. Although *gender expression* is a less developed concept in European human rights law, conversion practices directed towards trans and non-binary people often focus on their external expression of gender, which can be a catalyst for the most severe forms of 'conversion'-related harm.

3.11. Across Europe, the inclusion of *gender identity* has been opposed as restricting the capacity of clinicians to engage in medically indicated conversations about gender identity. However, the EESC observes that there is no reason why an EU ban cannot be drafted in sufficient terms to permit the provision of all good faith and medically appropriate gender care, including conversations about gender history. Any EU ban should clearly distinguish between 'affirmative care' and harmful 'conversion' attempts. This clarity is essential to protect healthcare professionals providing ethical support.

3.12. The EESC emphasises that any EU ban on conversion practices should also cover sex characteristics in order to protect intersex individuals from medically unnecessary and non-consensual interventions, which constitute a form of conversion practice by forcing binary gender alignment. Building on its previous position, the EESC calls for a total ban on 'intersex mutilation' ([9]).

3.13. The EESC strongly recommends that any EU ban on conversion practices makes clear that the prohibition of such practices in relation to *sexual orientation* does not justify withholding clinically appropriate healthcare for trans and non-binary children.

Personal scope of ban on conversion practices

3.14. Across the EU Member States that have already prohibited conversion practices, there is broad consensus that any ban should apply to all children without exception. This position, which the EESC endorses, recognises the unique susceptibility of children to the harms of conversion practices.

3.15. For adults, there remains some debate as to whether the law should prohibit conversion practices against any adult, or whether, as in Malta, Greece, and Germany, a ban should only cover adults who cannot and/or do not provide free and informed consent for such practices. The latter position emphasises the right of autonomous individuals to engage in self-determination and to make free choices, even where that exposes an adult to harmful or abusive conduct.

3.16. The EESC recognises that the specific social and cultural circumstances in which conversion practices usually take place significantly undermine the capacity of any adult, irrespective of age, to provide both *free* and *informed* consent. Therefore, the EESC recommends that an EU ban on conversion practices extends to both children and all adults. Where such a ban allows for the possibility that adults can consent to activities that fall within the definition of conversion practices, the law should, as in Malta, recognise a broad range of factors which vitiate the consent provided.

3.17. In terms of the perpetrators of conversion practices, the EESC recommends that any EU ban adopt an appropriate broad scope – including all public, private, professional and non-professional actors who engage in, or advertise activities aimed at changing the sexual orientation, gender identity or gender expression of another person.

3.18. It may be appropriate for an EU ban to identify specific actors, or to place enhanced liability on individuals (e.g. parents, educators, clinical professionals, social workers) who perpetrate conversion practices against those for whom they are in a position of trust. However, a person or group should not avoid liability simply because they were acting outside an official role or formalised/professional relationship with the survivor.

([9]) OJ C 286, 16.7.2021, p. 128.

Freedom of thought, conscience and religion

3.19. Freedom of thought, conscience and religion are fundamental values across Europe, and they are protected under both Article 9 ECHR and Article 10 of the Charter of Fundamental Rights of the EU.

3.20. A common critique of bans on conversion practices is that such restrictions impermissibly limit the right of both perpetrators and survivors to freely exercise their religious belief. The EESC acknowledges the importance of robust protections for freedom of religion, and it observes that bans on conversion practices do not, and should not, require people of faith or religious organisations to amend their beliefs about sexual orientation, gender identity and gender expression.

3.21. Freedom of religion is a qualified right; it cannot be invoked to justify subjecting other people to violence or discrimination because of their sexual orientation, gender identity or gender expression. Therefore, the EESC recommends that any EU ban should not include an exception for actors who purport to engage in, or advertise, conversion practices in pursuance of their religious beliefs.

Penalties in bans on conversion practices

3.22. Among the Member States that have already adopted bans on conversion practices, there are a multiplicity of sanctions available, including different terms of imprisonment and monetary fines. The EESC recommends that, to ensure efficacy, any EU prohibition on conversion practices should include appropriate penalties, which reflect both the severity and gravity of the offence perpetrated.

3.23. An EU ban should oblige Member States, acting in collaboration across borders where appropriate, to put in place appropriate mechanisms to monitor, investigate and sanction conversion practices where they arise.

3.24. In some circumstances, it may be appropriate for an EU ban to recognise aggravating factors, such as the age of the survivor and/or the existence of a relationship of trust, which may impact the applicable sanction(s) for engaging in or advertising conversion practices.

3.25. Where an EU ban on conversion practices is achieved through the criminal law, it may also be appropriate to incorporate civil, administrative or regulatory sanctions, such as the loss or suspension of a professional licence or the right to practice in a professional discipline.

Brussels, 29 April 2026.

The President
of the European Economic and Social Committee
Séamus BOLAND