<http://www.humanrightseurope.org/2014/07/germany-anti-torture-monitors-want-definitive-end-to-surgical-castration-of-sex-offenders/>

July 25, 2014 - [**Against Torture**](http://www.humanrightseurope.org/category/against-torture/)

**Germany: Anti-torture monitors want “definitive end” to surgical castration of sex-offenders**

Anti-torture monitors have again urged Germany to end the surgical castration of sex offenders.

The recommendation is contained in a 24 July report on the country published by the Council of Europe’s Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

In the report, the CPT reviewed the measures taken by the German authorities following recommendations made by the committee after previous visits. The CPT examined the issue of surgical castration of sex offenders which was the subject of consultations with representatives of the Federal Ministry of Justice and Consumer Protection.

“In the report on the 2010 visit , the CPT had already expressed its fundamental objections to the use of surgical castration as a means of treatment of sex offenders, since it was a mutilating, irreversible intervention and could not be considered as a medical necessity in the context of the treatment of sex offenders,” the 2014 report reveals.

“In the CPT’s view, surgical castration of detained sex offenders could be considered as amounting to degrading treatment. Therefore, the Committee recommended that this practice be discontinued in all German Länder.

“By letter of 30 September 2013, the German authorities informed the CPT that a research project had been initiated in order to obtain a more specific overview of the actual application of surgical castration in the country. In this connection, the following statistical data had been collected: Since 2000, a total of 29 applications had been submitted by individuals to relevant Länder expert commissions, of which eleven were accepted.

“During the period 2010 to 2012 , only two out of a total of eight applications were approved. The German authorities further stated that “[c]ompared with the numbers that were collected for earlier time periods (1970 – 1980: 770 applications, 430 approvals) it is clear that surgical castration – also certainly due to the continued development of anti-androgen medications – by now is practically meaningless.

“Against this background, the German authorities indicated that the Federal Government was analysing whether a repeal of the Law on Voluntary Castration should be considered.

“During the 2013 visit, the issue of surgical castration of sex offenders was raised by the delegation during consultations with representatives of the Federal Ministry of Justice.

“On this occasion, the delegation was told that discussions were ongoing among the relevant authorities at federal and Länder levels on whether to involve the German Ethics Council and on whether to abolish the Law on Voluntary Castration.

“Whilst acknowledging that the resort to surgical castration in the context of treatment of sex offenders has drastically diminished in recent years throughout Germany, the CPT reiterates its recommendation that steps be taken by all relevant federal and Länder authorities to put a definitive end to its use and to amend the relevant legal provisions accordingly”

# <http://www.reuters.com/article/2012/02/22/us-germany-castration-idUSTRE81L18G20120222>

# Germany urged to halt castration of sex offenders

# STRASBOURG Wed Feb 22, 2012 10:18am EST

(Reuters) - [Germany](http://www.reuters.com/places/germany?lc=int_mb_1001) should stop the "degrading" practice of surgically castrating sex offenders, the anti-torture panel at Europe's top human rights watchdog said on Wednesday.

Under German law, serious sex offenders can volunteer for the operation as part of their treatment.

The Strasbourg Council of Europe's anti-torture committee said the procedure was rare in[Germany](http://www.reuters.com/places/germany?lc=int_mb_1001), with fewer than five cases a year over the past decade.

But surgical castration was mutilating and irreversible and there was no evidence it prevented men from committing new sex crimes, the committee said in a report on Germany.

"Surgical castration of detained sexual offenders could easily be considered as amounting to degrading treatment," said the report.

"Therefore, the Committee recommends that immediate steps be taken by the relevant authorities to discontinue in all German Laender (federal states) the application of surgical castration in the context of treatment of sexual offenders," it added.

The German government said in an official response to the report that the practice was under review but it believed there were medical grounds for continuing to offer the operation.

Under German regulations, a sex offender can be castrated if he ask for the procedure, is older than 25 and gets the approval of a panel of experts.

The Czech Republic is the only other European country to allow sexual offenders to choose surgical castration. The committee's report on Wednesday only focused on the situation in Germany.

A less invasive chemical procedure, that blocks the creation of testosterone, is a mandatory treatment for offenders in some U.S. states and in Poland.

Other countries let sex criminals choose this form of chemical castration.

(Reporting by Gilbert Reilhac; Additional reporting and writing by [Leigh Thomas](http://blogs.reuters.com/search/journalist.php?edition=us&n=leigh.thomas&); Editing by [Andrew Heavens](http://blogs.reuters.com/search/journalist.php?edition=us&n=andrewheavens&))

<http://www.globalpost.com/dispatch/news/regions/europe/germany/120222/germany-surgical-castration-sex-offenders-council-of-europe-cpt>

Jessica Phelan

February 22, 2012 10:19

**Germany must stop castrating sex offenders, says European rights watchdog**

Rights watchdog the Council of Europe has urged Germany to stop offering surgical castration as part of the rehabilitation of sex offenders.

Germany is one of the few countries in Europe to offer surgical castration to sex offenders as part of efforts to reduce "abnormal sex drive." (Spencer Platt/Getty Images)

BERLIN, Germany — The Council of Europe has criticized Germany for offering surgical castration as part of the rehabilitation of sex offenders.

In a new report, the watchdog's Committee for the Prevention of Torture (CPT) calls the practice "degrading" and recommends immediate action to outlaw it.

As German law stands, people considered at risk of committing sexual crimes can volunteer to undergo the procedure in order to help them manage "an abnormal sex drive."

Few people do, according to the CPT's report: "unofficial statistics" indicate that there were fewer than five surgical castrations per year in Germany over the past decade.

The German government defends the practice on the grounds that it is not used as a punishment, rather a treatment that "enables severe illnesses, mental disorders and suffering tied to an abnormal sex drive of the person affected to be cured or at least alleviated." According to one study cited, of 104 people who were castrated between 1970-80, only 3 percent reoffended, compared to 46 percent of the 53 others who did not have the operation.

However, the CPT questioned the efficacity of castration, saying there was no guarantee that it would result in the permanent lowering of testosterone levels and, therefore, the presumed reduction of sexual impulses.

At the same time, unlike more recent treatments such hormone therapy, surgical castration is irreversible, the CPT said, and may have "serious physical and mental consequences." Furthermore, prisoners may feel themselves pressured into agreeing to it, "believing that it is the only available option to them to avoid indefinite confinement."

The CPT concludes that the procedure is "a mutilating, irreversible intervention and cannot be considered as a medical necessity in the context of the treatment of sexual offenders."

In its response to the report, the German government said it "understood" the CPT's critical view of castration, and was considering launching a debate on the matter.

According to the Guardian, the Czech Republic is the only other EU state that still uses the procedure, for which it too has been criticized by the CPT.

However, several more countries offer sex offenders chemical castration – the use of drugs to reduce libido – including Denmark, Poland and France, as well as a number of US states. And in Russia, parliament recently approved a bill to make chemical castration mandatory for pedophiles, RIA Novosti reported.

<http://www.globalpost.com/dispatch/news/regions/europe/russia/110511/pedophiles-pornography-chemical-castration-russia-child-molesters-medvedev-video>

May 11, 2011 12:10

**Russian President Dmitry Medvedev is proposing harsher punishment for child molesters. (Screengrab)**

Russian President Dmitry Medvedev has called on lawmakers to consider "chemical castration" for pedophiles — a response to what officials have called an unprecedented wave of sexual crimes against minors.

Several nations have reportedly introduced voluntary chemical castration as a form of treatment for sex offenders, Digital Journal reports.

Medvedev's comments mark the first time the Kremlin has addressed increasing demands by Russian lawmakers and legal experts for tougher penalties for child molesters, the Christian Science Monitor reports.

Politicians and advocacy groups claim that liberal laws and lenient courts enable too many offenders to escape punishment or to return to molesting children after serving brief prison sentences. There are also claims that police protect pedophile rings and the trade in child prostitution.

In 2010, there were about 9,500 sex crimes against minors in the country, reports News 24.

The nation’s top investigator Alexander Bastrykin called for a strong "reaction to staggering cruelty and cynicism of sex crimes against minors."

According to CSM, Medvedev told a government meeting this week: "Punishments should be as harsh as possible. The state should use all means possible, and a liberal approach here is totally unacceptable. I suggest discussion of measures including medical procedures for such individuals, including injections that would block the action of their hormones."

He continued: "Considering the frightening crimes committed, I think our duty is to at least discuss this issue.”

Russia’s Investigative Committee has established a draft law for the measure, All Headline News reports.

chemical castration was first used in 1944 as a method to reduce libido and sexual activity. In its first use, diethylstilbestrol was utilized to lower men’s testosterone.

Medvedev noted that note that the injections would be on a voluntary basis and would only be operated on convicted sex offenders, according to BBC News

[**http://www.cpt.coe.int/documents/cze/2009-02-05-eng.htm**](http://www.cpt.coe.int/documents/cze/2009-02-05-eng.htm)

**Council of Europe anti-torture Committee publishes report on the**[**Czech Republic**](http://www.cpt.coe.int/en/states/cze.htm)

Strasbourg, 5.02.2009 - The Council of Europe's Committee for the Prevention of Torture (CPT) has published today the [report on its ad hoc visit to the Czech Republic](http://www.cpt.coe.int/documents/cze/2009-08-inf-eng.htm) in March/April 2008, together with the [response of the Czech government](http://www.cpt.coe.int/documents/cze/2009-09-inf-eng.htm). Both documents have been made public at the request of the Czech authorities.

One of the main objectives of the visit was to examine the application of testicular pulpectomy (“surgical castration”) on sentenced sex-offenders. The CPT’s delegation interviewed nine sexual offenders who had already undergone surgical castration, and five who were in the preparatory stages of the process to be castrated. In addition, the files of 41 sex offenders who had been surgically castrated between 1998 and 2008 were studied, and interviews on the treatment of sex offenders were carried out with medical practitioners, scientists and government officials. The CPT found that surgical castration was carried out not only on violent sex offenders but also on persons who had committed non-violent crimes, such as exhibitionism.

In its report, the CPT expresses several fundamental objections to the use of surgical castration as a means of treatment of sex-offenders. Firstly, it is an intervention that has irreversible physical effects, and direct or indirect mental health consequences. Further, there is no guarantee that the result sought (i.e. lowering of the testosterone level) will be lasting. Moreover, given the context in which the intervention is offered, it is questionable whether consent to the option of surgical castration will always be truly free and informed. The CPT also points out that effective alternative therapies for the treatment of sex offenders are currently available.

In the CPT's view, surgical castration of detained sex offenders amounts to degrading treatment and the Committee calls upon the Czech authorities to end immediately this practice.

In their response, the Czech authorities state that surgical castration is carried out with the free, informed, consent of the patient and that they do not consider the reasons given by the CPT in favour of abandoning its use as “sufficient and established”.

During the 2008 visit, the CPT also paid a follow-up visit to Section E of Valdice Prison, which accommodates persons sentenced to life imprisonment as well as “troublesome” or “dangerous” high security prisoners. It found that the treatment and conditions of detention of these prisoners continued to raise serious concerns and recommended that the Czech authorities undertake a thorough review of Section E.

In their response, the Czech authorities provide information on various measures taken to implement the Committee’s recommendations.

The [CPT’s visit report](http://www.cpt.coe.int/documents/cze/2009-08-inf-eng.htm) and the [response of the Czech authorities](http://www.cpt.coe.int/documents/cze/2009-09-inf-eng.htm) are available on the Committee's website at http://www.cpt.coe.int .