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FRANCE: Members of the Parliament should ensure respect for the human rights of trans people

The Members of the French Parliament should ensure that trans people in France can obtain legal recognition of their gender through a quick, accessible, transparent and affordable procedure that fully respects their human rights, said Amnesty International, ILGA-Europe and Transgender Europe in a statement today.

A Committee composed of members of the French National Assembly and the Senate (*Commission Mixte Paritaire*) will discuss today a [legislative proposal](#) passed by the National Assembly on 19 May. On the basis of the current proposal, trans people will only be allowed to obtain legal recognition of their gender if they are able to demonstrate that their legal gender does not correspond to their gender identity. In order to do this, they will have to produce evidence that may include medical certificates.

If adopted the text, given its legal uncertainty, may lead to further violations of the human rights of transgender people, including their rights to privacy and to be free from inhumane and degrading treatment. The Council of Europe Commissioner for Human Rights, and several other human rights bodies, have repeatedly highlighted that requiring trans people to get a psychiatric diagnosis and undergo medical treatment for legal gender recognition violates a number of their rights.

Currently, due to the lack of a legislative framework, trans people in France cannot obtain legal recognition of their gender unless they undergo a long judicial procedure. Courts often require them to produce evidence of gender reassignment treatment, including psychiatric diagnosis of gender identity disorder and sterilization.

Trans people in France face a constant dilemma which, whatever they decide to do, will result in a violation of their human rights. Either they comply with abusive requirements and obtain legal recognition of their gender or they continue to live with documents that do not reflect their gender identity and that further expose them to discrimination. French MPs have now a historical opportunity to put an end to those human rights violations.

French MPs should take inspiration from several countries in Europe, including Denmark, Ireland, Malta and Norway, which have reformed, or are in the process of reforming, their laws and practice to allow trans people to obtain legal recognition of their gender on the basis of self-determination and without requiring them to undergo medical treatment or to produce any evidence.

The proposal that will be discussed today falls short of those standards. Amnesty International, ILGA-Europe and Transgender Europe call on French MPs to amend the proposal to ensure that trans people

can obtain legal gender recognition through a procedure that does not impose on them abusive requirements and that fully respects their human rights.

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