

COMBATING DISCRIMINATION BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY

” Legal Gender Recognition

The Council of Europe standards and mechanisms seek to promote and ensure respect for the human rights of every individual. These include equal rights and dignity of all human beings, including lesbian, gay, bisexual and transgender (LGBT) persons.

FACTS:

- 12 Council of Europe member states do not provide for any possibility to change name and gender at all.
- 20 member states require sterilisation as a prior requirement for legal gender recognition, making transgender persons subject to legally prescribed, state-enforced sterilisation.
- At least 10 member states do not allow transgender persons to marry a person of the sex opposite to their reassigned sex.

Council of Europe standards and mechanisms:

- Review regularly prior requirements, including of a physical nature, for legal recognition of gender reassignment and remove abusive requirements.
- Guarantee full recognition of a person's gender in all areas of life.
- Ensure the change of name and gender in official documents in a quick, transparent and accessible way.
- Ensure transgender persons change of name and gender by non-state actors in key documents such as educational and work certificates.