



Draft

Title: **Trans Rights Here! Trans Rights Now!**

Tabled by: Federation of Young European Greens

Draft text

1 **Introduction:**

2 Every person should have the right to live freely according to their gender
3 identity and gender expression, and the right to self-determination and bodily
4 autonomy. Trans people, people who do not identify with the gender they were
5 assigned at birth, are often denied these rights across Europe. In most
6 countries this discrimination occurs at a systemic level, where rigid and static
7 norms about gender, bodies, and sexuality uphold legal and health systems which
8 do not recognise, respect or value trans people. In some countries anti-trans
9 laws and practice are enforced through the rise of anti-gender rhetoric, the
10 silencing of trans people, and viciously polarising debates which have an impact
11 on the mental health, safety and everyday lives of trans people. Often the 'T'
12 in 'LGBT' is overlooked, and the current attack on trans people makes it
13 necessary, now more than ever, to support trans people and fight against anti-
14 trans hostility and violence.

15 **Body text:**

16 According to the latest data from Transgender Europe (TGEU) eight Council of
17 Europe (COE) member states do not have legal gender recognition procedures in
18 place. In Bosnia & Herzegovina, Cyprus, Czech Republic, Finland, Georgia,
19 Kosovo, Latvia, Montenegro, Romania, Serbia, Slovakia, and Turkey forced
20 sterilisation of trans people remains a requirement for legal gender
21 recognition, while 28 COE member states require a mental health diagnosis.
22 Forced sterilisation and mandatory mental health diagnosis violates trans

23 people's dignity and right to self-determination. Only three COE member states
24 base legal gender recognition on self-determination without age limitations.

25 From Poland to the UK, from Hungary to Spain, trans rights are under attack.
26 Trans people are facing increased negative discourse, prejudice, intolerance and
27 violence from conservative right-wing actors and anti-trans women's groups. In
28 these cases, trans women are vilified, trans men are stripped of agency, and
29 non-binary people completely invisibilised. Trans children and youth are
30 especially at risk, as their rights to self-determination are consistently
31 denied and overlooked. Often trans people are not consulted on their own
32 experiences, and their stories are drowned out by anti-trans rhetoric, lies and
33 misinformation.

34 Since 2019, 100 municipalities in Poland have been declared "LGBT-free" and in
35 August 2020 LGBTQI activists were arrested for peacefully protesting in Warsaw.
36 In May 2020, the Hungarian government made legal gender recognition impossible
37 in practice when they replaced 'sex' with 'sex assigned at birth' on civil
38 registry documents. In September 2020, the UK government discarded plans to
39 ensure self-determination as central to legal gender recognition, sticking to a
40 process that is largely inaccessible and leaves many trans people, especially
41 children, behind. Despite legal gender recognition based on self-determination
42 being available in various autonomous communities of Spain, discussion on a
43 national law this year has been sidelined by anti-trans discourse and claims
44 that a focus on trans issues erases (cis)women.

45 **Therefore, the European Green Party demands European states to:**

- 46 • ensure the inclusion of trans people in consultation processes and
47 discussions of laws and policies which directly impact them, including by
48 making sure their voices are properly represented in the media;

- 49 • implement legal gender recognition procedures that are quick, transparent,
50 accessible, and based solely on the self-determination of the person,
51 without age restrictions;

- 52 • depathologise trans identity and ban conversion therapy;

- 53 • guarantee access to trans-specific healthcare which is based on human
54 rights, bodily autonomy and informed consent;

- 55 • protect trans people against discrimination in employment, education,
56 parenthood, healthcare, sexual and reproductive health and rights, access
57 to goods and services, and access to housing;

- 58 • offer support to trans refugees, including access to healthcare and legal
59 gender recognition;

- 60 • ratify, together with the European Union itself, the Istanbul Convention
61 and ensure its implementation is inclusive of trans people;

- 62 • allow trans people, including trans children and youth, to be accompanied
63 safely as they explore their gender identity and expression, and for them
64 to access services as and when they decide.

65 **The European Green Party demands the European Union to:**

- 66 • ensure that all EU member states protect against discrimination on the
67 ground of gender identity in employment and in access to goods and
68 services;

- 69 • ensure that all EU member states provide protection and asylum to trans
70 refugees;

- 71 • introduce protections against discrimination on the ground of gender
72 identity in education, healthcare and in access to housing;

- 73 • guarantee funding for organisations working on trans rights at all levels

74 of society, including core funding which guarantees safe working
75 conditions, and funding which allows for intersectional approaches and
76 joint work by various organisations;

- 77 • treat all attacks on the rights of trans people as breaches of fundamental
78 rights and values of the Union, and use all legal ways at its disposal to
79 protect them.

80 **The European Green Party commits to:**

- 81 • strengthen our connections with actors working for trans rights and
82 intersectional, trans-inclusive feminism in Europe, and support them;

- 83 • support the participation of trans people in politics and amplify the
84 voices of trans people in debates;

- 85 • campaign for legal gender recognition based on self-determination, trans
86 healthcare based on informed consent, and the protections of trans people
87 against discrimination;

- 88 • question gender norms, stereotypes, and the ways these influence systems
89 and structures at all levels of society.

Background

Transgender Europe (2020). **Trans Rights Europe & Central Asia Maps 2020**. Retrieved from <https://tgeu.org/trans-rights-europe-central-asia-index-maps-2020/>