

Advancing LGBTIQ+ Equality in Europe.

The Role of Equality Bodies in Legal Gender Recognition

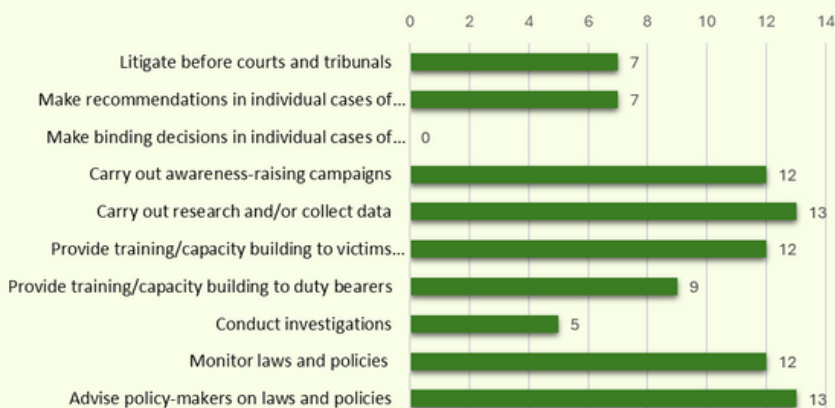


State of Play

Legal Gender Recognition (LGR) procedures that are swift, easy-to-access and compliant with international human rights standards **are vital for trans people**; lengthy proceedings, degrading medical interventions, or uncertainty relating to their relationships are just a few of the legal and administrative hurdles that trans persons need to overcome throughout this process.

The legal protection of trans people, in general and in relation to LGR, is limited. However, the **Court of Justice of the European Union** has been playing an increasing important role in expanding such protection. Within the **UN framework**, human rights bodies have recognised the right of trans persons to LGR and the ability to change gender markers on official documents, as well as their right to LGR procedures that are simple, based on self-identification, and avoid harmful preconditions like sterilization or invasive medical procedures. The **European Court of Human Rights** has also advanced trans people's rights to LGR, by ruling that denying or complicating gender recognition violates human rights, though it remains cautious on identifying the requirement of medical assessments as unacceptable. At the national level, LGR procedures are still far from the standards developed by the UN and the Council of Europe.

Equality Bodies in Actions Legal Gender Recognition



Out of the **28** Equinet Members surveyed, two thirds (**19**) declare having some experience in addressing barriers to Legal Gender Recognition.

Good Practices

The **Institute for the Equality of Women and Men**, in collaboration with the Justice Department, the Justice Minister and the State Secretary for Gender Equality, Equal Opportunities and Diversity, created a [practical guide on LGR procedures in Belgium](#), detailing eligibility criteria, timelines, and fees. A similar guide was also developed by the **Commissioner for Human Rights of the Republic Poland** to offer legal and procedural guidance on LGR.

The **Public Defender of Rights in the Czech Republic** organized a roundtable discussion on the legal status of trans people in the context of gender reassignment, gathering key stakeholders to explore legal frameworks, public representation, and the issuance of official documents like diplomas. The insights of the discussion informed the Public Defender's advocacy actions and legislative recommendations on LGR.