

35th regular session of the Human Rights Council
Item 3: Clustered interactive dialogue with the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity and the Special Rapporteur on extrajudicial, summary or arbitrary executions

Statement delivered by RFSL (Swedish Federation of Lesbian, Gay, Bisexual, and Transgender Rights)

Mr President,

My name is Ricky Nathanson and I am speaking on behalf of a group of 17 trans activists from all regions present at this Council session.

Worldwide, trans people face discrimination and violence on the basis of their gender identity and expression: murder, rape, beatings, imprisonment, forced sterilisation, or the continued denial of their identity. In total, 2,345 murders of trans and gender-diverse people across 69 countries were registered in the last 9 years by TGEU. The reports of the two Special Procedures are testament to these abuses. We warmly welcome them and thank them for their indispensable work.

Mr Muntarbhorn's report clearly explains how his Mandate fits into the existing framework of international law.

We laud the focus in the report on intersectionality. Gender identity is a multifaceted issue, which must be contextually integrated with race, intersex status, class, age, sexual orientation, mental health, HIV status, ability, and any other status. We encourage the Independent Expert to continue on this path, addressing how violence and discrimination on the basis of gender identity is intersectional, complex, and fundamentally impacted by all aspects of a person's life.

The trans community is particularly interested in the legal gender recognition component of this report. The majority of trans and gender diverse people around the world do not have access to legal gender recognition free from coercion, restrictive requirements, and medicalisation of our identities. We encourage the Independent Expert to undertake a nuanced study of legal gender recognition programs globally, noting the current best practices by countries such as Malta and Argentina, and to promote consultative, community-based development of processes for legal gender recognition that are accessible, respectful, and based fundamentally on self-determination with full respect to the right to privacy.

Thank you for your attention and for your continued efforts to tackle violence and discrimination on the basis of gender identity and expression.