

32nd session of the Human Rights Council
Item 8 General Debate
June 27, 2016

The Swedish Federation for LGBTQ Rights – RFSL joined by International Lesbian and Gay Association; LGBT Denmark - the National Organization for Gay Men, Lesbians, Bisexuals and Transgendered People; International Humanist and Ethical Union; International Federation for Human Rights, FIDH; Lesbian and Gay Federation in Germany LSVD; Human Rights Law Centre.

- delivered by Micah Grzywnowicz

Thank you Mr. President,

The VDPA underscores the universal principles of equality and non-discrimination.

Each person’s self-defined gender identity is integral to their personality and is one of the most basic aspects of self-determination, dignity and freedom. Too many transgender persons are forced to live with identity documents that do not correspond to their self-defined gender. Opening a bank account, applying for a job, boarding a plane, or lodging a harassment complaint can become a repeated source of harassment, unfounded suspicion, and even violence.

The right to recognition before the law (without prerequisites that infringe other rights) is guaranteed under article 6 of the UDHR.

However, many States in all regions require the individual to give up one or more human rights to gain another for the protection of private life. Requirements may include diagnosis of a mental disorder, sex reassignment surgery, forced sterilization or hormonal therapy, and being single or divorced. These violate a person’s dignity, right to form a family and right to be free from degrading and inhumane treatment.

Nevertheless, we welcome the adoption of strong laws in increasing number of States around the world that enable quick, accessible and transparent gender recognition procedures based on self-determination. These laws enable transgender persons to be active citizens contributing to the development of the societies they live in.

The creation of an independent expert mandate on sexual orientation and gender identity would raise awareness and bring greater understanding of these issues. It would also be a platform to share best practices and provide technical assistance to States in ensuring human rights based laws, policies and procedures on the legal gender recognition of all persons.

We call on this Council to adopt resolution L.2 on “Protection against violence and discrimination based on sexual orientation, and gender identity,” and to engage in constructive dialogue on these issues.

Thank you.