

Human Rights Council

September 21, 2017

UPR Outcome - Finland

Statement by: European Region of the International and Gay Federation

Delivered by Callum Birch

Thank you Mr. President,

This statement is delivered in consultation with Trasek, an association for the rights of gender minorities and Finnish Youth Co-operation - Allianssi, the National Youth Council of Finland.

During the previous UPR Cycle, Finland made progress in the protection of rights of gender minorities, on the basis of recommendations made by Iceland. The Equality Act of Women and Men was expanded to acknowledge gender identity and expression. Furthermore, the Trans Act was amended in respect to the Equal Marriage Act. As a result, persons who align their legal gender according to their gender identity have the right to sustain their marital status.

During this cycle Finland received 8 recommendations to remove the requirement of sterilisation as a condition for legal gender recognition. These recommendations have been reiterated by the CEDAW Committee, the Council of Europe's Commissioner for Human Rights and the UN Special Rapporteur Against Torture.

The requirement of sterilisation as a condition for legal gender recognition gravely violates one's right to autonomy, bodily integrity, privacy and self-determination. It is a grave human rights violation, forcing people to choose between the fulfillment of different rights. The European Court of Human Rights have seconded this by recently ruling that sterilization requirement is a violation of human rights. The Finnish Ministry of Social Affairs and Health set up a working group in 2013. Its aim was to examine what steps should be taken for the renewal of the Trans Act. To this day, recommendations of this working group have not been implemented. We regret that the Finnish government took note of these recommendations in regard to the Trans Act. We now call upon and demand the Finnish government to align to the international and regional obligations it holds.

A wide range of civil society organisations have called upon the Finnish government to amend the Trans Act and immediately abolish the preconditions of sterilisation and a psychological diagnosis based on mental health to obtain legal recognition of their gender identity.

We call for equal access to legal gender recognition, regardless of age, medical or economic capabilities. We encourage the Finnish government to increase funding for training of all professional groups working with trans communities, especially those working with children and youth.

We hope that before the next UPR Cycle, Finland has renewed the Trans Act in accordance to human rights standards that meet the needs of the individuals of all ages regardless of their gender identity. We stand ready to work with the government to guarantee the rights of trans people.

I thank you, Mr. President.