



Athens, 07 April 2017

## Press release

### **The Ombudsman requests legal recognition of gender identity, while respecting the rights of transgender people**

The Ombudsman calls for immediate adoption of swift, transparent, accessible procedures for the change of identity card and other identification documents of transgender people. On the occasion of the adoption of the Judgment of the European Court of Human Rights (ECtHR) in the case “*Garçon, A.P. and Nicot v France*”, the Ombudsman reiterates its position for immediate legislative intervention in accordance with Resolution 2048/2015 of the plenary of the Parliamentary Conference of the Council of Europe.

The European Court of Human Rights, whose judgments are binding on the Member States of the Council of Europe, stated that surgical procedures, which very often result to sterilisation, as a prerequisite for the legal recognition of gender identity, violate human rights. The ECtHR held that there had been a violation of Article 8 (right to respect of private and family life) of the European Convention on Human Rights, focusing, among others, in the fact that, in essence, the requirement of surgical procedures puts the exercise of the right to private life, under the condition of resignation from the full exercise of the right to physical integrity.

The Ombudsman, as the Equality Body competent for the promotion of the principle of equal treatment, confirms, on the basis of relevant individual cases dealt with by him, that many citizens have faced this problem before now. Already in 2015 and 2016 the Ombudsman highlighted the need for legislative initiative on the recognition and protection of gender identity. The delay in modernising the legislative framework in this direction, not only creates problems for stakeholders, but adds confusion to Greek society, by maintaining stereotypes, prejudices and attitudes as well as depreciation and marginalisation. Knowing that the relevant legislative committee set up within the Ministry of Justice has completed its work on this issue months earlier, the Ombudsman trusts that the draft law anticipated to be presented to Parliament will be in line with international case law and will be processed as a matter of priority.

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