

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## Europe: Denied Identities Cases of transgender people

Amnesty International's report, *The state decides who I am: lack of legal recognition for transgender people in Europe*, highlights the human rights violations experienced by transgender people when they wish to change their legal gender.

**Joshua** is a transgender man born in the United States now living in Denmark with his children from a previous marriage in the US and his current Danish wife. While he is legally a man in the US, he is still registered as a female in Denmark. Danish authorities do not recognize his male gender because he has not undergone sterilization. Joshua refuses to undergo the existing process to obtain legal gender recognition in Denmark as it includes sterilization and objects to transgender identities being considered mental diseases: “Being stuck between two identities is a major obstacle for me. You don't want to go to your kids' school and out yourself all the time. I am still listed in the school system as their mum. The other kids in the school ask about it because they can see the [female] name [yet I have a male appearance]. It's very awkward for me and my kids.”

Transgender people in Finland cannot change the gender markers on their documents unless they undergo psychiatric diagnosis, medical treatments including sterilization and “real life test”.

**Juudas**, a 20-year-old transgender man living in Tampere, Finland, who is in the process of obtaining legal gender recognition, told Amnesty International: “I find it offensive to have [gender] markers on my documents and in registers that are not true. This puts me in a situation whereby I must constantly be prepared to answer questions. My name is Juudas, I feel like [a man] but my documents say F-female. One big thing about gender recognition is safety. But also the fact that I want to be who I truly am in the eyes of society.”

**Luca** is a young Norwegian transgender man who is still legally a female. He opposes genital surgery: “I want my legal gender to be male. I can in theory obtain recognition of my gender but only if I am sterilized. This is out of question for me. The treatment is presented as a package solution without consideration for individual wishes.”

**Eefje** is a 25-year-old transgender woman who is undergoing the gender reassignment procedure including genital reassignment surgery, at the Ghent Gender Clinic in Belgium. She is still legally a male: “I trained to become an assistant cook. At the end of the course, I had to complete a traineeship and was told to apply using my legal name and gender. That had a great psychological impact on me because during the course I was constantly given orders by my male name. Once I completed the traineeship, the manager told me that I could have been employed but that other colleagues were against it because I was transgender.”

**Hélène**, a transgender woman living in Paris, was born a boy. In France there is no specific legislation that allows transgender people to change their gender or name on official documents. This is decided by the courts which do not follow a homogenous procedure but often require lengthy medical treatments: “*I want to undergo genital reassignment surgery, which is important for me in order to live as a woman. I have felt I am a female since the age of four or five but it took me many years to come out... I was 48. I was harassed at school,*

*and brutally beaten up when I was 15 years old because I was perceived as a feminine guy. I established an end date in my head; I would not turn 50 as a man. I would have committed suicide beforehand. It is so difficult to spend your entire life, continually at odds with what you actually are."*

**Patricia** is a 53-year-old transgender woman who is still legally a male. She is married to Susan. They live in Cork, Ireland and have two children who are in their 20s. For Patricia, legal gender recognition is the final step of a long and difficult process through which she became aware of her gender identity. However, she and Susan strongly oppose the idea of divorcing, should the single status requirement be included in Irish legislation on legal gender recognition. *"The fact that other people, outside of our union, can decide that we should divorce... is a violation of our rights. I'm the same person I was when I got married. The only thing that's changing is the gender marker on my birth certificate. At the end of the day all you want is to be recognized for who you are, and that will be denied."*

Sarah's, middle child, **Kelly** was born male but has asserted her identification as female since the age of four. Kelly was very unhappy and repeatedly expressed suicidal thoughts. On psychiatrist's advice Sarah allowed Kelly to express her gender identity. Kelly still has a legal male name and gender. Sarah was once stopped and questioned at a Singapore airport because Kelly's appearance did not correspond with the gender indicated on her documents. *"Immigration officials laughed at us. It was humiliating and very upsetting for Kelly. The immigration official asked me, 'Why do you let him wear his hair long and dress like that?' I just want to keep this child alive. I have a happy child now, why end up... on a psychiatric ward? Why end up with a dead child? ... It's important that she gets documents that reflect her gender. If the legislation is in place...it means that you are not setting [transgender people] up for a hard life, for discrimination, misunderstanding or prejudice."*

End/