

21st session of the Human Rights Council
Oral statement by ILGA-Europe
UPR of the United Kingdom
20th September 2012

- delivered by Sheherezade Kara

Thank you Madame President,

I am also making this statement on behalf of the Scottish Transgender Alliance, which is a transgender equality and human rights policy and legislation project within the National LGBT NGO, the Equality Network.

We welcome the United Kingdom's acceptance of recommendations 49, 50 and 51 on ensuring equality and non-discrimination in all areas and for all citizens.

We are pleased that the UK now recognises sexual orientation and gender identity persecution as grounds for seeking asylum in the UK, and encourage the government to implement transgender awareness training for UK Border Agency staff, especially those working in asylum detention centres, and to end the use of "fast-track" asylum process for transgender asylum seekers.

However, we note that at present the UK does not affirm intersex healthcare protocols so intersex people are not assured that medical professionals will adequately uphold their human rights.

The Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender identity requests that States "take all necessary legislative, administrative and other measures to ensure that no child's body is irreversibly altered by medical procedures in an attempt to impose a gender identity without the full, free and informed consent of the child".

In this line, we urge the UK to create new healthcare protocols for intersex people, with the active involvement of intersex human rights organisations (such as Organisation Intersex International), which fully respect the rights of children and young people in regard to bodily autonomy and consent to medical procedures.

Finally we are concerned that the UK continues to impose various requirements for transgender people wishing to receive legal gender recognition. 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. Neither medical procedures, including sex reassignment surgery, sterilisation, or hormonal therapy, nor divorce, should be a requirement for legal recognition of gender identity. We urge the UK to legally recognise each person's self-defined gender identity, without infringing on other rights, and recommend that it provide the option of "X" as an unspecified gender marker on all identity documents.

We strongly welcome that the UK and Scottish governments are active in consulting transgender people in the development of action plans for improving gender identity equality and human rights, and look forward to collaborating on this work in the future.

Thank you.