

# Problematic Examples



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# Problematic Examples II



*The European Parliament*

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16. Calls on the Commission and the World Health Organisation to withdraw gender identity disorders from the list of mental and behavioural disorders, and to ensure a non-pathologising reclassification in the negotiations on the 11th version of the International Classification of Diseases (ICD-11);

*EU Parliament resolution on Sexual orientation and gender identity at the UN Human Rights Council (28 Sept 2011)*

# Problematic Examples II



The European Parliament

[...]

13. Roundly condemns the fact that homosexuality, bisexuality and transsexuality are still regarded as mental illnesses by some countries, including within the EU, and calls on states to combat this; calls in particular for the depsychiatrisation of the transsexual, transgender, journey, for free choice of care providers, for changing identity to be simplified, and for costs to be met by social security schemes;”

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# Problematic Example III



“9.2 Can transgendered people obtain health care appropriate to their condition if it is available?”

“Are psychiatrists and doctors permitted to assist transgendered people to change their gender?”

(Checklist for EU diplomats in EU LGBT Toolkit 2010)

# Problematic Example III



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# Problematic Example III



“4.4 Are there procedures in place to recognize a transgender person’s gender identity in official documents?”

“Does the law and/or administrative regulation permit this? Are these procedures accessible, transparent, quick and free from abusive medical and social requirements? Do they ensure privacy protection by prohibiting disclosure of the procedure and have legal bearing on state and non-state actors to change job references, certifications and similar?”

*(Checklist for EU diplomats in EU LGBT Guidelines 2013)*

# Problematic Example IV



21. Member states should take appropriate measures to guarantee the full legal recognition of a person's gender reassignment in all areas of life, in particular by making possible the change of name and gender in official documents in a quick, transparent and accessible way; member states should also ensure, where appropriate, the corresponding recognition and changes by non-state actors with respect to key documents, such as educational or work certificates.

22. Member states should take all necessary measures to ensure that, once gender reassignment has been completed and legally recognised in accordance with paragraphs 20 and 21 above, the right of transgender persons to marry a person of the sex opposite to their reassigned sex is effectively guaranteed.

*(Committee of Ministers LGBT Recommendations 2010(5))*

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**Time for some exercises!**

