Third Party Intervention X v. Romania and Y v. Romania

article, legal gender recognition

Transgender Europe and Ilga-Europe have been granted their request to submit comments on the cases *X v. Romania* and *Y v. Romania* (Applications no. 2145/16 and 20607/16) before the European Court of Human Rights.

The present cases concern two trans men who claim that their right to privacy and right to found a family have been violated. The legal framework on legal gender recognition in Romania remains uncertain, subjecting trans people to lengthy judicial procedures and pathologizing and invasive medical requirements when in their quest for recognition of their gender identity.

The comments delivered by TGEU and ILGA-Europe on 26 June 2018 provide the Court with additional information on: (i) developments on legal gender recognition in the wider international context, namely a steady gaining of ground for the recognition of trans people's human rights and a move away from pathologisation of trans identities. (ii) The interveners discuss the European legal landscape showing that medicalised and pathologizing legal gender recognition procedures where the judiciary plays a substantial role are not in line with European human rights and equality law standards.

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