

# Trans Rights Europe & Central Asia Map & Index 2019

[publication, health and depathologisation](#)



## About the Trans Rights Map & Index

The 2019 **Trans Rights Europe & Central Asia Map** highlights the forced sterilisation of transgender persons and the requirement for a mental health diagnosis in gender recognition procedures in Europe and Central Asia.

The **Trans Rights Europe & Central Asia Index** provides detailed country information in 29 legal categories, such as legal gender recognition, asylum, bias speech/ violence, non-discrimination, health and family. The Trans Rights Europe & Central Asia Map & Index do not claim to exhaustively reflect the complex social situations that trans people face throughout the investigated region.

## Mental Health Diagnosis Requirement

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## TRANS RIGHTS EUROPE & CENTRAL ASIA MAP 2019

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### The Trans Rights Map & Index

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### Mental Health Diagnosis Requirement

33 countries in Europe require a mental health diagnosis before adapting identity documents. Such a requirement violates the right of every person to self-determine their gender identity. A mandatory diagnosis further drives stigma, exclusion and discrimination as it relies on the false notion that being trans is a (mental) illness. In fact, no gender identity is disordered.

The World Health Organisation (WHO) proposes to stop categorising gender identities as mental illnesses in the International Classification of Diseases (ICD-11). The World Professional Association for Transgender Health (WPATH) advises against any mandatory mental health treatment or diagnosis in legal gender recognition.

### Self-Determination

States should base legal gender recognition procedures solely on the self-determination of the person. TGEU's Trans Rights Map marks states in red where a mental health diagnosis is required in gender recognition procedures. "Blue" states have established procedures and do not request a mental health diagnosis. "Gray" states do not offer any reliable procedures.

Learn more about legal gender recognition and what you can do:

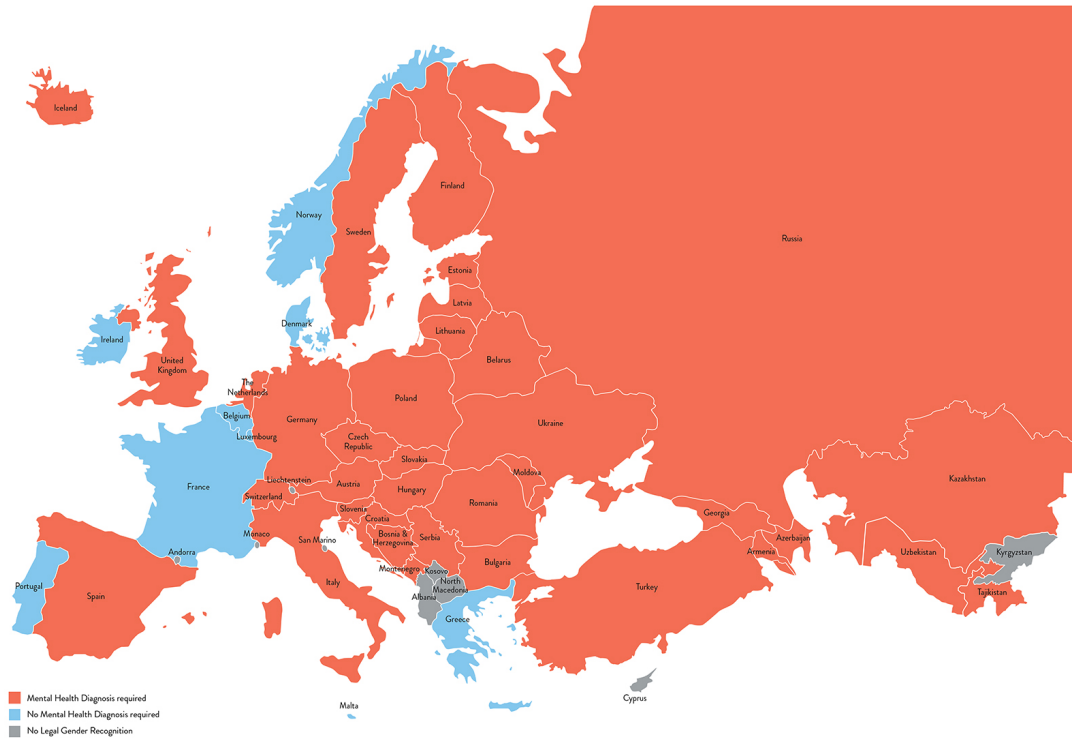
[tgeu.org/issues/legal-gender-recognition/](https://tgeu.org/issues/legal-gender-recognition/)

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www.ilga-europe.org

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Identity documents that are in line with a person's gender identity are important for trans people's dignity, safety and access to human rights.

Such procedures exist in 42 of the 53 reviewed countries.

Out of the reviewed countries:

- 36 prescribe a **mental health diagnosis**,
- 16 countries demand **sterility**
- 22 require a **divorce**.
- 33 countries impose **age barriers**, making access to legal gender recognition harder or impossible for minors.
- 5 countries base legal gender recognition procedures on **self-determination** of the person
- 1 country recognises **gender non-binary identities**.

### Asylum

- 19 of the 53 reviewed countries offer **international protection** on grounds of gender identity.
- 16 out of these are **EU** member states.
- 12 EU member states offer no international protection for trans refugees and are thus violating EU law.

### Non-discrimination

- 30 countries protect against discrimination in **employment**.
- 9 EU member states do not protect against discrimination in employment and are thus violating EU law.
- 26 countries protect against discrimination in access to **goods & services**.
- 11 EU member states have yet to introduce such explicit protection to implement EU law properly.
- 22 of the reviewed countries protect against gender identity-based discrimination in **education**.
- Only 11 countries provide protection related to the gender expression of a person. This is particularly important for cross-dressers and those trans people not intending to undergo gender reassignment.

### Bias-motivated crime

Only 17 countries have explicit laws on **bias-motivated** crime, whereas only 7 countries have positive measures in place that are aimed at combating bias motivated crime and hate speech.

### Healthcare

- 19 countries offer express protection against discrimination in **healthcare**.
- Denmark and Malta are the only countries that have, to date, **depathologised** trans identities while ensuring stigma-free access to trans-specific healthcare for adults and minors.
- Only 2 countries prohibit conversion therapy on grounds of gender identity.

### Family

- Only 4 countries recognise the gender identity of a **trans parent** on their child's birth certificate.