Collective Complaint Against Czech Republic for Sterilisation Requirement

Transgender Europe and ILGA-Europe brought a collective complaint against the Czech Republic under the European Social Charter. The complaint challenges the Czech law that requires a person to be sterilised before they can have their gender identity legally recognised. This requirement breaches the European Social Charter (Article 11 – the right to protection of health). The European Committee of Social Rights declared the complaint admissible on 9 September 2015. On 15 May 2018, the Committee found the Czech Republic violates trans people's rights under Article 11 of the Social Charter by requiring forced sterilisation in legal gender recognition.

With this complaint we aim to support legal reform in the Czech Republic for quick, transparent and accessible legal gender recognition procedures based on self-determination.

Decision of the Committee of the Social Charter

Text of the Complaint by TGEU and ILGA-Europe (Complaint No 117/2015)

Government Observations (Admissability)

Observations by ADF International

Submissions of the Government (merits/ contents)

Response from TGEU/ ILGA-Europe to the Government's submissions

Additional information from Transgender Europe

Up-to-date information on the case can be found on the website of the European Social Charter under Pending Cases (Complaint No 117/2015).

On April 06 2017, the European Court of Human Rights found that sterility and any medical treatment leading with a high likelihood to sterility as a pre-condition to legal gender recognition is in breach of the right to privacy and family life (Article 8 of the European Convention of Human Rights).