

2 May 2014

Minister Dr Helena Dalli delivers keynote speech at the 5th European Transgender Council (TGEU) - Budapest

I am very honoured to be here with you at the 5th European Transgender Council.

In 2009, as a pre-conference to the ILGA-Europe Annual Conference that was held in Malta, a trans rights conference was held leading to the adoption of the Malta Trans Rights Declaration.

Progress was achieved since then, not least with the strengthening of Transgender Europe, and increased recognition of the grounds of gender identity and gender expression at national, European and international level.

Sadly, that Declaration, as you know, was ignored by the powers that be.

But that's the past.

We have now made change happen ...

My party campaigned for civil rights and equality for all, and following last year's electoral victory, we acted on trans rights straight away.

In fact, during the first few weeks in government we concluded an out-of-court settlement with Joanne Cassar, who was previously left with no choice but to fight all the way to the European Court on Human Rights to secure the right to marry her male partner.

This, in spite of the fact that the European Court had already conferred such a right to all trans people in its 2002 judgement in the cases of *Goodwin & I. v UK*.

And, also in spite of domestic court cases won by Ms Cassar, which were systematically appealed and overturned.

When I proposed the said out-of-court agreement to the new cabinet, there was silence in the room.

It was a good silence though.

All the cabinet members were genuinely, positively interested and concerned about Joanne Cassar's trials and tribulations.

Without delay, agreement was reached on the way ahead.

Following the settlement with Ms Cassar, the new government subsequently changed the relevant provisions in the Civil Code, thus allowing all trans people to

marry according to their acquired gender.

Shortly after, we set up an LGBTI Consultative Council composed of representatives of Maltese LGBTI civil society, with the mandate to propose legislation and policies to improving the standard of living of LGBTI people and ensure equality.

That Consultative Council has already made very useful proposals and will continue to meet regularly and provide its input.

A month ago, we enacted a Civil Unions law with rights and duties on a par with marriage for same and different-gender couples.

On the same day, we amended the Constitution in such a way as to provide protection on the grounds of sexual orientation and gender identity.

I am told that we are the first country in Europe to have included an express reference to gender identity in the Constitution.

The next step now is a Bill towards the enactment of a Gender Identity law. A draft bill has been prepared and it has now been passed to the LGBTI Consultative Council for its vetting and amendment as necessary.

Some of you may be thinking that we are moving forward quickly.

I have a different perspective though. We are doing what is right, what should have been done a long time ago.

There should not be such a thing as second class citizenship – not for trans people, not for anyone.

Black or white, female or male, gay or straight, trans or cisgender – everyone, irrespective of personal characteristics should be respected, protected and celebrated.

This is my firm belief, and I am pleased to have the backing of my Prime Minister on this to ensure that all the change necessary materialises during this term in office.

Now you understand why in spite of Malta co-hosting the 2nd European IDAHO Forum in less than two weeks, amongst other things, I opted to be here and share a moment with you during the bi-annual Transgender Council, when you invited me.

Ours is politics of conviction. We are not doing this because the polls say that our support will grow if we champion trans rights.

We are doing it, because we are committed to ensure a space for all trans people to feel safe, to feel welcome, to be able to exercise their full rights and be themselves without fear of reprisal, harassment or violence because of their gender identity.

This is the Malta that we want to live in. This is the Malta in which we want to welcome you when you visit us ...

Clearly, we will not achieve the change that we want through legislation alone. We need to educate, we need to ensure that discrimination does not take place in the first instance.

This goal is most probably the hardest to reach, but it is attainable, and we will get there.

We need to give particular attention to the employment situation of trans people. Sadly, there are those who remain unemployed or underemployed. The best of laws, will not provide as much dignity to trans people as adequate employment does.

Needless to say, as a Labour government we take employment issues very seriously. We are fighting precarious conditions of work, and discrimination.

Malta is a very small country, and many people still do not know where it is. However, I am certain that the progress we want to achieve in this area of policy will be noticed by others.

I hope that we can set out a positive model.

We want to be there for you in Europe.

We want to help you make the case for legal gender recognition.

We want to help you make the case against abusive requirements.

We want to help you make the case against harassment and violence.

We want to be there for you to ensure that your fight for equality will be heeded.

Your fight is our fight.

Thank you.