Third Party Intervention Y.P. v Russia

Transgender Europe, ILGA Europe, Transgender Legal Defense Project, Human Rights Centre “Memorial”, and Coming Out submitted to the European Court of Human Rights joint written comments in Y.P. v Russia (Application no. 8650/12) on 4 Agust 2017.

The present case involves a transgender man who asks to be recognised as the father on the birth certificate of his biolgical child. The case raises the issue of how the effects of legal gender recognition are reflected in the legal documentation on the ties between the trans parent and their biological child, and of the corresponding state obligations derived from the right to respect for family life under Article 8 of the Convention.
This submission discusses, first, the emergence of a range of family formations involving trans people in a frequently indifferent or restrictive legal environment, second, it analyses the principle that a change to an individual’s gender markers in official documents should apply for all legal purposes. Third, the submission looks at the particular case of the effects of legal gender recognition in relation to rules on filiation, and finally, the situation of trans people and their families in the Russian Federation is discussed.

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