

Ministry of Labour, Family, Social Affairs, and Equal Opportunities  
Kotnikova 28,  
1000 Ljubljana, Slovenia

Berlin, 30 April 2015

**Trans Inclusion in the Resolution of the National Program for Equal Opportunities of Women and Men 2015 - 2020**

Dear Tanja Salecl,

Transgender Europe, the umbrella body working for the equality of transgender people with 75 member organisations in 38 European states, is concerned that the proposed National Program for Equal Opportunities of Women and Men 2015 – 2020 currently does not include any explicit protection of the rights of transgender people and explicit mentioning of gender identity or expression.

In the EU, the scope of the principle of equal treatment of women and men also extends to discrimination against transgender people, as has been affirmed repeatedly by the Court of Justice of the EU.<sup>1</sup> EU member states are obliged to combat discrimination against transgender people in the areas of employment (2006/54/EC) and provision of goods and services (Directive 2004/113/EC).

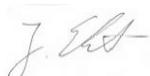
In addition, the EU Victim's Rights Directive (2012/29/EU) specifically highlights the elevated protection needs of victims of gender-based violence, i.e. "violence that is directed against a person because of that person's gender, gender identity or gender expression" (Recital 17). The Istanbul Convention, which Slovenia has ratified, similarly calls upon states to implement all provisions without any discrimination on the ground of gender identity (Art. 4.3).

Resolution 2048 (2015) by the Parliamentary Assembly of the Council of Europe, as well as Recommendation CM/Rec (2010)5 of the Committee of Ministers of the Council of Europe, call upon all member states to prohibit discrimination against transgender people and to protect their rights in areas such as employment, health, education, sports, private and family life and protection from violence.

In order to comply with the outlined obligations and human rights standards, we strongly encourage you to include explicit references to transgender people, and to "gender identity" and "gender expression" as anti-discrimination grounds, throughout the National Program for Equal Opportunities of Women and Men. To this end, we suggest that you to consult with our Slovenian members Legebitra and TransAkcija, which made a submission to this effect to your public consultation.

We look forward to your response.

Sincerely,



Dr. Julia Ehart  
Executive Director  
Transgender Europe

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<sup>1</sup> P v. S and Cornwall County Council (1996); K.B. v NHS Pensions Agency (2004); Sarah M. Richards v. Secretary of State for Work and Pensions (2006).