Ireland adopts progressive Gender Recognition Law

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Transgender Europe welcomes today’s adoption of a progressive gender recognition law by the Irish Senate, ending a 22 year long saga for trans people’s recognition. After today’s third and final reading at the Senate, the Bill will now be sent to the Irish president for signing it into law.

Trans people over the age of 18 years will be able to self-declare their gender by way of a statutory declaration. Ireland will thus be the third country in Europe to introduce a procedure without any medical criteria being involved.

A restrictive procedure is foreseen for 16 & 17 year olds requiring certification from two medical practitioners, parental consent and a court order. It is also regrettable that there is no possibility for an individual below 16 years to obtain legal gender recognition. Also, persons with a non-binary gender identity and intersex people will not be able to benefit from the law.

A provision in the Irish bill asking for a divorce from a married trans applicant is expected to fall later this year when marriage will be opened to same-sex couples.

TGEU member organisation Transgender Equality Network Ireland – TENI successfully campaigned over the last years to bring about legislation finally recognizing trans people’s existence and fundamental rights. The struggle started when Dr. Lydia Foy applied in 1993 for a change of her birth certificate.

“This is a wonderful achievement after decades of struggle for trans people’s recognition in Ireland. The legislation has come a long way to the final proposal, thanks to a strenuous trans community and their allies.” comments Alecs Recher, TGEU co-chair:

“However, a considerate part of the trans community remains excluded. Minors, intersex people and those with a non-binary identity deserve recognition, too.”

Only 37 states in Europe have legal gender recognition provisions in place, out of which 35 require a mental disorder diagnosis, and 23 demand sterilisation before recognizing a trans person’s gender identity.

"Ireland is amongst the leaders in Europe now as we observe a trend across the continent towards quick, accessible and transparent gender recognition procedures based on self-determination. Hesitant states should take motivation from Ireland and swiftly bring about legislation protecting trans people’s human right to recognition." comments Richard Köhler, TGEU Senior Policy Officer.

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Learn more about TGEU’s work on legal gender recognition:
Transgender Europe is a European human rights NGO working for the human rights and equality of all trans people. More Information: www.tgeu.org

Transgender or Trans is an umbrella term for people whose gender identity or expression differs from the sex assigned to them at birth.

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