



**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITÉ EUROPÉEN DES DROITS SOCIAUX**

1 June 2017

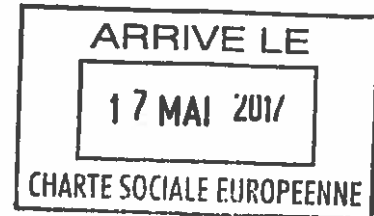
Case Document No. 6

Transgender Europe and ILGA-Europe v. Czech Republic
Complaint No 117/2015

**ADDITIONAL INFORMATION FROM
TRANSGENDER EUROPE**

Registered at the Secretariat on 17 May 2017

Department of the European Social Charter
Directorate General of Human Rights and Rule of Law
Council of Europe
1, quai Jacoutot
F – 67075 Strasbourg Cedex
France



010-2017

9 May 2017, Berlin

Transgender Europe and ILGA-Europe v Czech Republic

Complaint no. 117/2015

We are writing to inform the European Committee of Social Rights of a recent development from the European Court of Human Rights that is directly relevant to the above-mentioned collective complaint. We are mindful of the fact that the Committee has previously taken into account the jurisprudence of the European Court in interpreting the provisions of the Social Charter.

On 6 April 2017, the European Court of Human Rights delivered its judgment in the case *A.P., Garçon and Nicot v. France*¹, holding that the requirement to undergo sterilisation or treatment involving a very high probability of sterility in order to change the entries on birth certificates was in breach of the applicants' right to respect for private life under Article 8 of the Convention. The Court noted that consent given to a medical treatment forming a mandatory pre-requisite to legal gender recognition was invalid, as it forced trans people to choose between their right to bodily integrity and their right to the recognition of their gender identity.

The Court's reasoning is consistent with complainant organisations' arguments in the in the above-mentioned case. Furthermore, this judgment

¹ *A.P., Garçon and Nicot v. France*, nos. 79885/12 and 2 others, 6 April 2017.

also applies to the Czech Republic, as a State Party to the European Convention on Human Rights, insofar as the sterilisation requirement is concerned.



Yours sincerely,

A handwritten signature in blue ink, appearing to read "J. Ehart", is written over the typed name.

Dr. Julia Ehart

Executive Director