

# TRANS RIGHTS EUROPE & CENTRAL ASIA MAP 2020

31 countries in Europe and Central Asia still require a mental health diagnosis in legal gender recognition

## The Trans Rights Index & Maps

The **Trans Rights Europe & Central Asia Index** provides detailed information on the legal situation of all 47 Council of Europe member States and five Central Asian countries. The Index covers a total of 30 indicators in six legal categories: legal gender recognition, asylum, bias-motivated speech and violence, non-discrimination, health, and family.

The **Trans Rights Europe & Central Asia Maps** focus specifically on two legal gender recognition (LGR) indicators that stigmatise and violate the rights of trans people: forced sterilisation and mandatory mental health diagnosis. Each of the respective maps illustrates which countries demand these problematic LGR requirements.

Collectively, Trans Rights Europe & Central Asia Index & Maps reflect the current legal situation in countries throughout the region. They do not claim to exhaustively portray the complex legal and social contexts that trans people live in.

### Mental Health Diagnosis Requirement

Of the 41 countries where legal gender recognition is available, 31 require a mental health diagnosis before adapting identity documents. 10 countries no longer list diagnosis as a requirement of legal gender recognition. As compared to 2019, only Iceland amended its regulations this past year, now providing LGR on the basis of self-determination.

The diagnosis requirement contributes to stigma, exclusion, and discrimination, and relies on the false notion that being trans is a psychiatric disorder. In May 2019, the World Health Organisation adopted the 11th edition of the International Classification of Diseases (ICD-11), removing all trans-related categories from the Chapter on Mental and Behavioral Disorders, and depathologising trans people.

### Self Determination

The Council of Europe and numerous United Nations mandates have established that a mandatory mental health diagnosis, or medical, judicial or any other third-party opinion, violates trans people's dignity and their right to self-determine their gender identity. As they affirm, States must put in place legal gender recognition procedures that are quick, transparent, accessible, and based solely on the self-determination of the person.

Learn more about legal gender recognition and what you can do to improve it: <https://tgeu.org/issues/legal-gender-recognition/>

The Trans Rights Europe Map & Index has been developed in cooperation with ILGA-Europe.

