LEGAL GENDER RECOGNITION
IS THE PROCESS(ES) BY WHICH INDIVIDUALS REQUEST THEIR FIRST NAME AND/OR GENDER MARKER TO BE CHANGED IN THEIR ADMINISTRATIVE RECORDS SO THAT OFFICIAL REGISTERS AND THEIR DOCUMENTS, INCLUDING IDENTITY DOCUMENTS AND BIRTH OR CIVIL STATUS CERTIFICATES, MATCH THEIR GENDER IDENTITY. IN SHORT, WE REFER TO LEGAL GENDER RECOGNITION AS LGR.

ACCESSIBILITY, CLARITY AND SPEED OF LGR PROCEDURES
BASED ON THE EUROPEAN COMMISSION’S “LEGAL GENDER RECOGNITION IN THE EU” REPORT (2020)

CLUSTER 1: NO LGR PROCEDURES IN PLACE
BULGARIA CYPRUS LITHUANIA LATVIA ROMANIA

“"It felt like getting a new document or appointment every second day, going back and forth all the time. It was too much, waiting all the time and having to keep track of everything at the same time."

Trans person, age unknown, residing in Lithuania (cluster 1)

“At the moment, we have no guarantee that the judge’s decision will be positive and in our favour. So again, it's hit and miss.”

Trans woman, aged 25-34, residing in Romania (cluster 1)

CLUSTER 2: INTRUSIVE MEDICAL REQUIREMENTS
SLOVAKIA CZECHIA POLAND FINLAND AUSTRIA ESTONIA SPAIN ITALY UK

Accessible
It requires a lot of documentation, jumping through many hoops, convincing gatekeepers (judges, doctors, other experts) who may or may not have knowledge about trans people.

Transparent
It is difficult to find information about the process and the requirements and takes a lot of skill to navigate through

Quick
Up to 10 years.

| ACCESSIBLE? | Transparent? | Quick?
|-------------|--------------|-------------
| It requires a lot of documentation, traveling to appointments, often a lawyer and/or support from NGOs. | The requirements are not clear and judges or other authorities have all the discretion to make a decision. | Up to 10 years. |

57% 31% 30% 13%
Accessible
Transparent
Quick

30% 57% 13% 13% 55% 15% 31% 9% 18%

To learn more about the specifics of each cluster, please see the Factsheet 1 on Legal gender requirements here.
It could take up to four or five years due to the complicated procedures, requirements (mandatory hormone therapy for several months), waiting lists, and/or delays.

“‘They bring in someone external, completely unknown to me, and expect them to help me obtain my legal gender: this is extremely unfair.’

Participant in the focus group in Poland (cluster 2)

“In Italy, you first need to do a number of sessions with a therapist who will diagnose the gender dysphoria. [...] After the diagnosis, you will go to see an endocrinologist who will prescribe the hormonal therapy. From this, [there is the] ‘real-life test’: for one year, you live according to your gender identity... Then, you will have to hire a lawyer and go to court... The judge [...] may ask for additional documentation. So, the bureaucratic timing becomes longer.”

Trans man, aged 18-24, residing in Italy (cluster 2)
“It is not at all quick. It is possible for it to last much more than a year, as especially in large cities, like Athens, the day of the trial is likely to be confirmed after some months. The court decision is likely to be issued after a further four-five months; then there is another time-consuming process to change the identity documents in the population register of the municipality and the regional decentralised administration. This may last almost three months. In sum, from the beginning until the end, the process may last one and a half years or even more.”

Transgender person, age unknown, residing in Greece (cluster 4)

“Less than a week.”

Respondent living in Ireland

“In one month, maximum one month, they give you your ID card and whatever you need.”

Trans man resident in Malta

<table>
<thead>
<tr>
<th>Cluster 4: Procedural Requirements</th>
<th>Greece</th>
<th>France</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessible</td>
<td>39%</td>
<td>50%</td>
</tr>
<tr>
<td>Transparent</td>
<td>41%</td>
<td>50%</td>
</tr>
<tr>
<td>Quick</td>
<td>36%</td>
<td>59%</td>
</tr>
</tbody>
</table>

Complicated especially for those married or trans minors.

Clerks often do not know how to process an application and trans people have to educate them - especially in more remote areas.

It could take up to two years, although for some it was only a few months; some had to wait for up to six months for a court date; delays were common; those who obtained LGR said they got lucky.

<table>
<thead>
<tr>
<th>Cluster 5: Self-Determination</th>
<th>Belgium</th>
<th>Denmark</th>
<th>Ireland</th>
<th>Luxembourg</th>
<th>Malta</th>
<th>Portugal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessible</td>
<td>71%</td>
<td>13%</td>
<td>65%</td>
<td>63%</td>
<td>18%</td>
<td>33%</td>
</tr>
<tr>
<td>Transparent</td>
<td>18%</td>
<td>24%</td>
<td>11%</td>
<td>5%</td>
<td>18%</td>
<td>11%</td>
</tr>
<tr>
<td>Quick</td>
<td>11%</td>
<td>24%</td>
<td>11%</td>
<td>6%</td>
<td>18%</td>
<td>5%</td>
</tr>
</tbody>
</table>

Difficulties where the law has changed recently or several times and trans people or clerks were not always up to date about the process.

It varied how long someone had to wait for an appointment; in some countries mandatory reflection periods made it long.

“The European Commission will foster best practice exchanges between Member States on how to put in place accessible legal gender recognition legislation and procedures based on the principle of self-determination and without age restrictions.”

EU LGBTQI Strategy (2020-2025)

This publication was funded by the European Union’s Rights, Equality and Citizenship Programme (2014-2020). Its contents are the sole responsibility of TGEU and can in no way be taken to reflect the views of the European Commission.