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The Slovak Republic must avoid regression on legal gender recognition

Written declaration No. 774

This written declaration does not reflect the position of the Assembly; only of those members that have signed it. It will not be considered further by the Assembly.

We, the undersigned, declare the following:

The National Council of the Slovak Republic has recently adopted on first reading a proposal for a law supplementing Act No. 301/1995 Coll. on birth registration numbers (print no. 1486), which would make legal gender recognition impossible in practice. This would have significant negative impact on the ability of both trans and intersex Slovaks to enjoy their human rights.

Having identity documents that match one's identity is vital to everyone's participation in daily life, access to employment, education, healthcare, and public services, and in ensuring safety. The proposed requirement to demonstrate change in one's chromosomes is physically impossible, thus making change impossible too. This creates a de facto ban on legal gender recognition. The Recommendation [CM/Rec\(2010\)5](#) of the Committee of Ministers to member States on measures to combat discrimination on grounds of sexual orientation or gender identity makes clear that member States have a responsibility to ensure that individuals have access to a "quick, transparent and accessible" legal gender recognition mechanism.

We remind the National Council of its duty to uphold human rights standards for all citizens, including with respect to the right to privacy and family life and recognition before the law, and we call on it to reject the proposed law in the second reading.

Signed (see overleaf)



*Signed*¹:

LACROIX Christophe, Belgium, SOC
ÆVARSDÓTTIR Thórhildur Sunna, Iceland, SOC
ARATÓ Gergely, Hungary, SOC
ARSLAN Sibel, Switzerland, SOC
BAYR Petra, Austria, SOC
BOER Margreet, De, Netherlands, SOC
CEGONHO Pedro, Portugal, SOC
FABRICIUS Camilla, Denmark, SOC
FAXE Sascha, Denmark, SOC
FLORIDIA Aurora, Italy, SOC
FRESKO-ROLFO Béatrice, Monaco, ALDE
GRIGORYAN Hripsime, Armenia, SOC
HAJDUKOVIĆ Domagoj, Croatia, SOC
JENSEN Mogens, Denmark, SOC
JONSSON Mattias, Sweden, SOC
LINDBERG Kristoffer, Sweden, SOC
MARIE Didier, France, SOC
MOUTQUIN Simon, Belgium, SOC
ORLANDO Andrea, Italy, SOC
PETRY Christian, Germany, SOC
STIENEN Petra, Netherlands, ALDE
TÜRK-NACHBAUR Derya, Germany, SOC
ZAMPA Sandra, Italy, SOC

Total = 23

1. ALDE: Alliance of Liberals and Democrats for Europe
SOC: Socialists, Democrats and Greens Group