

TRANSSEXUALISM, BIRTH REGISTRATION AND THE RIGHT TO MARRY:

PROPOSALS FOR A FRIENDLY SETTLEMENT IN MARK REES v UNITED KINGDOM

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APPLICATION NO. 9532/81

MARK REES v UNITED KINGDOM

Following discussions of proposals for a friendly settlement with Mark Rees and with other transsexuals, the proposals agreed are as follows:

The United Kingdom Parliament should enact legislation:

1. Transsexuals should, subject to their having received sex/gender reassignment surgery, be treated in all respects as of their assumed sex/gender.
2. Sex/gender reassignment surgery shall be that which in the opinion of prevailing medical opinion from time to time constitutes surgery sufficient to reassign the individuals sex/gender.
3. The legislation should incorporate non-discrimination provisions in favour of transsexuals including provisions preventing discrimination towards transsexuals in obtaining and retaining employment.
4. It should also include provisions for amending the birth registration system.
5. There should be an amendment to the Nullity Act to make clear that transsexuals shall not be treated as being incapable of consummating any marriages they enter into by reason only of their sex/gender reassignment surgery.