

## **Joint Statement on Joanne Cassar case**

The **MGRM** and **aditus foundation** welcome the Maltese Government's decision to drop its objection to Joanne Cassar's claim to the right to marry.

The case of Joanne Cassar versus Malta is currently pending before the European Court of Human Rights in Strasbourg, where she is claiming that when Malta prevented her from marrying her fiancée, her fundamental human rights were violated.

The right of transgender persons to marry was firmly established in a preceding case dating back to 2002 – Christine Goodwin vs. the United Kingdom – where the ECtHR held that it *“finds no justification for barring the transsexual from enjoying the right to marry under any circumstances.”*

We also welcome the Government's pledge to promptly enact the required changes to the Civil Code to ensure recognition of transgender persons as persons of the acquired sex for all intents and purposes, including marriage.

In addition we reiterate the need for a comprehensive Gender Identity Bill, as proposed by MGRM in 2010, that would facilitate the gender recognition of transgender persons and safeguard their fundamental human rights, including the right to respect for privacy and family life as established in Article 8 of the European Convention of Human Rights.

3<sup>rd</sup> April 2013.

*For further information:*

*Dr. Neil Falzon (aditus foundation Director) – 99892191*

*Gabi Calleja (MGRM Coordinator) - 99250943*