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## **New decision affirms the right of non-binary transgender people to birth certificates that reflect their gender identity**

A recent decision from the Manitoba Human Rights Adjudication Panel affirms the right of non-binary transgender individuals to birth certificates that reflect their gender identity.

T.A. alleged that the Manitoba's Vital Statistics Agency discriminated against them and other non-binary transgender individuals on the basis of their sex and gender identity by only issuing birth certificate documents with binary sex designations.

In his decision, Adjudicator Manning states that "gender identity is a part of our concept of selfhood... only permitting male or female designations was effectively the government refusing to acknowledge T.A.'s agency and personhood."

Manitoba's *Human Rights Code* was amended in 2012 to add "gender identity" as a prohibited ground for discrimination. This is the first decision of the Manitoba Human Rights Adjudication Panel to interpret the ground of gender identity. As Adjudicator Manning notes, "Human rights tribunals have long recognized the disadvantages faced by trans people, and non-binary individuals in society. That is why the Code was updated to recognize and protect gender identity."

The decision requires the Vital Statistics Agency, within 180 days, to revise the criteria for changing sex designation to include recognition of non-binary sex designations.

"This is a landmark decision in Manitoba that will help ensure that non-binary transgender individuals living in Manitoba have birth certificates, a foundational identity document, that accurately reflect their identity. This decision affirms that trans rights are human rights, and transgender people in Manitoba have a right to live their lives free from discrimination" said Karen Sharma, A/Executive Director of the Manitoba Human Rights Commission.

Read the complete decision:

<http://www.manitobahumanrights.ca/v1/decisions/index.html>

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