

INTERNATIONAL BILL OF GENDER RIGHTS

(As adopted July 4, 1996, Houston, Texas, USA)

History of the International Bill of Gender Rights

The restatement of the International Bill of Gender Rights (IBGR) was first drafted in committee and adopted by the International Conference on Transgender Law and Employment Policy, Inc. (ICTLEP) at that organization's second annual meeting, held in Houston, Texas, August 26-29, 1993.

The IBGR has been reviewed and amended at subsequent annual meetings of ICTLEP in 1994, 1995 and 1996.

The IBGR is derived from two earlier documents both of which sought to articulate basic human rights for transgendered people. JoAnn Roberts of King of Prussia, Pennsylvania, drafted and disseminated a "Bill of Gender Rights" in 1991. Working independently and without knowledge of Roberts' efforts, Sharon Stuart of Cooperstown, New York, published a proposal for a "Gender Bill of Rights" in the 1991 annual meeting newsletter of the International Foundation for Gender Education (IFGE). Basic concepts in the two documents were similar although each author took a different approach.

Following the first annual meeting of ICTLEP in August of 1992, Ms. Stuart began the work of drafting an expanded Bill of Gender Rights which incorporated Ms. Roberts' work as well as her own proposal. A first draft presented in August of 1993 at ICTLEP's second annual meeting was extensively revised and refined in committee. Major contributors to the 1993 committee's efforts included Dr. Susan Stryker of Berkeley, California, Jan Eaton of Virginia, Martine Rothblatt of Silver Spring, Maryland, and Phyllis Frye of Houston, Texas.

In recent years major contributions to the IBGR's language and punctuation have been made by Alice of Houston, a consummate grammar and punctuation specialist.

Although she has not participated directly in the drafting of the IBGR, the contributions of JoAnn Roberts remain substantial, particularly in the first two sections of the IBGR which form the document's foundations. Ms. Roberts continues to promulgate and distribute her own "Bill of Gender Rights" as amended.

Additional amendments and new sections were added to the IBGR in 1994 and 1995. Minor changes followed in 1996. In her capacity as Gender Rights Director for ICTLEP, Ms. Stuart continues to act as the Principal Drafter and Compiler for the IBGR.

**JoAnn Roberts****Sharon Stuart**

The Purpose and Effect of the International Bill of Gender Rights

The IBGR strives to express fundamental human and civil rights from a gender perspective. However, the ten rights enunciated below are not to be viewed as special rights applicable to a particular interest group, i.e. transgendered people. Nor are these rights limited in application to persons for whom gender identity and role issues are of paramount concern. All ten sections of the IBGR are universal rights which can be claimed and exercised by every human being regardless of their sex or gender.

The IBGR is a theoretical expression which has no force of law absent its adoption by legislative bodies or recognition of its principles by courts of law, or by administrative agencies and international structures such as the United Nations.

In recent years the IBGR's principles have been embodied in various legislative initiatives designed to protect the rights of transgendered people. Several of these initiatives have been adopted by municipalities in widely scattered sections of the USA. Meanwhile, the rights of transgendered people are gaining increased recognition and protection in countries such as Canada, South Africa, Australia, Great Britain and throughout western Europe.

Apart from legislative reform, individuals are free to adopt the universal truths expressed in the IBGR, and to lead their lives accordingly. In this fashion, the truths embodied in the IBGR will liberate and empower humankind in ways that transcend the powers of legislatures, judges, government officials and diplomats.

As the principles of the IBGR are understood, embraced, and given expression by humankind, the acts of legislatures and the pronouncements of courts and related structures will necessarily follow. Thus, the paths of free expression trodden by millions of human beings seeking to define and express their own identities and give meaning to their lives will ultimately determine the course of our culture and civilization.

The IBGR is a transformative and revolutionary document but it is grounded in the bedrock of individual liberty and free expression. As our lives unfold these kernels of truth are here for all who would claim and exercise them.

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This document, though copyrighted, may be reproduced by any means and freely distributed by anyone supporting the principles enunciated in the International Bill of Gender Rights.

The "Bill of Gender Rights" as produced by JoAnn Roberts of King of Prussia, Pennsylvania, remains a separate, distinct document, independently produced and distributed.

Requests, Comments and Contact Information

The IBGR remains subject to review and revision by ICTLEP. Proposed revisions to the IBGR and comments should be forwarded to International Bill of Gender Rights Project, P.O. Box 930, Cooperstown, NY 13326, USA. E-Mail Address: ictlephdq@aol.com

Additional master copies of the IBGR suitable for duplication can be obtained by mail on request to the above address. Please enclose \$5.00 (check or money order made payable to "ICTLEP") for printing, postage and handling.

THE INTERNATIONAL BILL OF GENDER RIGHTS

#1: The Right To Define Gender Identity

All human beings carry within themselves an ever-unfolding idea of who they are and what they are capable of achieving. The individual's sense of self is not determined by chromosomal sex, genitalia, assigned birth sex, or initial gender role. Thus, the individual's identity and capabilities cannot be circumscribed by what society deems to be masculine or feminine behavior. It is fundamental that individuals have the right to define, and to redefine as their lives unfold, their own gender identities, without regard to chromosomal sex, genitalia, assigned birth sex, or initial gender role.

Therefore, all human beings have the right to define their own gender identity regardless of chromosomal sex, genitalia, assigned birth sex, or initial gender role.

#2: The Right to Free Expression of Gender Identity

Given the right to define one's own gender identity, all human beings have the corresponding right to free expression of their self-defined gender identity.

Therefore, all human beings have the right to free expression of their self-defined gender identity; and further, no individual shall be denied Human or Civil Rights by virtue of the expression of a self-defined gender identity.

#3: The Right to Secure and Retain Employment and to Receive Just Compensation

Given the economic structure of modern society, all human beings have a right to train for and to pursue an occupation or profession as a means of providing shelter, sustenance, and the necessities and bounty of life, for themselves and for those dependent upon them; further, all human beings have the right to secure and retain employment and to receive just compensation for their labor regardless of gender identity, chromosomal sex, genitalia, assigned birth sex, or initial gender role.

Therefore, individuals shall not be denied the right to train for and to pursue an occupation or profession, nor be denied the right to secure and retain employment, nor be denied just compensation for their labor, by virtue of their chromosomal sex, genitalia, assigned birth sex, or initial gender role, or on the basis of a self-defined gender identity or the expression thereof.

#4: The Right of Access to Gendered Space and Participation in Gendered Activity

Given the right to define one's own gender identity and the corresponding right to free expression of a self-defined gender identity, no individual should be denied access to a space or denied participation in an activity by virtue of a self-defined gender identity which is not in accord with chromosomal sex, genitalia, assigned birth sex, or initial gender role.

Therefore, no individual shall be denied access to a space or denied participation in an activity by virtue of a self-defined gender identity which is not in accord with chromosomal sex, genitalia, assigned birth sex, or initial gender role.

#5: The Right to Control and Change One's Own Body

All human beings have the right to control their bodies, which includes the right to change their bodies cosmetically, chemically, or surgically, so as to express a self-defined gender identity.

Therefore, individuals shall not be denied the right to change their bodies as a means of expressing a self-defined gender identity; and further, individuals shall not be denied Human or Civil Rights on the basis that they have changed their bodies cosmetically, chemically, or surgically, or desire to do so as a means of expressing a self-defined gender identity.

#6: The Right to Competent Medical and Professional Care

Given the individual's right to define one's own gender identity, and the right to change one's own body as a means of expressing a self-defined gender identity, no individual should be denied access to competent medical or other professional care on the basis of the individual's chromosomal sex, genitalia, assigned birth sex, or initial gender role.

Therefore, individuals shall not be denied the right to competent medical or other professional care on the basis of chromosomal sex,

genitalia, assigned birth sex, or initial gender role, when changing their bodies cosmetically, chemically, or surgically.

#7: The Right to Freedom From Involuntary Psychiatric Diagnosis and Treatment

Given the right to define one's own gender identity, individuals should not be subject to involuntary psychiatric diagnosis or treatment.

Therefore, individuals shall not be subject to involuntary psychiatric diagnosis or treatment as mentally disordered, dysphoric, or diseased, on the basis of a self-defined gender identity or the expression thereof.

#8: The Right to Sexual Expression

Given the right to a self-defined gender identity, every consenting adult has a corresponding right to free sexual expression.

Therefore, no individual's Human or Civil Rights shall be denied on the basis of sexual orientation; and further, no individual shall be denied Human or Civil Rights for expression of a self-defined gender identity through private sexual acts between consenting adults.

#9: The Right to Form Committed, Loving Relationships and Enter Into Marital Contracts

Given that all human beings have the right to free expression of self-defined gender identities, and the right to sexual expression as a form of gender expression, all human beings have a corresponding right to form committed, loving relationships with one another, and to enter into marital contracts, regardless of their own or their partner's chromosomal sex, genitalia, assigned birth sex, or initial gender role.

Therefore, individuals shall not be denied the right to form committed, loving relationships with one another or to enter into marital contracts by virtue of their own or their partner's chromosomal sex, genitalia, assigned birth sex, or initial gender role, or on the basis of their expression of a self-defined gender identity.

#10: The Right to Conceive, Bear, or Adopt Children; The Right to Nurture and Have Custody of Children and to Exercise Parental Capacity

Given the right to form a committed, loving relationship with another, and to enter into marital contracts, together with the right to express a self-defined gender identity and the right to sexual expression, individuals have a corresponding right to conceive and bear children, to adopt children, to nurture children, to have custody of children, and to exercise parental capacity with respect to children, natural or adopted, without regard to chromosomal sex, genitalia, assigned birth sex, or initial gender role, or by virtue of a self-defined gender identity or the expression thereof.

Therefore, individuals shall not be denied the right to conceive, bear, or adopt children, nor to nurture and have custody of children, nor to

exercise parental capacity with respect to children, natural or adopted, on the basis of their own, their partner's, or their children's chromosomal sex, genitalia, assigned birth sex, initial gender role, or by virtue of a self-defined gender identity or the expression thereof.

[Back to previous page viewed](#)

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