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Open Letter: Egale Canada calls on the Government of Canada to protect trans rights and LGBTQI persons in Canada and around the world by urging the UK Government to reconsider its stance on the Scottish Gender Recognition Reform

January 20th, 2023

To The Honourable Marci Ien, Minister for Women and Gender Equality and Youth; and The Honourable Mélanie Joly, Minister of Foreign Affairs:

As you may be, and are presumably well-aware, the British government recently blocked the newly passed Scottish bill on Gender Recognition Reform, a new bill that makes it easier for transgender people to change their legal gender by lowering the age - from 18 to 16 – at which people can apply for a gender recognition certificate. In doing so, the UK government has made a move that inexcusably reignites the debate over trans rights on a global scale. We urge the Government of Canada to take a stand on the global stage to advocate for trans rights and to protect the rights of all LGBTQI persons.

The UK government's decision to veto the bill would effectively end its existing reciprocal recognition of Gender Recognition Certificates (GRCs) from *all* countries (and regions), including Australia, New Zealand, and a number of provinces in Canada – after the UK has accepted and recognized these as part of trans rights for years.

In a [recent statement](#) by The Rt. Hon. Kemi Badenoch, UK Member of Parliament and Minister of Women and Equalities, she stated that she, “will be updating the list of approved overseas countries and territories (provided for under Section 1(1)(b) of the Gender Recognition Act) to make sure it does not compromise the integrity of the Gender Recognition Act.”

As Canada's leading organization for 2SLGBTQI people, we have documented the systemic barriers that trans people experience. Our recent report, *Still in Every Class*,



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revealed harassment, bullying, and exclusion are still rampant for 2SLGBTQI students in Canadian secondary schools, even more so for those who are trans. We are also conducting a national WAGE funded research project focused on identifying biases that underlie employment barriers limiting the economic participation and prosperity of Two Spirit, trans and nonbinary people across the country.

The UK has been a leader in the advancement of human rights for LGBTQI people at the global level after abandoning its own colonial era laws and working to assist other countries to do the same. They've worked alongside countries like Canada at the United Nations as well as through the Commonwealth and the Equal Rights Coalition. Unfortunately, these actions signal significant backsliding on gains made in the UK and send a dangerous message to the world. We need the Canadian government to express its concern to the Government of the United Kingdom around the implications of this ministerial statement and the human rights of transgender people.

Egale Canada has been a member of a global civil society coalition with over 60 members called The Commonwealth Equality Network (TCEN) since its inception in 2013. Our partners from Equality Network in Scotland and Stonewall in the UK have urged us to support them at this critical moment. The Network receives valuable funding support from Global Affairs Canada. Commenting on their support of TCEN, Global Affairs Canada (GAC) says:

"Canada places gender equality and the protection and promotion of human rights at the heart of our efforts to address inequalities around the world. Our approach recogni[s]es that all people must enjoy the same human rights, regardless of any aspects of their identity, including sexual orientation, gender identity and expression and sex characteristics. By applying an expanded definition of gender equality, which includes gender-diversity, to policies and programming, we are seeking to better enable LGBTQ2I communities to contribute and benefit from Canada's international assistance."

The recent actions from the UK government with regards to the Scottish Gender Recognition Reform Bill pose very real threats to trans people and move to set back LGBTQI rights on a global scale while also adding further fuel to the already violent discrimination being faced by trans people amidst current affairs. We urge the Government of Canada to take a stand on the global stage to advocate for trans rights and to protect the rights of all LGBTQI persons. It is imperative that Canada take a strong global stance against the UK government in this regard and to prevent an



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ongoing backsliding on the rights of trans persons within the country and the repercussions in imposing new barriers on Canadians who may be seeking legal gender recognition within the UK.

Sincerely,

A handwritten signature in black ink that reads "Helen Kennedy". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

Helen Kennedy
Executive Director, Egale Canada
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