STATEMENT

HPLGBT Welcomes Ukrainian Court Ruling on a Trans Woman's Military Registration

HPLGBT welcomes the ruling by the Dnipropetrovsk District Administrative Court in favor of a trans woman who challenged her continued military registration after her gender was legally recognized.

The treatment described in Case No. 160/22278/26 is unacceptable. According to the case account, a territorial recruitment and social support center refused to remove a trans woman from military registration despite her legally recognized gender and the absence of applicable grounds for compulsory registration. The Dnipropetrovsk District Administrative Court found the refusal unlawful, identified discriminatory treatment, and ordered her removal from military registration and corresponding updates to the Oberih register. HPLGBT welcomes the court's defense of her rights. All state institutions must consistently respect a person's legally recognized gender. Requiring a person to go to court to secure recognition of a status already documented by the state places an unjust burden on that person. Administrative gaps must never serve as a justification for discriminatory treatment.

Our demand for respect for human rights extends to all trans people, including those who have not obtained legal gender recognition. Every trans person is entitled to dignity, safety, privacy, and protection from discrimination. Respect for these rights must never depend on medical treatment, a diagnosis, or changes to identity documents.

Discrimination also threatens the right to health. Stigma, fear of mistreatment, and breaches of confidentiality can obstruct access to HIV prevention, testing, treatment, and care. We call for confidential, accessible services, uninterrupted access to antiretroviral treatment, and protection against discrimination based on actual or perceived HIV status. A person's gender identity must never be treated as evidence of their HIV status. *[1] [2]*

Independent human rights experts, lawyers, and community organizations must be able to document violations, provide assistance, and monitor state practice without intimidation or obstruction. Their work must respect informed consent, confidentiality, and the safety of affected people. *[3]*

HPLGBT calls on the Ministry of Defense of Ukraine, territorial recruitment and social support centers, and all responsible public authorities to:

- End discrimination based on gender identity and ensure equal treatment in administrative procedures, including military registration, with individual decisions based on lawful grounds.
- Respect legally recognized gender, promptly correct inaccurate records, and establish clear procedures, developed with trans communities, that prevent conflicting treatment by state institutions.
- Ensure accessible remedies, implement enforceable court decisions, investigate complaints of discriminatory conduct, and hold responsible officials accountable where violations are established.
- Protect confidentiality, including HIV status, prevent unlawful disclosure of personal and medical information, and train staff to respect trans people's rights and dignity.

We call on the media to respect trans people's names, pronouns, and privacy, and to avoid coverage that fuels prejudice or portrays their identity as suspicious.

HPLGBT stands in solidarity with the woman who defended her rights and with all trans people facing discrimination. War and martial law cannot justify discrimination, humiliation, or arbitrary interference with private life. We demand that public authorities uphold human rights in their daily decisions and ensure effective protection for trans people. *[4]–[10]*

Resources for human rights experts

Official sources for legal analysis, documentation and advocacy. Use informed consent and safeguards for personal data when working with individual cases.

[1] WHO guidance on trans and gender diverse people. Evidence on barriers to health services and the importance of HIV prevention, testing and treatment.

[2] Law of Ukraine No. 1972-XII on HIV. Articles 13 and 14 address confidentiality, equality and protection against discrimination.

[3] OHCHR overview of the UN Declaration on Human Rights Defenders. Standards supporting legitimate human rights work and a safe environment for defenders.

[4] Constitution of Ukraine. Articles 24, 32, 49 and 55 concern equality, privacy, health and judicial protection.

[5] European Convention on Human Rights. Articles 8, 13 and 14 protect private life, effective remedies and non-discrimination in the enjoyment of Convention rights.

[6] Law of Ukraine on Military Duty and Military Service. Articles 1 and 37 provide the relevant framework for assessing military registration in an individual case.

[7] UN Special Procedures thematic mandates. Includes the mandate on protection against violence and discrimination based on sexual orientation and gender identity.

[8] Submit information to UN Special Procedures. Channel for credible information on alleged violations. This is not a court procedure. Check consent and disclosure rules before submitting personal data.

[9] Ukrainian Parliament Commissioner for Human Rights. Official requirements and channels for complaints about alleged rights violations.

[10] Court register link cited in reporting on the case. Obtain the full text and verify appeal status before legal reliance.

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