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Silent No More

Transgender Community in Pakistan

A Research Study



Gender Equity Program صنفي مساوات پروگرام

September 2016

This publication is produced as Transgender Community in Pakistan for the Gender Equity Program Aurat Foundation with the financial support of the American people through the United States Agency for International Development (USAID).

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Preface

The Gender Equity Program (GEP) is a fundamental part of Aurat Foundation's long-term commitment to serving the cause of women's empowerment and advancement in Pakistan. GEP aims to minimize the gender gap in Pakistan. Implemented with the collaboration of Asia Foundation, GEP strives to facilitate behavioral change, enable women to access information, resources and information, acquire control of their lives and improve societal attitudes towards women and their issues.

The objectives of GEP are:

1. Enhancing gender equity by expanding women's access to justice and women's human rights
2. Increasing women's empowerment by expanding knowledge of their rights and opportunities to exercise their rights in the workplace, community, and home
3. Combating gender-based violence
4. Strengthening the capacity of Pakistani organizations that advocate for gender equity, women empowerment and the elimination of gender-based violence.

During the initial years, GEP carried out extensive research on its core objectives covering women empowerment, access to legal rights and justice and GBV issues. However we felt the need to further explore the crucial underlying concepts that underpin gender behavior. In this regard research studies were commissioned on gender identities, as under:

- Formative Research on Femininity in Pakistan
- Formative Research on Masculinity in Pakistan
- Qualitative Comparative Analysis of Femininity and Masculinity in Pakistan
- Research Study on Transgender Community in Pakistan

The first two formative research studies on femininity and masculinity in Pakistan, while exploring gendered norms for both women and men, indirectly explored socio economic context and relations that shape women's lives, their current subordination and evolution of changing gender norms. A third consultant was hired by GEP at the recommendation of USAID to carry out a comparative analysis of the femininity and masculinity studies. These are very important and complex concepts and enhancing their understanding will go a long way in determining societal and cultural norms that impact lives, behaviors and relationships in the context of gender.

The fourth study investigated the vulnerabilities, consequences and challenges associated with the transgender community in Pakistan. This research study highlights specific advocacy initiatives towards realization of equal citizenship and dignity for transgender community. Given that this subject was very sensitive, GEP ensured that the selected researchers were ready to undertake this study with sensitivity and empathy.

Preface

The studies make recommendations based on understanding of key issues surrounding gender identities, which will help in holistic designing of gender related interventions in Pakistan in the future.

We would like to acknowledge and appreciate USAID in reposing confidence in GEP for undertaking this important piece of research in Pakistan.

Simi Kamal

Chief of Party (CoP)

Gender Equity Program

Acknowledgements

With the completion of this study, NMHA and FDI jointly express their gratitude and hope that this effort may go ahead to serve as one of the many cornerstones for the empowerment of the transgender community in Pakistan.

This research study is made possible by the support of the American people through the United States Agency for International Development (USAID) under its Gender Equity Program awarded to Aurat Foundation, with the collaboration of The Asia Foundation. The contents and methodology applied during the research were the sole responsibility of NMHA/FDI and do not necessarily reflect the views of USAID and United States Government, The Asia Foundation, and Aurat Foundation.

We are thankful to both the teams of NMHA and FDI for their valuable contribution and effort in making this study possible. Ms Uzma Yaqoob for literature review, assisting in developing study methodology, tools and providing input for policy and advocacy recommendations. Ms Bushra Rani provided services in developing study tools as psychologist. Mr Noman Manzoor for developing field plan and case studies. Mr Tanzil ur Rehman for field work and data transcription. Dr Muhammad Moiz for data analysis and report writing. Muhammad Osama for operational management of this study. Lastly, Mr Qasim Iqbal, for being a mentor and an inspiration.

This research wouldn't have been possible without the efforts and contribution of several people. Mr Khursand Bayyar Akhtar, Mr Syed Zeeshan Rizvi, Mr Raza Haider Trimizi, Ms Zehrish Soomro and Ms Sunny Abbasi, were instrumental in data transcription and entry, and Ms Jannat Ali for assisting with data analysis. We also thank Ms. Neeli Rana, Ms Saima Butt, Ms Simran, Ms Bebo Haider, Ms Kami Chaudhary, Ms Nirmal, Mr Maqsood Ahmad Jan, Mr Shahid Tabassum, Mr Imtiaz Hussain, Ms Bubbli Malik, Ms Jenny Ahmad and Ms Goshi for assisting in the field and building contacts for the study. Mr Fazal-ur-Rehman and Ms Sarwat Noreen provided technical and legal support to the study.

We are thankful to Ms Johdah Bokhari, Director, Monitoring, Evaluation & Research and Ms Muneezeh Khan, Research Specialist from GEP, Aurat Foundation for their technical support throughout the study.

Most importantly, we express our profound gratitude to the participants who took part in the study and provided with the material, for their bravery and courage to open up their hearts and speak up to make this study possible; and the many unsung transgender women, whose sweat and blood has provided the courage to fight for gender equality and justice.

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Acronyms & Abbreviations

| | |
|-------|--|
| AF | Aurat Foundation |
| AIDS | Acquired Immunodeficiency Syndrome |
| AJK | Azad Jammu & Kashmir |
| CEDAW | Committee for the Elimination of All Forms of Discrimination Against Women |
| CJ | Chief Justice |
| CNIC | Computerized National Identity Card |
| FMT | Female to Male (Trans Man) |
| FDI | Forum for Dignity Initiatives |
| FGD | Focus Group Discussion |
| GEP | Gender Equity Programme |
| HIV | Human Immunodeficiency Virus |
| HSW | Hijra Sex Worker |
| HRCIP | Human Rights Commission of Pakistan |
| ICT | Islamabad Capital Territory |
| KPK | Khyber Pakhtoon Khwa |
| KII | Key Informant Interviews |
| LGBTI | Lesbian, Gay, Bisexual, Transgender & Intersex |
| MSM | Males who have Sex with Males/Men who have Sex with Men |
| NADRA | National Database and Registration Authority |
| NMHA | Naz Male Health Alliance |
| MTF | Male to Female (Trans Woman) |
| SC | Supreme Court |
| TG | Transgender |
| TAF | The Asia Foundation |
| USAID | United State Agency of International Development |

Glossary

| | |
|------------------------|---|
| Cross-Dresser: | Someone who dresses in the clothing opposite of the gender they were assigned at birth |
| Disadvantaged Group: | Group within a society that is marginalized and has reduced access to resources and services such as education, health, credit and power |
| Discrimination: | A difference in treatment based on age, sex, ethnicity, religion or other factors, rather than on individual merit |
| FTM: | A person who transitions from “female-to-male,” meaning a person who was assigned female at birth, but identifies and lives as a male. Also known as a “transgender man.” |
| Gender: | The differences between women and men within the same household and within and between cultures that are socially and culturally constructed and change over time. |
| Gender Dysphoria: | Unhappiness with one’s physical/anatomical gender and also, dissatisfaction with one’s gender socialization |
| Gender Identity: | An individual’s internal sense of being male, female or something else- since gender identity is internal, one’s gender identity is not necessarily visible to others. |
| Gender Expression: | How a person represents or expresses one’s gender identity to others, often through behavior, clothing, hairstyles, and voice or body characteristics. |
| Gender Non-conforming: | A term for individuals whose gender expression is different from societal expectations related to gender |
| Guru: | Guru is a teacher in the hijra system, under whose apprenticeship a chela (student) learns the principles of the hijra subculture and through whom a chela is identified. Guru is the counterpart of a “patriarch” in the hijra system. |
| Hijra: | Member of the hijra subculture in South-Asia born as males but identifying as third-gender, two-spirit, bi-gender, or transgender women. The hijra sub-culture has its own indigenous language known as faarsi |

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| | kalaam, and their own mores, norms and traditions. |
| Hijra dera: | House where khawajasiras/moorats/hijras live together in a community |
| Khawajasira: | Respectful Urdu term for hijras, transgender women and eunuchs |
| Khusra: | Derogatory term, aimed at emasculating, for someone without male sexual organs, transgender women, hijras, gay men and effeminate men. |
| MTF: | Also known as a “transgender woman”, a person who transitions from “male-to-female,” meaning a person who was assigned male at birth, but identifies and lives as a female. |
| Moorat: | Polite term for hijras and khawaja siras |
| Sex: | The biological characteristics of being male or female those are genetically determined |
| Sex Reassignment Surgery: | Surgical procedures that change one’s body to better reflect a person’s gender identity. This may include different procedures, including those sometimes also referred to as “top surgery” (breast augmentation or removal) or “bottom surgery” (altering genitals). Contrary to popular belief, there is not one surgery; in fact there are many different surgeries. These surgeries are medically necessary for some people, however not all people want, need, or can have surgery as part of their transition. “Sex change surgery” is considered a derogatory term by many. |
| Sexual Orientation: | A term describing a person’s attraction to members of the same sex and/or a different sex, usually defined as lesbian, gay, bisexual, heterosexual, or asexual. |
| Transphobia:’ | is prejudice or discrimination against trans people. This can include harassment, violence and the restriction of medical, legal and civil rights. |
| Transgender Man: | A term for a transgender individual who currently identifies as a man (see also “FTM”). |
| Transgender Woman: | A term for a transgender individual who currently identifies as a woman see also “MTF”). |

| | |
|--------------|---|
| Transsexual: | An older term for people whose gender identity is different from their assigned sex at birth who seeks to transition from male to female or female to male. Many do not prefer this term because it is thought to sound overly clinical. |
| Two-Spirit: | A contemporary term that refers to the historical and current First Nations people whose individuals spirits were a blend of male and female spirits. This term has been reclaimed by some in Native American LGBT communities in order to honor their heritage and provide an alternative to the Western labels of gay, lesbian, bisexual, or transgender. |
| Zenana: | A term used by hijras for effeminate men who has sex with men. They occupy a sub-category within the hijra culture, and wear men's clothes. |

Executive Summary

Naz Male Health Alliance and Forum for Dignity Initiatives were responsible for conducting this study, with the support of The Asia Foundation and Aurat Foundation, under the Gender Equity Project of USAID. The study investigated the vulnerabilities, challenges, and their consequences faced by the transgender communities. The research study has led to highlighting specific advocacy initiatives, which will help in awarding equal citizenship and dignity to the transgender community.

The research study had two phases; firstly a literature review was conducted and analyzed. Based on the analysis of the desk review findings, methodologies and tools were developed in the second phase to collect primary data to fill in the gaps. The study was carried out in Muzaffarabad in AJK; Mansehra, Haripur and Peshawar in KPK; Islamabad in the ICT; Rawalpindi, Gujranwala, Sargodha, Faisalabad, Lahore and Multan in the Punjab; Sukkur, Larkana and Karachi in Sindh; and Quetta in Balochistan. A total of 28 IDIs and FGDs each were carried out from transgender communities while 20 KIs were also conducted from policy-makers, lawyers, transgender activists and community leaders. During the study, positive and affirmative case studies were identified and compiled, of members of the transgender community.

Literature review

The transgender as a gender identity itself is defined in two manners. One approach is to regard transgender as an adjective, as a quality that further qualifies a noun like man, woman, person or individual. In this approach a transgender person is one whose gender identity is different from the physical sex/gender at birth. The other approach considers transgender an umbrella term that encompasses all gender-queer and gender-variant identities. However it is evident that in no way should transgender be confused with being “third-gender”; both are distinct and greatly differ from each other.

The transgender identity has also been listed as a psychological condition, labelled as Gender Identity Disorder. This pathologization of a gender identity further compounds transphobia. With significant advances in the fields of mental health and gender equality, and liberalizing attitudes, the World Health Organization has proposed to remove it as a disorder from the Diagnostic and Statistics Manual and International Statistical Classification of Diseases and Related Health Problems.

The “hijra” is a South-Asian identity, and a subculture. The subculture prescribes to its own norms, mores, values, rituals and traditions. An indigenous language known as “farsi kalaam” is spoken by the members of the hijra subculture throughout South Asia. Hijras are also referred to as “khawaja siras”. Both terms can be used interchangeably, with the latter being more popular in Pakistan. Most members of the hijra subculture identify as “third-gender”, and as being born with “a woman’s soul”. Some identify as women, and hence can be categorized as transgender women. Inter-community conflicts are present in this marginalized population. There are power struggles between competing gurus, as well as conflicts on traditions of “zenanas” and “hijras”.

The Pakistani Constitution provides clauses for non-discrimination based on sex, and equality before the law. Other than this, Pakistan doesn’t have any specific anti-discriminatory laws. The Supreme Court in Pakistan passed a ruling in 2009 stating that no Pakistani laws provide room to disenfranchise “eunuchs” from their fundamental rights. It also called upon NADRA to issue them National Identity Cards after necessary tests, and NADRA began issuing cards with the sex as “khawaja-sira”. The ruling also observed that, the names of “eunuchs” be added to electoral rolls so that they can exercise their right to vote. The ruling was considered landmark by many. After the ruling transgender community took part in the political process of the country,

contesting for the Federal and Provincial legislature on popular vote.

Physical torture, sexual abuse and harassment is an endemic problem faced by the transgender community across Pakistan. Police often doesn't entertain the complaints of transwomen, and often-a-times harass them at their birthdays and dance events. No research, or data, is present on the prevalence of mental illnesses or psychological trauma in the transgender community of Pakistan.

Demographic details

The education level of the transgender community is very low; more than 34 percent of the transgender women included in this study were illiterate. In this study, 80 percent respondents were unmarried. The major sources of income of the respondents in this study were dancing, sex-work and begging. A majority of the respondents earned less than PKR 10,000. Almost 79 percent of the respondents in this study were under 36 years of age.

Transgender identity

Many transgenders associate with their feminine side from early childhood. They prefer playing with girls and dolls, and refuse to partake in what society considers boyish activities. This behavior of theirs is mocked at by the family and the society. They feel like girls as children, but are exposed to terms like "khusra" as they grow up, and eventually take up the hijra identity. The terms associated with being transgender are derogatory, with very few respectable words existing in all languages spoken in Pakistan. All words, eventually, 'otherize' transgender individuals and create a sense of them being different from men and women both. This not only pushes them out of the gender binary but also grants indemnity to the cisgender male and female identity as the default normal.

Supreme court judgment and national identity cards

The Supreme Court of Pakistan in 2009 passed a

judgment, calling upon the authorities to provide "eunuchs" with third-gender ID cards and to include their names in electoral rolls so that they can take part in elections. Consequently, NADRA began issuing ID cards to transgender community with the sex as male khawaja sira, female khawaja sira or mukhannas. The meanings of these three new sexes are ambiguous and unclear. The first one grants the same legal status as males with similar share in property, the second similarly provides a status similar to that of women, while there is no legal clarity on the third.

The card requirements also in some areas asked the transgenders to change their father's name with that of their guru's. Secondly, the third gender isn't recognized in the Kingdom of Saudi Arabia, as a result of which transgenders' with the third-gender identity cards are unable to perform Hajj. These issues have resulted in many transgenders choosing not to get the cards. The Supreme Court judgment doesn't grant social security, welfare and protection of human rights to "eunuchs". As a result many feel that the judgment has not produced positive results and just scratched the surface of a very major problem.

Existing Sources of Income, and Avenues for Economic Empowerment

As per the findings of the study, the sources of income for transgender community are traditional rituals like toli and vadhai, dance functions, begging, sex-work and other blue-collar jobs that require finesse of the hand like tailoring, embroidery etc.

As with changing times old traditions of toli and vadhai are dying out, the major source of income for most transgenders is dancing at weddings events. As income from dancing is seasonal, income from sex-work and begging confer sustainability to their overall revenue. Younger transgenders are considered more beautiful and hence choose dancing and sex-work as professions, while the older ones use begging and toli to earn money. Sources of potential income reduce with increasing age, and as many

transwomen don't save money, financial troubles increase quite significantly for older members of the community. Transgender individuals are often responsible for financially supporting their biological families.

Abuse, violence and torture

Physical abuse is faced by transgender community from their family members, clients, male sexual partners, and the general public. Sexual abuse is perpetrated by clients who solicit transwomen for sex-work, and often invite over their friends for gang-raping them.

These abuses cause severe emotional distress and mental agony for many transgenders. The commonest support for a transgender is provided by her peers. Eventually most start indulging in drugs and alcohol to cope with the distress. Self-harm is common among transgenders to cope with the agony and depression after facing assault. Some also have suicidal tendencies. No professional help is available, or sought, in these cases.

Access to justice

The police don't help in these matters; they harass and mock the complainants, and often make sexual advances. A complaint is rarely registered, and they exhibit an indifferent attitude. The transgender communities feel scared and intimidated by the police and often choose not to report the crimes. The police's reputation is further tarnished in the community because of its pattern of profiling transgenders and harassing them in public spaces. If and when a complaint is registered, the prosecution is weak, and cases take too long to reach completion, as a result of which many people choose not to follow a legal recourse.

Conclusions and recommendations

The study has highlighted that issues faced by the transgender community in Pakistan are multi-faceted and are all rooted in the social exclusion of the community from mainstream Pakistani society.

The study has concluded with policy and advocacy recommendations for the government and CSOs respectively. Policies and laws addressing "minorities" should be inclusive of gender and sexual minorities. Laws on physical assault and sexual violence should provide coverage to the transgender community; not just men and women. The offence of damaging hair, titled as "Arsh" under the Pakistan Penal Code, needs to be put to use in cases of head shaving of transgender women. Ambiguity over the third gender should be removed. Traditional modes of income for the transgender community should be decriminalized; this would reduce exploitation and ensure legal recourse in cases of economic injustice.

Pakistan's feminist movement and women's rights bodies like NCSW should take up issues of transgender persons. Social empowerment of the transgender community will automatically impact their issues positively, and hence needs to be supported. Political will and commitment for ensuring rights for transgender persons needs to be sought. Healthcare provision for transgender persons, and for transgender specific issues, needs to be ensured; along with proper training of medical professionals. Law enforcement agencies need to be sensitized and trained effectively to deal with issues faced by transgender persons, and assist them in finding a legal recourse.

Chapter - I

Writings on the wall: Literature Review

I. Writings on the Wall: Literature Review

I.1 Introduction

The transgender community in Pakistan has faced multiple levels of legal, institutional and societal discrimination. While, the Constitution of Pakistan protects all citizens by safeguarding their rights, dignity and status; these rights are not translated into laws and protection mechanisms at the state level with respect to vulnerable groups and specifically the transgender community.

The situation is further compounded by the lack of respect and acceptance for these groups making them social outcasts and depriving them of their fundamental rights and subjecting them to multiple discrimination, harassment and violence simply on the basis of their gender and identity. Despite Supreme Court of Pakistan's ruling in 2009 that 'transgender be given equal inheritance and job opportunity rights, amongst others'; no proactive action has been undertaken to this end.

In the South Asian context, much of male-to-male sex is framed within a gendered dynamic and sexual role, where self-identities are based, not so much on sexual orientation, but rather on gender performance and sexual receptivity. Thus the feminized and sexually penetrated partners, perceive themselves, and are perceived to be, "less than men". They usually identify themselves with terms like kothi (India), meti (Nepal), or zenana (Pakistan). Their sexually penetrating partners, in most cases, are perceived, and perceive themselves as "real men", normal "heterosexuals".

Pakistan, as a Muslim-identified country, has defined homosexual behaviors as against the Sharia law. The issue of male to male sex is highly stigmatized in the society; MSM are socially

excluded, deeply vulnerable and at risk from HIV and AIDS and other health and social issues due to unsafe sexual practices, along with certain identity characteristics and significant levels of poverty. Homosexuality and cross-dressing are widely seen as taboo and immoral acts in Pakistani society based on traditional Islamic morality. The national criminal code punishes acts of sodomy with a possible life sentence and has other provisions that impact the human rights of LGBTI Pakistanis.

I.2 History of Gender Variance

The term transgender is used for people whose gender identity, expression or behavior is different from those typically associated with their assigned sex at birth.

Two strands of meaning associated with 'transgender', the first, which describes as the original meaning, refers to people who cross genders without seeking sex reassignment surgery. The second depicts transgender as a far more diverse and expansive umbrella term 'that refers to all identities or practices that cross over, cut across, move between or otherwise queer socially constructed sex/ gender boundaries. Some cultural diversity for transgender in explaining that it 'includes, but is not limited to, transsexuality, heterosexual transvestism, gay drag, butch lesbianism, and such non-European identities as the Native American berdache or the Indian Hijra'

Transgender phenomenon is as old as history itself, it has been understood in its many different forms at various periods of times. It was believed that blurred gender possessed some greater insight, they were considered to be very special with an extra ordinary sense of wisdom unlike traditionally gendered i.e. men & women people. Civilizations transformed sometimes influenced

by culture, other by religions and power roles of traditionally gendered people also kept on changing as societies moved from matrilineal and communal societies into male driven or patriarchal. In earliest civilizations, throughout Europe, Asia, the Middle East and Northern Africa, tribes of different types venerated what they often identified as “The Great Mother” . In nearly all of these traditions, male to female (MTF) priestesses (often castrated or with some form of eunuching, which included a number of different body modifications of the time) presided, and the cultures were primarily communal systems which held women (venerated as a source of life) in high esteem.

Everything revolves around economics and therefore it is believed that when men driven societies took over the power role from women they also tried to crush the role of transgender or blurred gendered people to discourage their role and also to keep them refrain from monetary affairs such as land, wealth and property. Transgender community has been equally active in ancient history from Middle East to Africa, Asia to Europe and North America to South America. It was believed that transgender or eunuch are dually gifted and dually respected in all eras.

1.3 Hijraism

Transgenders -- referred to in South Asia as khwaja-seras in polite company, and hijras or khusras otherwise -- are biological males who take on female identities, choosing to publicly dress and behave like women. The transgender population has a long history in the subcontinent, serving as the caretakers of Mughal harems and making significant contributions to art, music, and poetry. Ancient legend has it that khwaja sera's prayers and bad-dua are answered by God, bestowing them with the unique ability to bring good fortune and fertility. Despite their once respectable position in society, their status has significantly deteriorated over the years, forcing many into begging and prostitution .

Transgender/Hijra community in South Asia had

been suffering from much of marginalization, stigma and social exclusion after Mughal emperor and Harem culture extinct. But recent history has seen a revival of transgender community status in South Asia where India and Nepal builds on a number of legal and policy reforms.

In 2007, Nepal's Supreme Court was the first in the region to recognize the third gender category. Pakistan's Supreme Court followed in 2009. In Bangladesh, the ability to identify as a third gender was achieved in 2013 when the government approved a proposal of the Ministry of Social Welfare. In an April 2014 decision, India's Supreme Court for the first time recognized a third gender category, giving transgender individuals formal recognition, legal status, and protection under the law. Pakistan's transgender community was granted the right to vote in a 2011 Supreme Court decision that was first implemented in 2012, and several transgender candidates ran in Pakistan's 2013 general election

These initiatives by Indian court turned to be very beneficial and effective for Indian transgender community and Madhu, 35, belonging to Dalit community, is the first transgender woman to get elected as mayor Chhattisgarh's Raigarh Municipal Corporation .

1.4 Gender Variance and Intersex in Religion

Different studies on transgender community throughout the history make it evident to find traces where religions and transgender have strong connections or at least as it is presented to masses. The transformation of one's biological sex as a source of supernatural powers echoes the magical features found in Hindu mythology. Religion and transgenderism is found in almost every known religions of this world including; Judaism, Hinduism, Christianity, Buddhism and Islam. Terms referred to transgender in different religions included; saris, eunuch, mukhannathun, tritiya-prakriti, Hijra, third gender, third sex, and katoey . These terms not only depict reality of a religion but also local language of its followers, such as Mukhannathun is a Quranic word and

therefore it is in Arabic, similarly the word “Hijra” is widely used in sub-continent context giving the same meanings as of eunuch in Christianity or Saris in Judaism.

Transgender people always been considered very special with extraordinary wisdom and some special light insight blessed by God and this impression has also been prevailed that they are very reverent, therefore, they have been assigned special roles to take care of tombs and shrines. Islam ensures equal rights and respect for all human beings without any discrimination based on sex, gender, color cast or creed. Transgender are called “Makhannathun” in Arabic which means effeminate ones . Quran says in Chapter 42, Surat I-Shura, Verse 49, 50: “To Allah belong the dominion of heavens and earth; He creates what he wills. He gives to whom He wills female, and He gives to whom He wills males. Or He makes them [both] males and females, and He renders whom He wills barren. Indeed, He knows and Competent.”

1.5 Transgenderism: Through the Lens of Pakistani Law

Transgender community has much similar history as of those who have experienced the time of sub-continent before partition. Transgender or Eunuch has enjoyed a highly respected status in Mughal courts where they had been given the roles of sharing their wisdom and helping the ministers in decisions making too other than making significant contributions in art and music. As sub-continent has experienced the British rule and under the 1860 penal code clause 377 introduced banning the homosexual relationships declaring “obscene acts and songs” a crime added up by clause 294 .

This clause of 377 penal code was the jolt when transgender community departed into isolation and faced social discrimination and stigma, it got worse when another comprehensive law against “hijras passed by appending them to criminal Tribes’ Act 1871 The act made mandatory the registration, surveillance, and control of all eunuchs, defined as “persons of the male sex

who admit themselves, or on medical inspection, clearly appear to be impotent” Branded by law, they were denied adoption of chelas and further criminalized for their public appearances: Any eunuch so registered who appears, dressed or ornamented like a woman, in a public street or place, or in any other place, with the intention of being seen from a public street or place, or who dances or plays music, or takes part in any public exhibition, in any public street or place or for hire in a private house, may be arrested without warrant.

Unfortunately these legal clauses still remain intact in Pakistan penal code till date especially the criminal Tribes’ Act 1871 was re evoked in Ayub Khan’s (president and field Marshal) era 1960 banning Hijra activities .

Social discrimination for transgender person instigates from the family at very young age, considering him less capable or important as compare to their rest of the kids, family ignores and pay no significant attention. There is no exact number of populations of transgender available living in Pakistan leading by two reasons; first there has been no census after 1998, two, even in that last national census transgender were not recognized as third gender officially and therefore all data was marked in male sex boxes. Different study and survey reports share the approximate number of transgender 0.4 million , however some quote, 1.5 million and some quote 0.5 million .

1.6 Of Family Life, and Lack of Acceptance

Family as an institution plays a crucial role inn marginalization of Khawaja sara/transgender. Intolerance for gender non conformity in terms of attitudes identity and behavior results in violent and insufferable attempts by member at maintaining and reinforcing the more acceptable heterosexist regime.

Moreover, there are not many cultural or social examples for families to draw on and try to understand the gender identity and behaviors of their children. Therefore instead of protecting

a child from the mental and physical torture inflicted on them by the wider society, the family itself humiliates beats and in most cases, banishes the child from the house.

Transgender individuals in Pakistan have typically faced a myriad of dangers from police, family, community, and religious authorities, and had to leave the country . Losing the family safety net means losing much of social entitlements and protection. They become an easy prey of sexual abuse, physical assault go through psycho social trauma and having the feelings of rejection.

Khwaja seras isolate themselves in self-sustaining, close-knit groups where a member leader, or guru, adopts transgender children after they have been rejected or disowned by their parents at a young age. Losing ties with their families and loved ones, khwaja seras become easy victims of extortion, abuse, and sexual harassment .

1.7 Trans Men & Trans-women: A Comparison

Despite all the discrimination, stigma and criminalization labeled with transwoman or male to female persons still they have acceptance in the society other than their involvement into prostitution or considered having same sex sexual inclination. The concept of “dua” & “badua” makes their existence far more acceptable to society but situation gets worse when it comes to accept transmen or female to male persons. Here the social norms do not accept them at all especially in the society like Pakistan, this is the reason we see more transwomen and a few transmen.

Thirty-one year old Shumail Raj has lived as a transgender man for 16 years, after undergoing surgery to remove his breasts and uterus. He married his cousin, 26-year old Shahzina Tariq according to Muslim law in September 2006. This case was filed in Lahore High Court and its decision in the favor of couple set the precedent of marrying a transman to cis gender woman. However, still this is not a common practice .

CEDAW has emphasized that the concept of equality requires more nuance than treating all persons the same way. CEDAW has repeatedly set forth that equal treatment of persons in unequal situations will perpetuate injustice and that true equality can only emerge from efforts that would correct underlying imbalances. This broader view of equality has become the final goal of the struggle for women’s human rights .

1.8 Equality and Non-discrimination in the Constitution of Pakistan

Constitution of Pakistan clearly states in following articles no discrimination on basis of race, religion, caste, sex, residence or place of birth;

Article 25 A - Equality of Citizen

1. All citizens are equal before law and are entitled to equal protection of law
2. There shall be no discrimination on the basis of sex

Article 26 - No Discrimination in Respect of Access to Public Places

3. In respect of access to places of public entertainment or resort, not intended for religious purpose only, there shall be no discrimination against any citizen on the ground only for race, religion, caste, sex, residence or place of birth.

Article 27 - Safeguard against Discrimination in Services

4. No citizen otherwise qualified for appointment in the services of Pakistan shall be discriminated against in respect of any such appointment in the ground only of race, religion, caste, sex, residence or place of birth.

1.9 Gender “identity”, and National Identity Cards

Completing proceedings in a case regarding transgender rights in the country, presided by

Judge Chief Justice Iftikhar Mohammad Chaudhry, SC issued a decision saying that transgenders should be given equal basic rights as all citizens. The decision said that transgenders should be given equal inheritance and job opportunity rights, amongst others. The court has directed that the decision should be sent to all chief secretaries and that the latter were to attend to the complaints of the transgender community.

Constitution of Pakistan does not deprive any of its citizens from entitlement of fundamental rights on any ground of race, religion, caste, sex, residence or place of birth but still it had to be gone through an extensive effort to get transgender/Hijra community living in Pakistan to be recognized as “third gender” to ensure they also equally enjoy the provisions of state laws and privileges. This long journey reached to its logical halt to achieve one of the major milestones in the history of transgender community living in Pakistan, on November 20, 2009 when SC gave a ruling in favor of transgender community by recognizing them as said by the court’

“It is to be noted that this class of society has been neglected merely on account of gender disorder in their bodies, otherwise they are entitled to enjoy all the rights granted to them by the constitution being its subject, including their rights in inherited property because normally to deprive them from theirs such legitimate rights, sometime their families disowned them. As far as existing laws are concerned, there are no provisions on the basis of which they can be deprived from their legitimate right to inherit the properties. Similarly NADRA is required to adopt a strategy with the assistance of concerned department of the government, to record exact status in the column meant for male or female after undertaking some medical tests based on hormones etc. They are also entitled for entering their names in the electoral list. As far as the question of casting the vote is concerned, it could be decided separately, because they can, if need be, exercise the right of franchise etc.”

According to this landmark event in the history of transgender community living in Pakistan all the provincial and federal government relevant departments were directed to ensure for extending opportunities of receiving education and government jobs too for transgender community. The treatment of quota regarding jobs in government department was set according to the policy applicable to person with disabilities. Court also noticed the police harassment and the issues of fake transgender involve in crimes and brought bad name to the community.

Supreme Court advocate Dr. Aslam Khaki believes that the only way transgenders can truly be brought into mainstream society is by engaging with them beyond their work as beggars on the streets. “We should have social activities where we get to know transgenders over a cup of tea or in a cricket match. It’s not enough to just pity them. We should get to know them as fellow human beings.”

In accordance with the Supreme Court ruling of December 2009, NADRA facilitated transgender community to obtain their CNIC. Three categories provided in option, Khansa, male & Female. “Those eunuchs whose parents’ names are known, and are attested by a social welfare officer, are being provided with CNICs” . To facilitate the community, NADRA is providing a mobile van service so that eunuchs can register at a location of their choice .

1.10 Stigma, and Social Exclusion

Members of the long-oppressed community had hoped their plight would improve after the Supreme Court ordered national identity cards to include a third gender category in 2009. Despite the advancements, however, the plight of Pakistan’s third-gender community is difficult. Discrimination limits employment opportunities, and the transgender minority regularly faces intimidation, humiliation, and abuse. Many also become the victims of extortion, sexual violence, and criminal gangs.

Supreme Court ruling being one of the major land marks in the lives of transgender community helped them to find some jobs in government department such as social welfare department and also they were appointed for revenue collection, local market rate check list and in polio vaccination teams. But these opportunities are very limited in number and do not fulfill and cover the huge population of transgender community living in Pakistan. As published in daily The News “Two transgender workers recently inducted into the social welfare department received their first salary at a ceremony on Monday. Speaking on the occasion, Sindh Minister for Social Welfare Rubina Qaimkhani said that in compliance with orders of the Supreme Court the provincial social welfare department had implemented the constitutional requirement of awarding two percent jobs to transgender people. She promised the job quota would also be enforced in the women welfare department soon. The minister also announced easy loan schemes for deserving citizens.

Status of education is equally poor in transgender community contributed by number of factors usually an outcome of social taboo and stigma attach to them. Firstly parents do not take their trans child serious and do not pay any attention to his/her school life and studies, secondly trans child is usually prey of sexual abuse at school by his teacher or senior school fellows and in results he quit school.

When parents come to know or they realize their child inclination and interest are more like girls they rather supporting the child, understating his situation exploring the trauma he is going through, make him more uncomfortable by beating or in severe cases expelling him from house. Once he is expelled from house is he becomes more vulnerable and exposed to abuse, assault and drugs.

1.11 Abuse, Torture, and Harassment

Misères of transgender are not ending at certain point but they face criminalization abuse and physical assault every possible way. Law

enforcement agencies including police never sensitized about the human rights of transgender community and do not show any respect to them. Several incidents get reported where police not only harass transgender women considering them weak and vulnerable but also make them victims rape and physical assault. Police men are also found guilty of seeking bribery from transwomen when they come late from wedding parties or extend birthday parties for late hours.

On January 22, 2013 around 50 members of the transgender community protested outside the Rahim Yar Khan Press Club against the alleged beating and theft of valuables from two transgenders at a function where they had performed.

On May 8, 2013 a transgender, 20, was raped at gunpoint in her house in F-II on the outskirts of Islamabad but the police refused to file a case against the rapist.

On May 28, 2013 after a motorcycle blast in Imamia Colony in Peshawar, which caused the death of two people and injured 17 others, the eunuchs of the area were expelled because they were thought to have brought bad luck. Nearly 40 of their booking offices were closed as the locals called them ‘the root of all evil’. In October, after a clash with the residents, the eunuchs had approached the police to file a complaint but their demand was not entertained. The eunuchs protested by blocking the GT Road, where the police beat them and seriously injured the president of their association.

Police, led by Cheema, arrested a group of people at a dance party that included at least one transwoman. The trans woman, Keeta Bakhsh, was beaten at a police facility according to Sahiba, and later jumped out of a police van. She was taken to a hospital and released, but shortly died thereafter at home.

1.12 Transgender Women and Pakistan's Contemporary Political Sphere

For many observers, Pakistan's May 2013 electoral campaigns symbolized a transition to a functioning democracy and the embrace of diversity in a country known for violence and discrimination against both ethnic and religious minorities. Not only were there 70 seats reserved for women and minority groups in the National Assembly, but for the first time in the country's history, several transgender women ran for public office. Winning the right to run in the 2013 elections was another victory to add to the list, and Bindiya Rana, one of at least six transgender candidates that ran in this year's elections, paved the way for this victory .

During the elections of 2013, Bindiya Rana, the President of the Gender Interactive Alliance (GIA), an organization working for the rights as well as social justice for the transgender community in Pakistan, fought from PS-115 in Karachi. I was appalled to see that even the news of a person from the transgender community running in the elections was greeted with general ridicule and mockery. Our society has instilled this belief in our citizens that these individuals are not capable of anything beyond beggary, dancing and prostitution.

Bindiya was not alone neither the first transgender who ran for office but it was the Zanana Mohammad Aslam who generated a huge following in Abbottabad for his singing and dancing, was urged by the community (hijras and non-hijras alike) to contest national elections in 1990 as an independent candidate, against the prevalent feudal politics and conservative moral values of the North-West Frontier Province. Although by profession an ordinary waiter, he bypassed the usual limitations placed on his gender and class and ran his political office from a ramshackle room that a local supporter had donated. While he did not win a seat, he sufficiently threatened the local political mafia and stirred political momentum among other hijras.

Pakistan's transgender community was granted the right to vote in a 2011 Supreme Court decision that was first implemented in 2012, and several transgender candidates ran in Pakistan's 2013 general election.

The sex disaggregated voters' data released by the election authorities was quiet on participation of the third gender as voters.

1.13 Gender Identity Disorder – the Medicalization of Gender Variance

World Health Organization (WHO) proposes to remove the notion of "gender identity disorder" from the International Classification of Disease (October 2014). Gender Identity Disorder (GID): is listed in both the International Statistical Classification of Diseases and Related Health Problems (Section F: Mental Disorder) of WHO; and the Diagnostic and Statistical Manual of Mental Disorders of the American Psychological Association (APA).

1.14 Documentaries on Transgender Issues

Attitudes have begun to alter in Pakistan, despite the difficulties faced by the khwaja sera community. With countless documentaries and movies, like Shoaib Mansoor's *Bol* and Sharmeen Obaid-Chinoy's *Transgenders: Pakistan's Open Secret* that highlight the plight of one of Pakistan's most stigmatized communities, transgenders are slowly gaining greater approval in Pakistani society.

Some other include; *Chuppan Chupai/Hide and Seek*, *Chan di Chummi* (kiss the moon) by Khalid Gill, *Bindya Chamke Gi*, *Noor on de-transition*. Also some theatre plays like; "Ek Tera Sanam Khana" and TV show "Begum Nawaizh Ali"

1.15 HIV, AIDS and the Transgender Community

HIV/AIDS in Pakistan has been studied in sexual minorities under the label of HSW and MSW i.e. hijra sex workers and male sex workers. This follows a very incorrect basic premise that all

transgendered people are hijras and that all hijras are sex workers. This premise has been opposed by community leaders working in the non-profit sector. The most composite and detailed study on HIV/AIDS prevalence among marginalized communities in Pakistan undertaken was HIV Second Generation Surveillance in Pakistan – National Report Round IV in 2011 (Canada Pakistan HIV AIDS Surveillance Project 2011). Under the study, the overall HIV prevalence was found to be at 7.2% among hijra sex-workers. The highest prevalence was in Larkana at 14.9% followed by Karachi at 12%. The mean age of initiation of sex-work was 16 years and the mean duration of indulgence in sex-work was 11.6 years. At an average, hijra sex workers serviced 40 clients per month. Consistent condom usage varied across Pakistani cities, with the highest usage reported in Haripur 66.4% at and the lowest in Multan at 4.8%. A major overlap was seen as 10.3% of the HSWs had sexual relationships with IDUs while 3.4% reported IDU behavior themselves. A high proportion (90.9%) had knowledge of HIV/AIDS prevention; 72.7% knew the importance of condoms usage but a shocking 20.6% knew about HIV transmission through sharp instruments and needles.

Based on the HIV prevalence data, Pakistan is said to be in a concentrated epidemic stage of HIV. It follows from there that many community-led initiatives have been started for effective HIV programming for transgender individuals.

Despite legal recognition as a third gender since 2009, Transgender community in Pakistan is still facing worst kind of stigma and discrimination, poverty, human rights violations and violence which hampers their access to healthcare services including HIV&AIDS prevention and treatment. According to IBBS Round IV of HASP (2011) HIV prevalence among TGs is 7.2% suggesting urgency in responding to HIV prevention needs of this community.

Issues of stigma and discrimination, violence, poverty, human rights violations and inequality based on gender identity and sexuality have widely been recognized as major obstacle to the

TG community's access to HIV&AIDS prevention and treatment services. UNAIDS strategy 2011-2015 "Getting to Zero" addresses these issues and clearly states its goals towards "promotion of HIV response for marginalized populations including MSM and TGs" and "advancing human rights and gender equality for HIV response" through efforts to end stigma, discrimination, gender inequality etc. it also contributes UNAIDS objectives to work on "countries with punitive laws and practices around HIV transmission, sex work, drug use or homosexuality that block effective responses to be reduced by half".

1.16 Intra Community Conflicts, and Class Differences

No categorical data is present in a published form addressing the issues of class and intra-community conflict among the transgendered community in Pakistan. As NMHA under the Project DIVA has had to deal with issues arising from within the hijra community, some anecdotal data and operational data is present with the organization. As gurus in the hijra culture form a nexus of a power-sharing system, intra-community conflicts are quite common. Gurus vie for chelas and vice-versa with issues erupting over resource control. As more chelas herald the entry of more income into a dera, the struggle to seek loyal and economically productive chelas is very important for the sustainability of a guru and his dera. This often results in conflicts and the value of a chela is reduced from that of a human being to an economically active asset. As issues of power have formally been studied using class-based and structuralism models, more researches need to be undertaken to study the issue in Pakistan's hijra community.

Intra community conflict and power dynamics also one of the factors contributing marginalization of already marginalized segment and as a barrier to getting education for young transgender. As FDI held consultations at different "Hijra Deera" and there it was shared that the economic dynamics where a young TG earns livelihood not only for his family back home but also a major portion goes to "Guru"

never encourage a young TG to attend school. These factors were also discussed during focus group discussion with different TG groups regarding “Trans youth access to education” by FDI.

Mostly living in poverty, TGs have very low rates of literacy, face stigma and discrimination to the extent that diminishes their ability to continue education and/or get appropriate jobs and limiting their means of living to dancing, begging and sex work. For centuries, this community has been living marginalized from the society that has evolved as a subculture having an indigenous language of their own known as “Farsi kalam”, strong “Guru Chella” and Dera based Hijra network and well defined community norms and taboos.

However, besides some anecdotal and operational data no evidence-based study is present to address the issue. The issue of class and class difference has also not been taken as of now to see how it manifests in the hijra community.

1.17 Psycho-Social Trauma

Globally, mental health frameworks have been widely employed to assess the prevalence of mental illness or trauma among LGBTQ individuals. However as very few cross sectional studies on mental health have been done in Pakistan, mental health being considered an unimportant public health domain, very little data is present on the prevalence of mental health conditions in the general population. Similarly as most of the research studies done on transgendered individuals have been from an HIV, AIDS and sexual health related paradigm, no importance has been given to psychological health issues. From the very little data present on psycho-social trauma, it is seen that victims of sexual abuse cope with their trauma by downplaying, ignoring and “accepting” the abuse. (International Gay and Lesbians Human Rights Commission 2014)

More studies need to be undertaken to

understand the nature and prevalence of psycho-social disturbances among the transgendered population of Pakistan.

Chapter -2

Research Methodology

2. Research Methodology

2.1 Of the Research Project

Naz Male Health Alliance and Forum for Dignity Initiatives were responsible for conducting this study, with the support of The Asia Foundation and Aurat Foundation, under the Gender Equity Project of USAID. The study investigated the vulnerabilities, challenges, and their consequences faced by the transgender communities. The research study has led to highlighting specific advocacy initiatives, which will help in awarding equal citizenship and dignity to the transgender community.

2.2 Of the Implementing Organization

Naz male health alliance – NMHA

Founded in 2011, NMHA is the first LGBTQ community based organization in Pakistan, and is providing technical, financial and institutional support for improving the sexual health, welfare and human rights of the LGBT and hijra community, and other males who have sex with males throughout the country. It does this by providing technical support and capacity building exercises to various stake holders, networks, groups and organizations.

NMHA envisions a society where all people can live with dignity, self-respect, social justice and well-being. The organization strives for the advancement of the social and health needs of the LGBTQI individuals and communities, and marginalized MSM and hijra population across Pakistan by developing and supporting community-led health and social interventions along with advocating for social justice, equity, health and well-being.

With its Secretariat office in Lahore, NMHA is currently working with 06 Service Delivery

Centers in 05 major cities of the country (Lahore, Rawalpindi, Karachi, Hyderabad and Larkana). The organization is currently working with 105 staff and 120 peer educators. As a community based organization, NMHA believes that community works best for community, and more than 90% of the employees are therefore from the community.

NMHA has been able to develop these offices with technical support from Naz Foundation International (NFI) and has successfully adapted and implemented NFI's Community System Strengthening (CSS) model in Pakistan.

Forum for dignity initiatives

Forum for Dignity Initiatives – FDI Pakistan is an independent, registered non-government and nonprofit civil society organization, established in 2010. It formally got registered on August 29th, 2013 under "Societies Act 1860" with registration number 1955.

It envisions having a society where all human rights are ensured and respected for all human beings, equally treated with dignity despite their difference of appearances, gender and sexual orientations.

FDI is a research and advocacy institution working for the promotion of human rights of most neglected, discriminated and socially excluded segments of the society, including transgender and sex workers.

FDI is working all over Pakistan but currently has two offices; one in Quetta and the other in Islamabad. However, it has a number of like-minded organizations and network to support it to execute its activities at their established offices on sharing space principle.

FDI is working on a bold and taboo social issue; we urge to mainstream socially excluded groups for equal access to education, cultural life participation, economic employment opportunities with dignity and equity.

FDI is the pioneer to run a poster campaign for transgender persons nationwide. We with the help of our volunteers, partner organizations and collaborating partners pasted posters in more than 48 cities of Pakistan.

2.3 Of the Donor Agencies

United States Agency for International Development (USAID)

This research study has been made possible by the support of American People through the United States Agency for International Development (USAID).

Aurat Foundation

Aurat Foundation has supported the project under Gender Equity Program. Aurat Foundation is committed to create widespread awareness and commitment for a just, democratic and caring society in Pakistan, where women and men are recognized as equals, with the right to lead their lives with self-respect and dignity.

The Asia Foundation

The Asia Foundation is a nonprofit international development organization committed to improving lives across a dynamic and developing Asia. Informed by six decades of experience and deep local expertise, TAF's programs address critical issues affecting Asia in the 21st century—governance and law, economic development, women's empowerment, environment, and regional cooperation. In addition, their Books for Asia and professional exchange programs are among the ways they encourage Asia's continued development as a peaceful, just, and thriving region of the world.

Gender Equity Program

The Gender Equity Program aims at closing the

gender gap in Pakistan by proactively supporting the development of women. The program seeks to facilitate behavioral change in society by enabling women to access information, resources and institutions, and improve societal attitudes towards women's rights issues.

2.4 Objectives of the Study

This study investigated the vulnerabilities and challenges that the transgender community in Pakistan is exposed to, and identified the consequences of gender non-normative behavior for transgender individuals. The research study led to the development of specific advocacy initiatives towards realization of equal citizenship and dignity for transgender individuals and community alike.

2.5 Desk Review

A desk review was essential to understand the scope of research with its different dimensions and trends. Desk review covered the following areas:

Scope of work

The desk review of the existing laws and legislation with respect to their implications for transgender community was undertaken. Based on the literature review of the existing studies, prevailing gaps in research on transgender community were identified, and addressed in the second phase of the study by focusing the research on the gaps.

Approach

The desk review was carried out within the Pakistani context with some references to other literature from countries with a similar cultural landscape.

The desk review primarily mapped existing researches, interventions, vulnerabilities and policy actions undertaken and associated with the transgender community in Pakistan.

The desk review also identified gaps, issues, secondary sources and people to speak to at the

primary level.

2.6 Instruments of Study

The instruments employed for the study were focused group discussions (FGD), key informant interviews (KII), in-depth interviews (IDI) of individuals from the population under study.

Demographics

Detailed information on ethnography and demographics was collected from each respondent prior to the interview in a structured manner.

Interviews

The interviews were conducted in a structured manner through a pre-designed questionnaire. The rationale behind this was that structured interviews are easy to replicate because a fixed set of closed questions are used. The responses are easy to quantify making the information easy to test hence improving its reliability. Structured interviews are also fairly quick to conduct which means that many interviews can take place within a short amount of time. This means a large sample can be obtained resulting in the findings being representative and having the ability to be generalized to a large population.

The interviews were of two types:

a) Key Informant Interviews

These interviews were conducted from policy-makers, lawyers, transgender activists and community leaders who were able to provide key information regarding transgender issues, policies and interventions.

b) In Depth Interviews

The in-depth interviews were conducted from information rich transgender individuals who were able to provide information on thematic areas being probed. These individuals were identified and shortlisted through the group discussions.

Focused group discussions

Focused group discussions were organized in each geographical area. The venue used to be a safe space, like a community drop-in center of an organization, or a dera. The participants were sampled using snowball methodology. The minimum age for all participants was set at 18 years. A minimum of 8 participants took part in each FGD. The discussion was moderated by a moderator, while a second researcher recorded the discussion and took notes where necessary. The discussion was guided by the major themes of identity, access to justice, family and social exclusion, economic avenues, and violence & abuse.

Informed consent was taken by all participants prior to initiating the discussion.

Case studies

Case studies have been developed that showcase the prevalence of the issues faced as well as the intensity and maximum variation. Case studies compiled highlight instances where affirmative actions have been undertaken for increased access of transgender community to services.

2.7 Geographical Coverage

Interviews and FGDs have been conducted in Punjab, KPK, Sindh, Islamabad and Azad Jammu Kashmir (AJK). No interviews and FGDs were conducted in Gilgit-Baltistan (GB) region as there is no transgender population in the area due to lack of social acceptance. Most of the transgenders from GB have migrated to other areas of the country for jobs.

Punjab

In Punjab, the cities selected for the conduction of the interviews and FGDs were Lahore, Faisalabad, Multan, Sargodha and Rawalpindi. These cities were selected as they are major cities of the province with a large number of transgender population and visibility. This evidence is backed by NMHA's situation analysis and National AIDS Control Program's IBBS.

| | Cities | IDI - Urban | KII | FGD |
|--------------------|--------------|-------------|-----|-----|
| Punjab | Lahore | 2 | 2 | 2 |
| | Faisalabad | 2 | 1 | 2 |
| | Multan | 2 | 1 | 2 |
| | Sargodha | 2 | 1 | 2 |
| | Rawalpindi | 2 | 2 | 2 |
| Sindh | Karachi | 3 | 3 | 3 |
| | Larkana | 2 | 1 | 2 |
| | Sukkur | 1 | 1 | 1 |
| Balochistan | Quetta | 2 | 2 | 2 |
| Khyber Pakhtoonkha | Peshawar | 2 | 1 | 2 |
| | Haripur | 2 | 0 | 2 |
| | Manshera | 2 | 1 | 2 |
| Ajk | Muzzafarabad | 2 | 2 | 2 |
| GB | | | 0 | |
| Islamabad | | 2 | 2 | 2 |
| Total | 28 | 20 | 28 | |

Punjab had the largest share of all the research activity countrywide based on the rationale that it has the largest population.

Sindh

In Sindh, the cities under study were Karachi, Sukkur and Larkana.

Khyber Pakhtunkhwa

In Khyber Pakhtunkhwa, the cities studied were Peshawar, Haripur and Mansehra. This allowed the study of two major ethnicities (pashtoon and hazaraywaal), based on linguistics and helped in identifying the differences and similarities in cultural barriers and behaviors between the two.

Azad Jammu and Kashmir

In AJK, only Muzaffarabad was studied to cover

for the entire region.

Balochistan

Balochistan has the lowest population of transgenders among all four provinces therefore only Quetta was covered to represent the entire Balochistan.

Federal Area

Islamabad is the country's capital city and has different dynamics of the transgender' population living there.

2.8 Data Analysis

For qualitative work's quality assurance, voice recordings were developed for all interviews and discussions. The interviews were transcribed on the KII and IDI questionnaires, while

complete transcripts of FGD were developed. All transcripts were prepared in English language.

Once all the FGD, IDI and KII notes (questionnaires) along with voice recordings were received, they were reassembled in NMHA office for data analysis and development of FCR (Findings- conclusions- recommendations) to develop a first draft.

The in-house team used a structured and systematic approach, through matrices, to analyze the qualitative data. Recurring themes were identified, and grouped into categories and sub-categories. The data was then sorted along the lines of emerging categories, and conclusions drawn thematically under each area of probing.

Chapter -3

Demographic Profile of Research Survey

3. Demographic Profile of Research Survey

3.1 Age of Participants

The ages of the participants were tabulated and analyzed. Age brackets, each 5 years wide, were defined. The youngest age recorded was 17 years while the oldest was 70 years. The mean age of the participants was 30 years which was also the mode of the data, meaning that the commonest age of the participants in the study was 30.

The majority age-group of the participants recorded was between the ages of 22 and 26, followed by participants between the ages of 27 and 31. Majority of the participants were young, with almost 79% of the participants being 36 years old or younger.

Table 1: Age Wise Distribution of the Participants

| Age range (in years) | Percentage of participants in given age bracket | Cumulative percentage |
|----------------------|---|-----------------------|
| 17 - 21 | 10.76% | 10.76% |
| 22 - 26 | 30.49% | 41.26% |
| 27 - 31 | 26.01% | 67.26% |
| 32 - 36 | 11.66% | 78.92% |
| 37 - 41 | 9.87% | 88.79% |
| 42 - 46 | 6.28% | 95.07% |
| 47 and above | 4.93% | 100.00% |

The age wise distribution of the participants can be visualized graphically as follows:

3.2 Minimum Education Level of Participants

Most of the participants, 53.5%, in the study had no or very low education; with 34.5% of the participants being uneducated and 19% having only primary education. For those who were educated, 21% had completed their secondary education i.e. Matric. Of the participants, almost 15% had finished their middle elementary schooling, while 5.4% had gone up to higher secondary, and almost 5% had graduated with a Bachelor's degree. Only 0.4% of the participants had a post-graduate degree.

Table 2: Minimum Education Level of Participants

| Minimum Education Level | Percentage |
|-------------------------|------------|
| Illiterate | 34.5% |
| Primary | 18.8% |
| Middle | 14.8% |
| Secondary | 21.1% |
| Higher Secondary | 5.4% |
| Graduate | 4.9% |
| Post-graduate | 0.4% |

The education level of participants varied slightly province wise. Sindh had the overall lowest illiteracy rate at 28%, owing to Karachi's higher literacy rate; 79% transgender respondents in Karachi were literate. Sindh was followed by ICT and Balochistan, with 31% of the respondents being illiterate in each area. From KPK and Punjab, 35% and 36% of the respondents were illiterate. The highest illiteracy amongst participants of the study was seen in AJK at 50%. None of the respondents in Balochistan had received an education more than secondary.

Table 3: Minimum Education level of Respondents by Province/Region

| | KPK | Punjab | Sindh | Balochistan | AJK | ICT |
|------------------|-----|--------|-------|-------------|-----|-----|
| Illiterate | 35% | 36% | 28% | 31% | 50% | 31% |
| Primary | 23% | 20% | 13% | 31% | 6% | 19% |
| Middle | 13% | 21% | 17% | 13% | 19% | 13% |
| Secondary | 23% | 16% | 26% | 19% | 13% | 13% |
| Higher secondary | 4% | 6% | 4% | 0% | 6% | 6% |
| Graduate | 2% | 1% | 13% | 0% | 0% | 19% |
| Post-graduate | 0% | 0% | 0% | 0% | 6% | 0% |

Among cities, the highest literacy rate among respondents was seen in Rawalpindi at 81%, followed by Karachi at 79%. Karachi also had the highest percentage of graduate respondents at 25% followed by Islamabad at 19%. Lahore and Mansehra had the third and fourth highest literacy among respondents at 76% and 75% respectively. The lowest literacy rates were seen in Peshawar and Muzaffarabad with 50% of the respondents being illiterate. They were followed by Multan and Faisalabad, with 47% and 41% of the respondents being unable to read and write.

The education level of the respondents' broken down regionally, is graphically visualized as follows.

Figure 2: Minimum education level of participants of Focused Group Discussion presented in a bar chart

3.3 Marital Status of Participants

Majority of the participants in FGDs, that is 80%, were unmarried. This was followed by married transgenders' at 17%, divorcees at 2%, and only 1% being widowed.

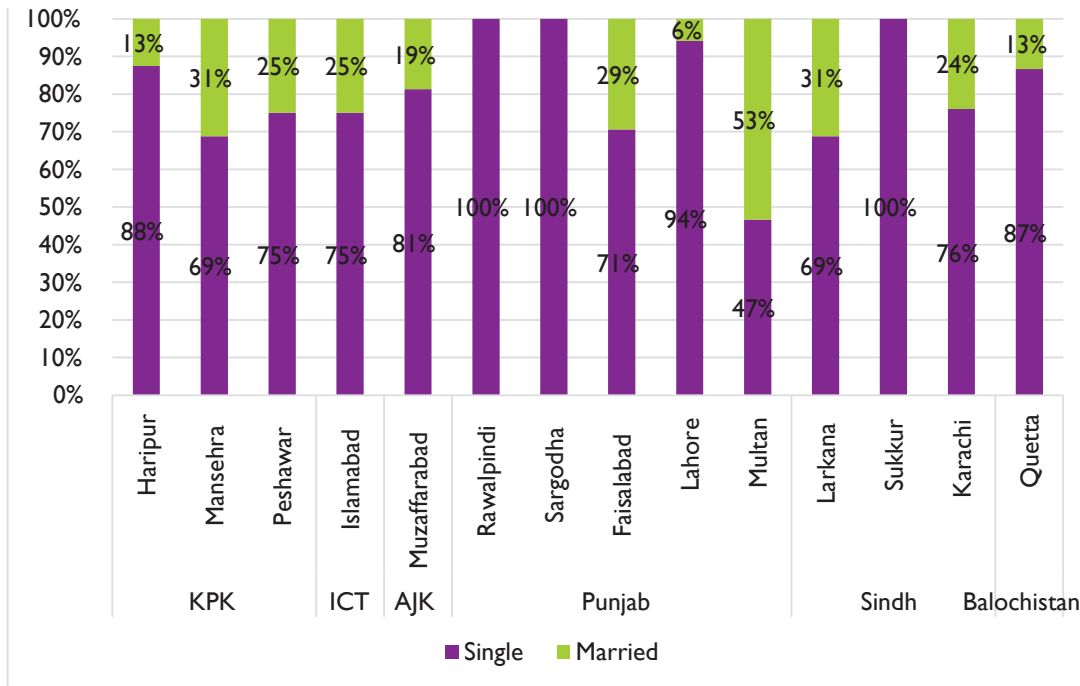
Table 4: Marital Status of Participants

| Marital Status | Percentage |
|----------------|------------|
| Single | 80% |
| Married | 17% |
| Divorced | 2% |
| Widowed | 1% |

In Rawalpindi, Sargodha and Sukkur all the participants of the study were single. The highest marriage rate was seen in Multan, with 53% of the respondents having married women. This was followed by Faisalabad at 29%. Islamabad and Peshawar had the third highest marriage rate at 25%.

The marital status, broken down by city and region, can be visualized as follows.

Figure 3: Graphic Representation of the Marital Status of Participants



3.4 Principle Occupation and Sources of Income

The major source of income for the transgender community is dancing, with 42% of the income of the respondents being generated through dance. It is followed by sex work at 15%, and begging at 12%. Toli contributes 9% to the community income while 6% is generated through domestic help. Other occupations include work with non-profit organizations, manual labor, office-work, tailoring, taking tuitions, and beauticians.

Dancing was the most quoted source of income in almost all cities except Karachi and Rawalpindi, where the most repeated sources were sex-work (44%) and begging (43%) respectively. Provincially, the trend of dancing being the major source of income declined from north to south with the respondents in KPK,AJK and ICT majorly relying on dancing. Among cities, 100% of the respondents in Peshawar quoted dancing as their only income source. This was followed by Haripur and Muzaffarabad at 81% and 79% respectively. Multan came next with 48% of the

respondents quoting dancing as their income source.

Figure 4: Percentage of Participants Relying on Dancing for Income Regionally

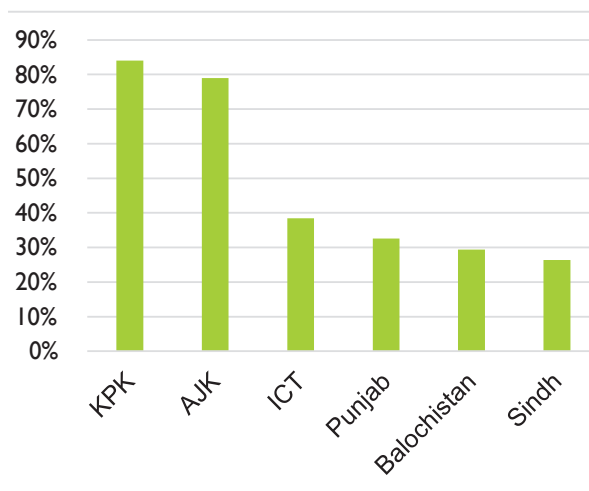


Table 5: Percentage Contribution to Overall Transgender Income by Each Occupation & Source of Income

| Source of Income | Percentage Contribution |
|------------------|-------------------------|
| Dancing | 42% |
| Sex-work | 15% |
| Begging | 12% |
| Toli | 9% |
| Domestic help | 6% |
| NGO worker | 5% |
| Labour | 3% |
| Office-work | 2% |
| Tailor | 2% |
| Beautician | 1% |
| Miscellaneous | 3% |

The percentage of respondents citing one source of income was 57%; whereas 36% and 7% quoted two and three sources of income respectively. As a result more than 43% of the participants in the FGDs reported having more than one source of income, with the maximum recorded sources being three in number.



Of the participants reporting three sources of income, the commonest closely followed the general trend; dancing, begging & toli, and sex-work. Of all the respondents relying on dancing,

31% also had sex-work and begging as alternate sources of income. The figures were higher for the ones relying on begging and toli, with 63% also having dancing and sex-work as second or third sources of income. However, they were the highest for sex-work, with 73% respondents having dancing and begging as other sources of income in addition to sex-work. This shows that for majority of the transgender community who earn through sex-work, there is also reliance on dancing and begging for money. The same holds true for the ones who beg for money.

3.5 Average monthly income of Participants

More than 47% of the participants earn equal to or less than ten thousand Pakistani Rupees a month, followed by almost 39% earning between ten and twenty thousand Pakistani Rupees.

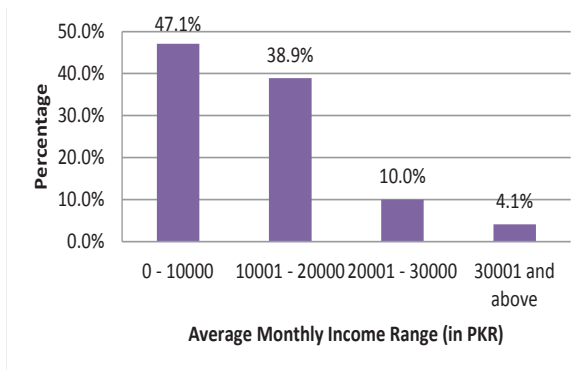
Around 86% of the participants earned twenty thousand, and less, Pakistani Rupees a month. The highest income noted was PKR 90,000 while the lowest income noted was PKR 1,200 per month.

Table 6: Average Monthly Income of Participants in PKR

| Average Monthly Income in Pkr | Percentage of Participants Earning | Cumulative Percentage |
|-------------------------------|------------------------------------|-----------------------|
| 0 - 10000 | 47.1% | 47.1% |
| 10001 - 20000 | 38.9% | 86.0% |
| 20001 - 30000 | 10.0% | 95.9% |
| 30001 and above | 4.1% | 100% |

The income distribution can also be represented graphically as follows.

Figure 5: Average Monthly Income of Participants in PKR



3.6 Migration Demographics of Participants

Transgender communities often migrate to other cities for security, income and social stability. The trend of migration per city varied across the country. The percentage ratio of migrants to natives among the respondents in each city, are

tabulated below.

Higher percentage of native respondents was seen in Faisalabad, Lahore and Multan, with the highest in Multan at 87%. This is also correlates with the researchers' observations that the respondents in Multan were very fond of their city and felt secure and emotionally attached to her.

Highest number of immigrants' was seen in Islamabad (94%), which is understandable as Islamabad generally has a very low native population. It was followed by Peshawar with 81% migrant transgenders from Pashto speaking adjacent areas, including Afghanistan. Mansehra had the third highest number of immigrant respondents at 69%, as it is considered a location where ample income through dancing can be made.

Table 7: Percentage Ratio of Migrants to Natives Among Respondents in Each City

| Region | City | Migrants | Natives |
|-------------|--------------|----------|---------|
| KPK | Haripur | 50% | 50% |
| | Mansehra | 69% | 31% |
| | Peshawar | 81% | 19% |
| ICT | Islamabad | 94% | 6% |
| AJK | Muzaffarabad | 63% | 38% |
| Balochistan | Quetta | 53% | 47% |
| Punjab | Rawalpindi | 63% | 38% |
| | Sargodha | 50% | 50% |
| | Faisalabad | 24% | 76% |
| | Lahore | 29% | 71% |
| | Multan | 13% | 87% |
| Sindh | Larkana | 13% | 88% |
| | Sukkur | 29% | 71% |
| | Karachi | 50% | 50% |

Chapter -4

Primary Findings from Research Survey

4. Primary Findings from Research Survey

4.1 Who am I: Gender, Culture and Identity?

According to the American Psychological Association, gender refers to the “attitudes, feelings, and behaviors that a given culture associates with a person’s biological sex.” Behavior that is compatible with cultural expectations is referred to as gender-normative; behaviors that are viewed as incompatible with these expectations constitute gender non-conformity.

Self-identification

Transgender individuals seldom face confusion regarding their gender. They’re very clear that the gender prescribed to them based on their biological sex isn’t what they organically feel, nor does it comply with their aspirations. The respondents in this study shared similar feelings. They felt like “women trapped in a male body”, and as having been born with a “female soul”.

Many respondents stated that as children they were very effeminate, and associated more with their sisters than the brothers. They preferred playing with girls, dolls and donning their mothers’ duppattas. They have unanimously stated as feeling like girls, as children. It was this gender expression that resulted in them being called out certain names; the commonest of which was “khusra”. Khusra is an extremely derogatory term in the Pakistani culture, and all respondents in this study have identified it as being very insulting.

The terms and phrases used to address this expression of gender identity are derogatory and abusive across the country. It is terms like these that result in the “otherization” of effeminate children, and they grow up with a sense of being

different; as neither male, nor female. The hijra subculture being a part and parcel of the South-Asian culture provides an avenue for this gender expression, and in turn turns the expression into an identity. The hijra subculture also accepts this expression of the feminine gender as a norm, and comes as a comfort to many transgender women escaping the suffocation at home.

Once a trans-person begins to identify as a hijra, which is the same as khawaja sira, they often move to a dera and commence their life in the hijra subculture.

This often leads to a disconnection, or disowning, from the parents and family.

Social identification and otherization

The gender of khawaja sira, or hijra, in South Asia is understood as “third gender”. However the baseline of the gender is still masculine; therefore the gender takes the form as being a deviation, or as an anomaly, with the “masculine”. In a patriarchal culture, the gender is therefore denigrated and vilified. The words and terms associated with hijras and transgender women are all abuses.

Figure 6: A Word Cloud of the Terms Associated With Being a Transgender in



Pakistan

Most of these abuses are hurled at them publicly, often by young children and kids. All transwomen unanimously cited feeling deeply insulted and humiliated by the experiences. Where some of them have grown used to the custom and take it as their fate, others often retort back by abusing the perpetrators of this verbal onslaught. However, reacting to this public verbal abuse often results in further troubles as a verbal spat between the two parties starts. Another dimension of identity and being offended resides in the names transwomen take up. Most wish to be identified with their female names, despite which they often are asked their legal names which is very embarrassing and offensive for them.

With the increase in the regional use of the word “transgender” as a noun, often abbreviated as TG, and its common usage in the non-profit sector, it is considered as a literal translation of the words “hijra” and “khawaja sira”. This confounding of the terms is further aggravated by the understanding that all hijras are intersex individuals. Their own explanation of their behavior as “being born this way” is interpreted socially as “being born with variant genitals”. So the incorrect and misleading social narrative that has developed around being transgender is that all transgender individuals are hijras, and all hijras are born intersex. The corrected version of this narrative can be visually expressed as



follows:

Intersex is a biological variation in the genitals, often associated with variations in the reproductive organs and sex chromosomes of an individual by birth. It shouldn't be confused with gender identity, which is the personal identity of a person associated with a particular gender. Furthermore, hijra is a characteristically South-Asian subculture with its own norms and mores, and shouldn't be considered a universal gender

identity.

The power of semantics, and how to use the term “trans gender” correctly:

Joe Wong, Executive Director of Asia Pacific Transgender Network recently stated “Just a note to any well-meaning journalist, trans people and allies. Please do not use, transgenders, a transgender, transgendered or transgenderism. Transgender should not be used as a noun. You would not say lesbianed or gayed, so why would you use it when referring to transgender people (not to mention the grammatical errors)? “Transgenderism” is a term used by anti-trans activists to refer to transgender people as “a condition”, so instead, use transgender community.”

Nouns are the primary components of speech, and they possess greater power and more potential for abuse than any other element. Consider this example: “a black man” versus “a black.” The second construction strips the individual of his status as a man, an insidious thing. However, when the same word is used as an adjective the problem disappears; “black” then simply describes the noun “man,” the most important component of the sentence. Similarly, when “transgender” is used as an adjective the implicit meaning changes — the emphasis is placed on person, man, or woman first, transgender second.

4.2 Social Exclusion: Family & Society

Relationships with family:

Many transgenders live at deras, which are community based residences, often under the aegis of a matriarch, the “guru”. Some maintain cordial relationships with their family as sons and brothers, while very few are accepted - as “hijras”. Mothers and sisters are more accepting and cordial with them, fathers are stricter, but loving and affectionate in some cases too; however the most commonly cited source of tension in the family is the brother. Brothers feel insulted and are ridiculed by their friends and acquaintances on the streets for having a

“khusra” as a brother. This may also follow from the fact that young males have more social mobility in patriarchal cultures. The transgenders who are married and have wives and children stay connected with them, as they are mostly the sole breadwinners for their families.

Families often dismiss their transgender child’s feelings as aberrant and punish them for this behavior. They are also abused or cursed inside the homes. The abuse happening outside and in schools also increases with time, and many transgender respondents stated that it wasn’t addressed by their families. Instead, they themselves were told to correct their behavior.

The aftermath of leaving home

Many transgenders have stated their problems intensify after leaving homes as then they are without their families’ protection. However, the leaving of the house is necessary to live their lives as women and express themselves in the gender they want to. It is a tough compromise, which seldom pays off well. All transgender unanimously agree that things would have been better had their families accepted them as children, and understood their feelings. Many transgenders feel lonely and depressed.

Inheritance is another major problem for them. Some family members try to disown them from the family inheritance stating their “sex” as a problem; men have the higher claim in Pakistan’s inheritance laws. As most transgenders are living away from their parental homes, they are considered informally disowned and the family cuts out their share from the inheritance. This further worsens their economic conditions, as well as the sense of being alone in this world.

4.3 “Third-gender” National Identity Cards: Groundbreaking, Problematic, or “Just Pieces of Paper”?

Ambiguity over the “new” sexes

The decision of NADRA to include a third-gender category for transgender individuals in the National Identity Cards (NIC) has

been hailed by many as groundbreaking and revolutionary. NADRA now has three additional options for sex: male khawaja sira, female khawaja sira, and mukhannas. Their meanings and interpretations are still ambiguous and unclear. Some believe that male khawaja sira is for uncastrated hijras, female khawaja sira is for castrated hijras, while mukhannas is for intersex individuals.

Is the third gender identity needed?

The opinions over this query were mixed. Where some respondents believed that it is necessary to be identified as third gender, others believed that it is unhelpful, and in some cases even detrimental. For those who believe the “identity” is necessary, it is still admitted that the identity isn’t linked with benefits.

Worsened situation

Some respondents believe that an ID card is unnecessary. All transgender persons already had ID cards with their biological sex, so they did have an “identity” and weren’t disenfranchised. For some respondents the ID cards have been detrimental and further added to the stigma and discrimination, and further remove them from the society. It legally “labels” them as khawaja sira, and without any respect for khawaja sira the identity only adds to the insult. A respondent stated that because of her ID card people make fun of her.

Some transgender women are legally married to other women, and have biological children. To them they are fathers, and making a khawaja sira ID card would be humiliating for them and their families.

Improved behavior of people

Some of the respondents expressed some level of satisfaction with the ID cards and said that there have been improvements because of the cards. People believe that transgender persons have more rights now being legal citizens of the country, with the State recognizing their gender, and that has resulted in an improvement

of behaviors. The police behaving better now when dealing with a transgender person with a transgender card, according to a respondent. For some it is just a source of personal satisfaction, knowing that the State recognizes them as a khawaja sira.

The Hajj issue

Many respondents had a problem with the ID cards that is in essence a foreign policy concern. The Kingdom of Saudi Arabia doesn't recognize the third gender. Many transgenders are devoutly religious, and often save money to perform the rites of Hajj once in their lifetime. However, Hajj can only be performed as a male or female because those are the only two genders recognized by the Kingdom. This has resulted in many transgenders opting out of the ID cards.

The replacement of fathers with gurus

In some instances, the name of the father is replaced with the name of the guru. A guru is a community elder with multiple disciples, known as chelas. The system is very loose, but still very patriarchal. The system ascends like a family tree, disciples of the same guru are called "guru bhai", and the guru of the guru is called "guru dada". It is interesting to note that within the hijra system, relationships have been given masculine titles.

Removing the name of father from your ID card legally removes your claims to paternal inheritance, a consequence many transgenders don't want to face. They also repeatedly stated that gurus are not constant and keep changing, a fact which would result in the frequent changes in an ID card. Some also found it insulting to remove the name of their father, stating that he was their biological father and they are his children and shall not under any circumstance remove his name from their legal identity. Have the ID cards restored respect?

Most of the respondents believe they haven't. The ID cards haven't given them any rights, or legal protection. Even anti-discriminatory laws haven't been passed to protect the third-gender from discrimination. Many believe earning respect

and social inclusion is a complex process which cannot be solved by handing out identity cards

4.4 Existing Employment Avenues

Transgender employment can be broadly categorized into two domains: the traditional sources of income, and gainful employment.

Traditional rituals as sources of income

The traditional sources of income in the hijra subculture are toli, which is an organized call for alms from the public; vadhai, which are the blessings and prayers given by hijras to newborn babies in the locale in return for alms and money; and dhingna, which is main stream begging. Some transgender women also earn income through sex-work. Clients are solicited through cruising publicly at popular cruising sites. A major chunk of clients are now being solicited online through social media and through interpersonal contacts otherwise.

Weddings and dance functions

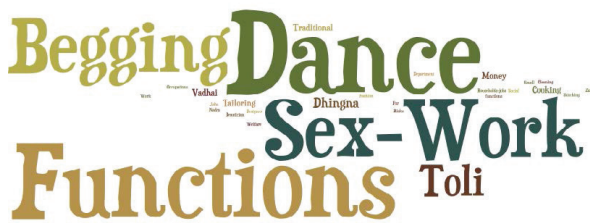
In the Pakistani wedding culture, preceding the main wedding event, the males of the family throw an all-male event where they invite dancers for the entertainment of the guests. These dancers are cisgender or transgender women, and dance on popular songs as well as traditional ones to entertain the guests. They charge a certain fee which is paid to them in advance. In addition, the guests throw money bills on the dancers while they perform, known as "bail". The "bail" is also collected by the dancers' assistant as their collective income. These wedding events are known as "functions" and are a principle source of income for many transwomen. Some transwomen also dance at local festivals, circuses and melas. The "bail" given to them there is their own income, a portion of which they give to the organizer as the commission fees for allowing them to perform.

Blue-collar work

Some transgenders prefer to do regular mainstream jobs like tailoring, cooking, domestic

work, as it is more dignified and allows them to remain integrated in the mainstream society. Although any work can be performed by transwomen, they prefer to engage in more fine and creative work, as it ties well with their feminine aesthetic and lifestyle. They prefer to be seamstresses, and work with fine traditional embroidery known as zarri-work.

Figure 6: Word Cloud of Common Occupations for Transgender Community in Pakistan



White-collar work

With the mainstreaming of transgender community, and the announcement of jobs by Sindh provincial government, few transwomen are also employed at NADRA and the Social Welfare Department. There are some non-profit organizations and community based offices working for the rights of sexual and gender minorities; few are employed there as well. Although these transgenders are very visible, sometimes even on mainstream media, due to the nature of their work, they still represent only a handful of the transgender nationally.

Why these occupations, and not “something else”?

These occupations are the main choices of occupation for transwomen for few reasons. The major reason is that these are the only occupations available to them in the existing cultural and social framework. Having dropped out of schools early, there is also a dearth of literacy and adequate formal education among transgenders, which further deteriorates their chances of gaining mainstream employment.

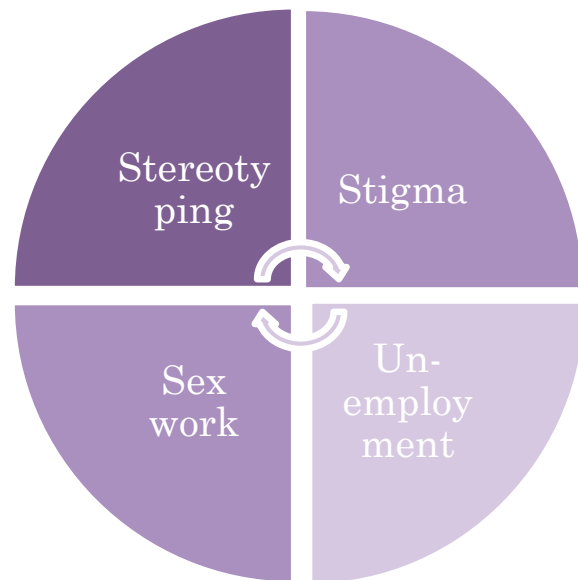
Being cut off from the mainstream society, and facing social neglect, they don’t acquire the necessary skills for mainstream occupations, and further pushed into being limited only to these traditional modes of income.

Some transgenders, despite being in need of financial sustainability, choose not to seek mainstream employment as spending their life masquerading as men is something they don’t want to do. It’s a compromise between financial stability and gender expression, and often-a-times the latter supersedes.

4.5 Mainstreaming Transgenders: Are Employers Ready?

Almost all respondents when asked about the prevalence of transgenders gaining mainstream employment expressed disdain, saying rarely has this happened.

Mainstream employers are reluctant to hire transgenders as employees, according to the respondents of the study. Two of the reasons have already been cited: their illiteracy, and the lack of required skills.



However the reason most commonly expressed as being responsible for employers not hiring trans-persons for work is their concern for “good reputation”. Transgender community

is stereotyped as sex-workers, and as vulgar and obscene, and this results in them being stigmatized and not gainfully employed. Employers are also concerned about their work, or institutes, being mocked in case they employ transgender workers. There is also a mutual lack of trust between transgender people and mainstream cisgender employees, where the latter thinks the former is incapable of performing work, and the former thinking the latter will be extra-critical of their work owing to their gender identity.

4.6 Economic Conditions of Transgender Community

Almost all of the respondents when asked about the prevalent economic conditions of transgender community said that the conditions were very poor, with majority of them living below the poverty line, devoid of many basic needs and amenities required for living a fruitful and dignified life.

“Seasonal” flow of money

This is mainly due to the variant nature of their sources of income. Weddings in Pakistan are seasonal, particularly in the plains of Sindh and Punjab where the wedding season is linked with the harvest of crops. This makes income through functions also seasonal, and hence less sustainable.

Income through dancing at festivals and melas also relies upon the season and weather, as they are more vibrant and active during the spring and fall. The extreme heat of summers and the extreme cold of winters, dry up these sources of income.

Changing times, and dying traditions

As old traditions are dying, income through traditional performances like toli and vadhai are also dying. Very few areas still have the traditions of vadhai and toli, and even in those areas strict competition over resources exist between the hijras. Areas are divided between the community leaders and disciples, the chelas, of a guru with

a specific designated area cannot perform in another.

Dheengna and paisha: begging and sex-work confer sustainability to income

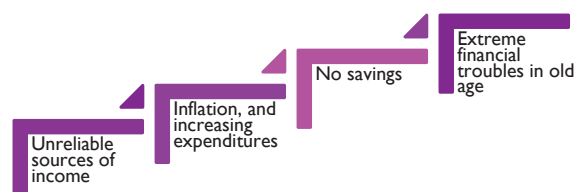
The only stable sources of income for many transgenders are therefore begging, also known as dhingna, and sex-work. However they aren't professions, and come with immense occupational risks and hazards; like harassment, attempted and actual rapes and gang rapes, extreme weather conditions, and the risk of contracting life-threatening sexually transmitted infections.

Dancing and sex-work are also closely linked with the age, with younger transwomen using these two as their principle sources while the older ones preferring toil, dhingna and vadhai.

On where the money goes

Almost all respondents claimed having sufficient control over their own income. In very few cases does the guru decide how to proportionally distribute the income; most of the cases have the person decide herself how to use her income.

Most of the income is spent on their own lifestyle and maintenance. Beauty products, make-up, dresses and accessories are the major expenditures for many transwomen. Some are also responsible for financially supporting their families, particularly the ones that are married and have children. In some cases, portions of the income are given to the guru.



All respondents stated the problem of not being able to save any income for rainy days. All the money is spent on themselves, their family and the community. This issue is further aggravated by the utter absence of any social security, and insurance plans for the transgender community.

No respondent knew of any welfare scheme that can be of use or benefit to the transgender community. As a result, older transgenders face considerable difficulties financially, unless they're powerful gurus themselves.

4.7 Of Media, and Trans-Portrayals

Stereotyping transgenders

Most of the respondents, transgender and cisgender alike, believed that the media stereotypes transgender women. They are presented as caricatures and for comic purposes. They are also mostly shown begging, dancing and singing; practices generally looked down upon in the Pakistani society. This results in an overall negative portrayal of the community, further perpetuating the ill treatment and stigmatization of the transgender community in the country.

Some respondents believed that this attitude of the media is present due to commercialization of the media. Media houses are concerned only about their ratings, and often have their own skewed agenda. To state that they carry out stereotypical portrayals of the transgender community- calling upon transgender guests at shows has also been perceived as a way of boosting viewership and ratings, with little to no regard for the transgender community

Acceptable and good portrayals

Some respondents believe that times have changed, and media is also waking up to the reality of trans persons. Many morning shows and talk shows are highlighting the plight of transgender people, in effect increasing their visibility and breaking the stereotype. Local media has showcased some inspirational stories on the lives of transgender women in Larkana, Sindh. This increased space for transgender women on media enhances their space publicly too, with more acceptance and lesser discrimination.

Some respondents believe that what the media is showing is in fact the reality. A respondent remembered the movie Bol, directed by Shoaib Mansoor, and stated that the movie depicted the

reality. Other respondents believe that media needs to upscale its efforts as it isn't fully utilizing its potential to help the transgender community.

4.8 Scorched Earth: of Endemic Violence Against Transgender Community

Sexual violence and the rape culture

When asked about the commonest crime against transgender community, the most repeated answer was sexual violence. Sexual violence is a spectrum, ranging from sexual harassment to brutal gang-rapes. Transgender women and hijras are sexually objectified. Their situation is further worsened by them also being dehumanized. In a social paradigm with unchecked male power, this results in a pattern of endemic sexual violence against dehumanized sexual objects. As many transgender individuals are sex-workers, the pattern of violence intensifies because of the absence of legal recourse.

The perpetrators of this violence are varied, with the commonest being the clients, police officers and male members of the family. In Pakistani society, sex work and dancing are presumed to be linked. Dancing is a major source of income for most transgenders. They're invited at weddings' all-male entertainment events to dance and entertain the male crowd for a pre-determined fee. The guests at these events proceed to demand sexual favors from the dancers, which often results in a brawl as the dancers refuse to comply. Incidents like these may end up into cases of gang rapes, where a sexually charged and unchecked male crowd gangs up to sexually violate the transwomen. Incidents like these often go unreported. In case they are reported, the police's indifference to the plight of transwomen or towards the seriousness of the issue is a major hurdle in getting justice.

In the domain of sex-work, often a time a transwoman is solicited by one man, however there are more men waiting for her at the place where she is taken. In situations like these some protest while others just comply with the orders, knowing very well that a physical

reaction will just worsen the abuse. With the criminalization of sex-work, absolutely no legal protection is guaranteed to victims of gang rape in such situations. These occupational hazards are unaddressed and continue to affect the lives of transgender women and hijras daily who, rely on sex work for income.

Physical violence

Physical violence was also a common answer when respondents were asked to identify the most common violations against their physical security. Many respondents shared stories of being beaten up and brutalized. A very common perpetrator in such cases is their own family, which tries to coerce them into “changing their ways” through physical torture. In Pakistani society, beating up your own children is considered alright if it is for corrective reasons. This narrative provides sufficient room for physical torture on transgenders by their own families to “correct” them of their deviance.

Acts of physical violence are also perpetrated by males outside the family sphere. Stones are pelted at transgenders by kids and young boys. Incidents of attempted rape have converted into plain physical abuse.

Head shaving, and de-beautifying a trans-woman’s body:

Beauty is the most prized possession of many transgenders. They spend years in growing their hair long, and long hair is considered a sign of beauty. Long hair is also associated with femininity, which reaffirms a transgender woman and provides her much needed self-satisfaction. Beauty is also linked with income, as beautiful transwomen have higher earning through dancing and sex-work. Many of the dance steps in a transgender woman’s performance employ the use of her hair, in flicking and sweeping motions, that add to the drama and the entertainment nuance. Long hair is therefore crucially valuable to a transgender woman, both for her satisfaction and her survival.

A very common form of abuse inflicted on a transwoman is shaving her head, or damaging her hair. It causes immense pain to her as it destroys her self-image, her worth and her sources of income. Some transwomen have reported that they beg the aggressor to rape them instead of cutting their hair. Under the Pakistani law, cutting hair classifies as “Arsh”, a criminal offence, under the Qisas and Diyat Ordinance.

Some respondents also stated the prevalence of acid attacks against transgender women. Some reported being exposed to incidents where their faces were cut by blades to put scar marks. These acts of de-beautifying a transgender woman follow the same pattern as of attacks against cisgender women.

4.9 The Aftermath of Violence

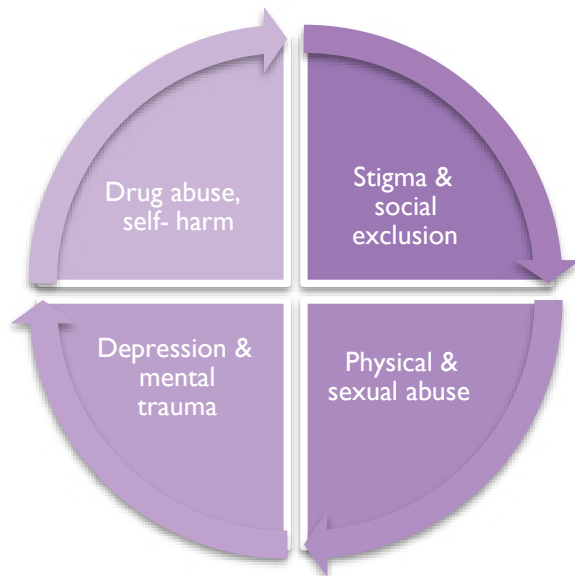
Seeking help

Almost all respondents reported having major depression from the resulting trauma. It affects their judgment and their daily lifestyle, and they remain secluded. They keep going over the incident in their heads, and think what could have been done differently. Most eventually resolve it by accepting it as a part of fate that God has set for them.

Most of the respondents stated that they do not know of any professional psychological facility that helps survivors of physical and sexual violence deal with the emotional trauma. Neither did they state accessing any psychologist for care. Some stated that a few non-profit organization did have counsellors, but hadn’t been accessed after cases of sexual violence. Doctors were accessed for general physical ailments, and sexual infections, but that too very seldom.

After cases of violence, the most commonly available support system is the transgender friends. Through “sharing” the incident and the grief, a transwoman deals with the trauma albeit incompletely. Some respondents reported sharing their grief with their mothers, as mothers have profound love for their children and help them cope with the pain.

Self-harm, suicides, and drug abuse



The resulting depression leads transwomen to cause self-harm to cope with it. Some use blades to cut themselves, while some have suicidal tendencies and attempt to take their own life. No professional help is sought to deal with the tendencies. The most common way of dealing with the mental agony is the use of drugs, alcohol and marijuana being the commonest. This is a fairly common issue; most respondents identified drug abuse as a coping mechanism for the trauma and depression. Some participants in the FGDs even showed their wrists and forearms bearing scar-marks from blades and other sharp objects that were all self-inflicted.

This pattern of social neglect leading to abuse and then to self-harm deteriorates the psycho-social conditions of transgenders badly.

4.10 Access to Justice: of Reporting Crimes and Legal Support

Going to the Police Station

A police station is the first stop for reporting most crimes. A bad experience at a police station means that the initial step in seeking legal recourse itself turned sour, hence derailing the entire chain of legal support. A majority of the respondents states that transwomen do

not report violations against them to the police. Some informed that only the elder gurus, who have built some rapport with the police, report their issues.

In case a transwoman does choose to go to the police, she does it in the form of a group with her other transgender friends. Rarely does a transwoman feel secure and confident enough to access a police station alone. Some even access the police station with the affluent and influential gurus.

Attitude of the Police Staff, and refusal to lodge complaints

The most common challenge faced at the police station is the bad attitude of the police. They show indifference towards the plight of the complainant and don't take the issues seriously. Mostly they refuse to register an FIR, hence not reporting the crime.

Harassment by the Police Staff

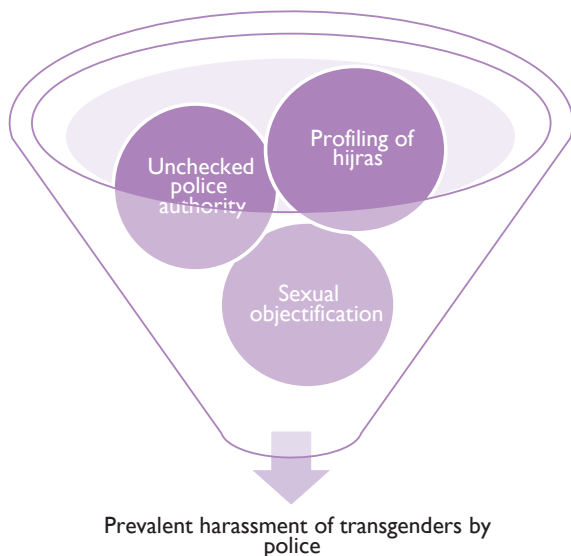
Where some of the police staff mocks and demeans the transgender complainants, other proceed to open and abject sexual harassment. Some respondents state being asked for sexual favors in return for registering an FIR. In refusing to comply with the advances, transwomen reported being blackmailed and threatened of dire consequences. Incidents where they were frisked, groped and physically harassed were also quoted during the study.

Respondents from Mansehra stated that bad attitude is seen only from the junior level police officers; the senior ones are understanding and very respectful. They also stated that to lodge their complaints, or report their issues, they approach the senior officials only to avoid the bad experience from the junior ones.

Sexual profiling

This pattern of police harassment is evident in cases out of police stations as well. Transgender women are stopped when they're travelling in groups for dance functions. Their cars are

searched for, and they are frisked. They are asked demeaning and insulting questions about their genitals, body, and even sexual interests. This “profiling” of transwomen allows police and law enforcement agencies ample room for harassment, often just for sheer pleasure. They are eventually let go, but only after wasting a lot of time, and causing immense mental and physical discomfort.



Calls for settlement

Some transwomen are asked to settle the issue by getting some money from the other party, or by some other means, instead of filing a report. Such incidents demotivate the community as a whole to access justice, as they consider it a waste of time and resources with the police’s callous attitude.

Reverse victimization

Some transwomen reported incidents where instead of finding legal recourse, they themselves were victimized. They said that they had stopped going to the police after an incident where when they went to report a crime against them, the staff in-charge made them look like the criminals. They threatened to charge them unless they bribe him.

Harrowing and invading interrogation

In cases of sexual assault, the police asked really insensitive and invading questions under the guise of interrogation. Instead of empathizing with the victim, and following a sensitive approach, the victim is made to feel further violated. This is further compounded in cases where sexual assault happened in the presence of sex-work. Answering questions in such a context would lead to a criminalization of the complainant, or result in harassment or possible abuse by the police staff themselves.

In South-Asia, there is a prevalent culture of victim shaming; particularly in cases of sexual assault. And often-a-times, transgender complainants are policed about their behavior and attitude when they report a crime of sexual assault. Legally a complainant’s complaint should be addressed, and a report registered. Judging any legal gaps, or presence of gray areas in the case, is the responsibility of the court of law, and not the police. This practice is however seldom followed, and often favors the legal system which is already burdened by unsolved court cases. Therefore this attitude of the police goes unchecked, and sometimes even informally encouraged.

Is the current legal system supportive?

Most of the respondents believe that the current legal system is hugely unsupportive to assist transgender people in seeking, accessing and getting justice. The attitude of the police, the prosecution system, and widespread corruption and dishonesty in the legal sector are blamed for the pervasive injustice.

It is interesting to note that a few respondents also “prioritized” justice. They responded by saying that in a system where men and women don’t get justice, it is very difficult for a transgender person to get it. Where, this highlights the societal attitude towards transgender people that of second class citizens, it also speaks volumes about our narrative in justice in general. It shows that in our society justice is considered a luxury; and even if thought

of as universal and ideally available for all would first be given to men and women, and later to transgender individuals.

What can be done to improve it?

A lot of times transgender individuals are violated and justice not duly granted as they are unaware of their rights. Many respondents believed that the community needs to be made aware of their fundamental rights, and mechanisms are in place to ensure that those rights are protected. Respondents also believed that the community itself needs to be empowered, so that it can collectively access justice awarding institutions. This can be done with a heightened sense of cooperation, and motivation if a few favorable cases emerge.

Strengthening state institutions and mechanisms was also quoted as a way of ensuring justice. Strong prosecution systems along with a robust justice awarding authority can ensure that the fundamental rights of all individuals regardless of their gender identity are protected, and crimes addressed.

Few respondents recommended the presence of strong anti-discriminatory laws. The Constitution of Pakistan already guarantees no discrimination on the basis of sex. Now that transgender persons have khawaja sira NIC cards, policies and laws can be drafted to grant them protection from discrimination. These laws should also extend to protecting them from “profiling” and violating their privacy, another fundamental human right.

Policy interventions are necessary to protect transgender people from violence and other forms of discrimination. Under the Pakistani law, rape as a crime can only be inflicted by a man on a woman. This leaves out transgender women. The laws used to address sexual violence on them are Section 371 and Section 377, which themselves are archaic and redundant remnants of the colonial era. These have been seen as an impediment to equal rights elsewhere in the Commonwealth nations and are being revoked

across the globe.

4.11 Together We Can: Transgender Community and Power Dynamics

A majority of the respondents believed that community initiatives, networks, organizations and movements are profoundly effective, and very necessary. The few respondents who disagreed on the effectiveness also blamed it on the complacency of the general public and the State, and not directly on community networking itself.

Leadership in the community

A recurrent theme during the course of the study was the role of community leadership. Leaders were identified as saviors, as guides and as support in hard times. It was often cited that leaders should take the first step in engaging with relevant stakeholders to guarantee rights for the transgender community. Examples of leaders whose work and vision has brought forth betterments for the community were remembered.

However the community was also very critical of work that benefitted only a few, or worsened the situation for the community. The example of the NIC cards, and changing fathers’ names to gurus’ names was quoted as being a ploy by a certain community leader to increase her own power in her area. Respondents were critical of the fact no consultation was done with the community at the grassroots or with leaders across the country, and only the opinions of a few leaders led to the NIC cards and the Supreme Court judgment. As a result they felt left out, and their concerns unaddressed.

The respondents identified the need of honest and committed leadership. They also felt that after years of marginalization, the leaders themselves need grooming to be able to effectively communicate the community’s needs. Advocacy and lobbying are crucial activities and should be taken up with the ground well prepared, some respondents believed.

Voices of dissent: Why it may not work for some

For some respondents, the collective voice of community bringing about change in society was a far-fetched dream. They believed that neither is it possible, nor is the community capable of achieving equality. Inter-community conflict was quoted as a major reason for this pessimism. The subtype groups in the hijra subculture don't get along well in some areas of Pakistan. This was particularly observed in Multan, where there was palpable tension during the discussions and during the interviews

This also shows that inter-community conflict in an area results in further subversion of transgender rights in the area. In utter contrast with the pessimism, this observation further solidifies the argument that a united community is in the best interests of all community members.

Cooperation in the community

This collective voice of the community is considered very important by most of the respondents. They believed that working towards a common goal "together" yields much better results. Examples of small local scale achievements using this community pressure were quoted; like getting bail granted for an arrested community member, getting a criminal



penalized etc.

This cooperation is also visible in the attitudes of transwomen accessing police stations. They prefer to go along with their friends and community members. Where this attitude also

reflects a sense of insecurity while accessing police stations, it also shows that to counter that insecurity a transwoman uses community support. Therefore community support and "togetherness" becomes an agent of strength and security.

Media: an important tool for raising awareness

Media has been identified as a very important tool in the struggle for achieving equality and rights for transgender community. It has been quoted as an agent of perpetuating existing stereotypes, of using the transgender body as a tool for garnering increased viewership by projecting it as controversial and scintillating, and of broadcasting a negative image of the community in general. However it has also been appreciated as breaking new grounds, by inviting members of the community to talk about their lives and needs. Early morning talk shows, hosted by female celebrities, now make an integral part of contemporary Pakistani television. These shows have been quoted as being very helpful in mainstreaming transgender women and their movement for equal rights.

Media can play an even better role though, by ending the negative stereotyping and raising awareness about different gender identities. Families and children should be sensitized at a very young age so that they learn to accept different gender identities as normal. This would also help foster better inter-personal relationships in the society, and improve the social inclusion of transgender women. It also helps in demystifying and normalization of the "transgender issue", as it becomes a topic that is discussed within the family sphere.

4.12 Organizations and Networks: Have they Worked so far?

Civil society organizations, negative perceptions, and "the NGO culture"

There are quite a few organizations and CSO that address transgender community in some way. A composite problem analysis, however, is absent and issues are addressed as projects.

This result in no singular issue being addressed completely and whatever work is done dies with the end of the project with no long-term sustainability.

This has also resulted in a lack of faith from the community in NGOs. This problem is particularly present in cities, or areas, where a CSO comes forth to assist the community but is unable to do so. This aggravates the situation and the community, failing to receive any benefits, turns hostile towards the particular CSO and also towards CSOs in general.

This issue was predominantly observed in Multan, where during the FGDs and IDIs, many respondents spoke ill of the CSOs working in the city for the rights of sexual and gender minorities.

Few community respondents also had the perception that non-profit organizations are benefitting the employees and directors alone. This lack of trust is compounded by the attitude of CSO employees in that area, and the disdain that is shown to the community once they gain employment in “an NGO”.

Access to civil society organizations:

Despite the occasional ill feedback, the consensus is that transgender networks, alliances and organizations are benefitting the community. For some the benefit lies in the community getting mainstream jobs with these organizations. This in a way helps them reintegrate into the society, and regain some respect. Self-respect, however, is a major achievement for many transwomen who gain employment at these organizations. They feel good about their work, and the income that comes with it even if it's lesser than what would have been earned through other avenues.

A lot of work with transgender community has been done in the context of HIV. HIV based work opened doors to address the issues faced by sexual and gender minorities in Pakistan. Therefore, many respondents have heard of, or accessed, organizations and individuals working on safer sex practices. Where this

issue is very important and needs to continually addressed, owing to the epidemic status of HIV in transwomen in areas like Larkana and Karachi, there is a perceived need to work on the human rights situation too.

For some activists, the work has been overwhelmingly successful. One such respondent is Sanam Faqeer of Sukkur, who heads the Sanam Faqeer Foundation. Along with working for transgender empowerment, her organization has also helped mainstream transgender people as activists for other causes.

Informal networks

In the dearth of formal organizations, there are many informal networks that work for the betterment and aid of the community. They have been present as support systems of empathetic gurus, or other transgender persons, who assist the community in times of need. Such informal networks have played a crucial role in aiding the community. Where such networks make close to zero impact on the policy level, their power in aiding the community and building intra-community linkages and partnerships is immense.

Transgender community often organize themselves for protests, in cases of emergency. Sometimes protests are also organized to ask for access to fundamental human rights. These protests also show that the community is aware of violations against its rights, even if on a small scale. Members of these socially and politically aware informal networks also realize the importance of formal networking.

What else can be done?

Many respondents believe that the key to a better future for transgender community is establishing more civil society organizations. A larger number of CSOs in their opinion would ensure adequate access to the community, which is usually unable to travel to major cities just for the sake of visiting these CSOs. A larger number of CSOs would also mean more transgender individuals gaining employment in the development sector, as a result of which the

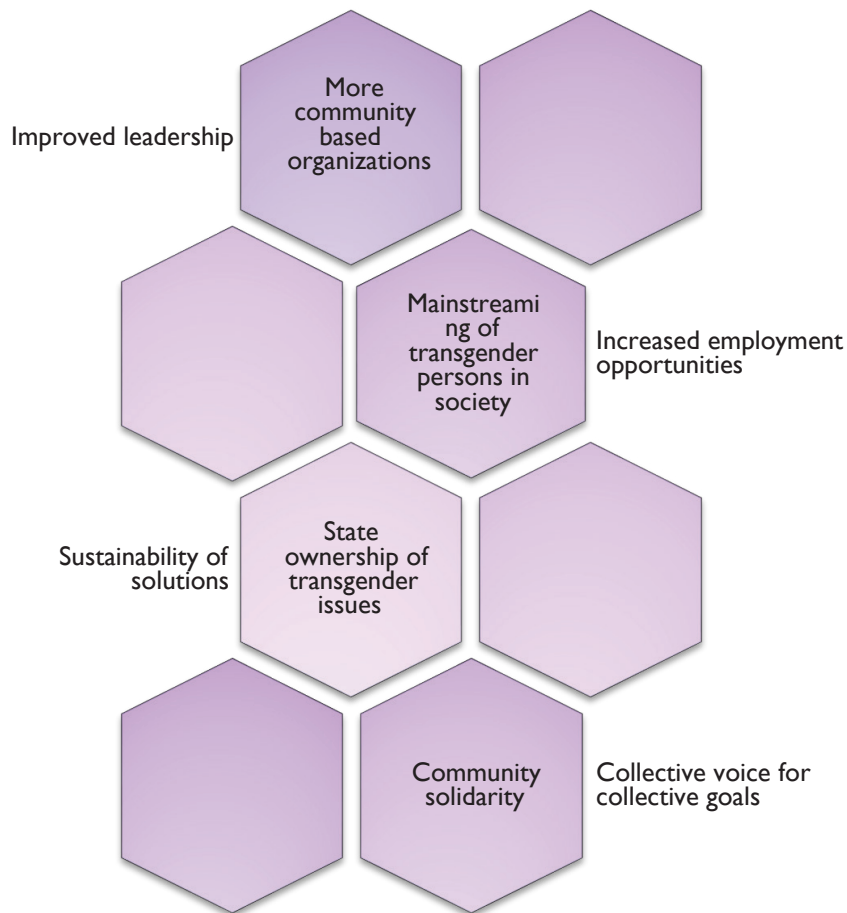
collective capacity of the community to advocate for its rights shall be built.

Some respondents believe that transgender community need to move beyond the intra-community conflicts and foster better relationships among each other, based on solidarity and cooperation. Having a united voice would enable the community to better advocate for its rights.

Many respondents believe that CSOs working on transgender rights should be community based, as community works best for community. The community understands its needs better than others and can work better for its rights. It also helps in improving the employment rate of the community, and provides the community exposure. Respondents also said that these community based organizations should pledge to work with honesty and eliminate corruption and nepotism.

A few respondents believe that transgender women shouldn't limit themselves to working with other transgender people only. They should gain employment in other avenues alongside cisgender individuals. This will help in mainstreaming transgender people in the society, and also break the stereotype as a result of which many other transgender people can also break the mold.

Many respondents believe that all these efforts should be replicated by the State and the provincial government for long-lasting effects and sustainability. They believe that where NGOs can provide a good kick-start to realize the rights of transgender people, it is eventually the State's responsibility to help the community and protect its rights. The State should be responsible for protecting and providing for the community like all other citizens; equally and without discrimination.



Chapter - 5

Policy and Advocacy Recommendations

5. Policy and Advocacy Recommendations

Apart from the ruling of Supreme Court of Pakistan in 2009 on recognition of transgenders as a third gender in Pakistan, there is no legal and social protection for the transgender community in Pakistan that support them to exercise their basic human rights as a citizen. This research has identified crucial areas which need urgent and immediate attention of state and civil society organizations to recognize and ensure basic human rights of transgender communities in Pakistan. As identified in previous researches, this study too, identifies marginalization, criminalization on moral grounds (same sex behavior, sex work, begging, dancing etc.), stigma and discrimination and socio-political and economic exclusion as bases for problems being faced by these communities. So the recommendations given below promote and advocate inclusive and participatory approach where transgender community is meaningfully involved and empowered to participate in development of laws, policies and programs being devised to improve 'their' lives.

5.1 Policy Recommendations

Development of laws/policies to ensure social inclusion of transgenders

Although, no law or policy (and it is clearly written in constitution of Pakistan too) exclude or discriminate transgender community on the bases of sex or gender but it also do not reflect concrete actions to reduce or discourage their marginalization and exclusion from mainstream of society. The findings of this study strongly suggest development of new law or policy to ensure inclusion of transgender community as in any case either religious, linguistic or gender/sexual minorities' states have to take some more focused actions to ensure these minorities can

also have equal opportunities to exercise their fundamental rights.

Meaningful recognition with rights

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Reviewing the laws and policies of sexual and physical assault

To, make them more inclusive for transgender people. Currently, rape is defined as an act of violence from men on women only, because of which the only remaining law able to address sexual assault on transgenders is Section 371 and Section 377. In the same context, there is a need to review laws and policies on physical assault and torture to make them more inclusive of common assaults on transgender community.

The implementation of the PPC Section 337 addressing the act of damaging and uprooting hair termed as "Arsh for hair" needs to be advocated and ensured for transgender communities to stop this brutal violence of head shaving against them.

Reduce ambiguity around definitions of third gender for NADRA

The policies and procedure pertinent to issuance

of CNICs of transgender individuals by the NADRA authorities need to be revised to make them more explicit. This study has clearly highlighted the dissatisfaction of transgenders on this issue.

There is a difference between decriminalization and legalization

Most of the respondents in this study have mentioned dancing, begging and sex-work as their means of earning because they are not accepted and respected in other occupations. In other words the stigma and discrimination against transgender community causes social exclusion that leads to economic deprivations and exposes these communities to abuse and other risks and vulnerabilities. Sex-work is illegal and begging and dancing in public is also criminalized on moral grounds. Decriminalizing these behaviors can lead to significant reduction in abuse and exploitation and will further promote social inclusion of these communities.

5.2 Advocacy Recommendations

Respect and recognition

This study highlights the need for recognizing transgender people as normal as any other member of cis-gender and attending long neglected issues pertinent to their 'lives' as transgender persons. This leads to need for development of policies, parameters and criteria (to be used by government and private service providers) to facilitate transgenders' decision making regarding options for recognition of gender identity. It is important to keep in mind that these decisions/actions have serious and sensitive implications on their status as a citizen, family member and are directly related to requirements of medical/surgical interventions where needed. This could include recognition of gender identity of transgender people as women or men or as third gender.

Include the forgotten part

As highlighted in findings of the literature review and mentioned by most of the respondents in

this study, historically, many of the world cultures including sub-continent recognized and attributed respect to the trans-people. Considering this, current social and developmental endeavors to highlight and resolve women issues need to be inclusive enough to raise issues and problems of transgender community as well. National commission on status of women and Govt. and civil society driven movements of women empowerment could be examples for these interventions. To encourage the activism within these communities, special incentives should be introduced for endeavors and work done by educated and/or role models from transgender community.

A complete package

Social exclusion diminishes the ability of transgender community to participate in socio-economic affairs of mainstream society and possibility to avail socio-economic opportunities available for general population. Endeavors for social empowerment need to be backed up by economic empowerment. It could further include ensuring equal opportunity for getting appropriate education and vocational training, workplace security and safety and micro-financing.

Political visibility

Due to poor socio-economic status, stigma & discrimination, lack of acceptability in political arena the examples of active political participation of transgender community is rare. Focused advocacy interventions are essential to change attitudes of political parties and to motivate the transgender community to increase their political visibility. Generating gender specific data including transgender voters in every constituency is essential in this regard.

Legal support

Ensuring basic right of getting legal support to access justice by the transgender individuals is another area that needs special and urgent attention of state and civil society organizations. Programs addressing sensitization needs of

judiciary and lawyers on transgender community should be developed.

Acceptance of Transgender sub-culture and diversity

Transgender communities have their own specific sub cultures and life styles. Advocacy and social mobilization needs to be done to create enabling environment for this diversity and deviation from the norms of society. Deras empowerment through census of transgender community led by the community and for the community could be an example of such interventions.

Role of media

There is an understandably huge dissatisfaction of transgender community around role of media in depicting lives and figures of these communities in a way that strengthen the already existing stereotypes and negative perceptions. Serious efforts are needed to involve media in advocacy and promotion of rights of these communities.

Access to social and healthcare services

Institutional and structural improvements to improve trans-peoples' access to health care (physical/mental) are dire need of these communities and responsibility of the state. Lessons learnt in implementation of the HIV&AIDS prevention programs need to be replicated in Govt. and other settings. Further steps may include:

- Improving access to and use of general health services for transgender people;
- Improving access to and use of gender transition-related health services for transgender people; and
- Enabling better understanding and enhancing competency among health care providers in dealing with transgender-specific health issues.

Reducing stigma and discrimination

Formulating anti-discriminatory laws

for transgender community is strongly recommended as the genesis of the problems of transgender persons in Pakistan lie in the stigma and discrimination they face in the society, resulting in their exclusion from socio-economic- political spectrum. They are one among the marginalized sections of the society. The solution of their problems will, therefore, require concerted efforts to mainstream them and adoption of an inclusive approach in all spheres of life.

Role of law enforcement agencies

Abuse and exploitation by the law enforcement agencies is widely reported by the respondents that calls for due attention to be given to the sensitization of these agencies on issues around gender diversity. Another important aspect is to ensure non-invasive and non-humiliating interrogation by police officers while addressing complaints by transgender individuals, including ensuring the right to remain silent.

Chapter -6

Case Studies

6. Case Studies

Case Study # 1: A mother, father, beautician and a Transgender Activist –

Kashish manages it all

Kashish aka Nadeem Bhai belongs to a stereotype patriarchal family of Multan. Her family started scolding her on her behavior and feminine ways of expression, while she was growing up. Similar reaction was faced by her in school by class fellows, neighbors, relatives and even by some teachers. With the support of her mother and her internal strength to cope with society,



Kashish hosts an Iftaar party for community and friends.

she was able to complete her FA, PTC and was following the rout of a public school teacher But society behavior and the inside fight and stigma pushed her so much that she left the home at the age of 17. When she started meeting other people of similar type, she started to realize she is a misfit in general society.

This made her entry to guru-chaila system but soon she realized even this is a gimmick of slavery and manipulation. She was shocked when she was sold by one of her gurus to another big guru in 88 thousand PKR. In all these times she established her contact with family who are pushing her to get married. She listened to them and went blessed with a baby boy but sadly her wife died at the birth of child.

She made her way out to mainstream and now work as a senior make-up artist in Express media group. She is all passionate to work for rights of TGs and is formalizing a CBO in this regards. She wants to challenge the government and legislation to make better and more human laws for the community.

Case Study # 2: Gul's Journey towards Graduation

Gul is born and grown in Sheikhpura in a large family and faced similar issues from society and relatives as other TGs that includes emotional valance and harassment. But she was determined to fight all. Looking at her zeal for education, her parents supported her to study and she made it to FA. Her parents died and the support was missing. Though she wanted to do some business of tailoring of her own but her brother and his wife didn't support her. They kept her busy in house-hold chores, treat her as a servant. She started to teach their kids and others from neighborhood but she was not sure about her future and wanted to study more.



Gul prepares her university assignment after work.

Deep inside her soul she was not comfortable with hiding her female side, which was more of a shame for her family than pride. In stress and agony, she went to same guru-chaila system and luckily very soon she came across a TG activist, Kashish. Kashish took Gul in her guidance/mentorship. Looking her zeal to study, she also got her admitted in Allama Iqbal Open University (AIU). Gul, aged 27, is having her BA exams now and is excited about her future life plans. She also got the job an assistant make-up artist in a TV channel and has started earning 8,000/- PKR per month with dignity. She wants to do much more with her life and pursue her career in beauty and fashion industry. She now dresses up the way she likes, meets other TGs/ Murats of Rawalpindi/ Islamabad and smiles at heart, when they call her Gul Baji.

Case Study # 3: Veena's Journey to working for NCA

Born in a village of Pakpatan district, Veena, is another example of bright TGs who want to join the mainstream rather than doing deengna, sex-work or dancing. Her parents always wanted her

to be a doctor but when she was growing up, her mother observed her stark and variant behavior different from her brothers. Noticing her feminine side, her mother started accompanying her to school and arranged a private rickshaw for her, rather than school bus. One day she came back home abused and her mother stopped sending her to school. A new private co-ed school opened in their village opened later on that become a beam of light for her mother. She summed up her courage again and started Veena sending to school.



Veena attends a meeting with the campus director

and other staff members.

In a family where she was discouraged by siblings and cousins, her grandfather accompanied her to Rawalpindi, where she helped him manage his clinic for 4-5 years after her matriculation. Death of her grandfather left her again in lurch and this is when she entered into proper Hijra – guru-chaila system. Her innate desire to do something different and enter into main-stream actualized, when she met Bubli – her guru with a difference. On Veena's desire Bubli, a TG activist started taking her to different meetings. Deep inside, she knew that she is now on the right path. One of such meetings landed her to her new job of

Executive Secretary at NCA.

Excited about her job and earning a respectable salary, Veena is very regular at work and is learning computer now days. She now takes notes, dictations and type letters. She is ambitious to progress in her career. “Main ab yahaan sai aagaay hee jaoo gee, peechay jaanay kaa tu koe saawal hee naheee. Mian duinyaa koo bataanaa chahtee hoon kay hum bhee kuch hain,” she concludes her story.

Veena loves to dance yet she doesn't want to employ as a profession for seeking sex.

Veena's story is also covered recently by BBC at http://www.bbc.com/urdu/pakistan/2015/06/150625_nca_veena_eunuch_sh

Case Study # 4 - Magnifying the Wajood of Transgender persons –

Bubli Malik



Bubli represents Pakistan in an international TG conference

Bubli Malik is a prominent TG activist in twin cities. “Like many others TGs in Pakistan, TGs in the twin cities face similar problems like restrictions on celebration of their birthdays, no

proper medical facilities and no effective local NGO for their rights. Above all the exclusion from family and loved ones and social stigma hits them emotionally the most,” says Bubli.

Born and grown in a middle class family with social stigma against TGs, she was subjected to verbal abuse from neighbors and family. Bubli Malik grew up facing the same stereotype behavior against TGs. But she wanted to make a difference; she went to college till third year and told her family clearly that she is what she is.

When pushed for marriage, she firmly refused, saying I don't feel attracted to women and don't want to spoil any one's life. Being strong headed and confident, she got great convincing and persuasion power. She refused to take up any abuse and harassment. “I always used to argue with them, explain them with scientific reason, logical justifications and tell them what is happening in the word. Slowly and gradually they started to understand me and this difference made me the Bubli Malik, who I am proud of today.”

Aged 42, Bubli is now well known in the TG community and NGOs working for TG rights not only in twin cities but across Pakistan. She has already registered a CBO with the name of Wajood, and she is all set to help the community to fight for their rights. She wants to improve their skills and want to be a part of mainstream society rather than doing begging, sex-work or dance. She is ambitious to achieve these goals and magnify the “Wajood” of her community.

In an effort to mainstream transgender, she now runs a café, first ever café opened in NCA Rawalpindi. Her café received huge coverage from national as well as international media.

Case Study # 5: Saima aims an ambitious political career

Born and grown, in Haripur, Saima faced the similar challenges like every other TG. Being from a strictly religious family, her issues are even worst. While growing up in age she was a growing shame for family, many times hated

herself (self-stigma). There was emotional violence from family members, relatives, neighbors and community at school. Located in KPK, Haripur is a backward area with strong patriarchal system following stereotype shame-based society. Her family kept hiding herself from society and community; as a result Saima couldn't continue her education beyond primary.



Saima is campaigning for higher posts in local elections of Haripur.

After being spend some life in dark and closed room of home, hiding from society, Saima gathered to courage to meet other like-minded people and TGs. She became a part of guru-chaila system for some time but then she realized this is not just and she is not just fit for dancing,

begging and sex work. Instead of progressing into guru-chaila system, which she found very uncomfortable, she met an NGO working for AIDs and showed her interest to work with them. She now works as a counselor and promotes health education in community about safer sexual practices.

Recently Saima contested the local body elections in her area and was selected as councilor without any opposition. Nothing stopped her here and she contested for vice chairman election which she one. She is all set to now nomination for chairman, and we wish her all the best.

Case Study # 6: Baila aka Faqeer Sayin is a sign of hope for helpless transgender persons in Larkana

I grew up in a poor family of four siblings in Larkana. I realized in very young age (7-8) years that I am a morat but I wanted to be in a closet and decided not to join any Deera. While I was young my father passed away and all the brothers and sisters were busy in their own married lives, I took care of my mother. She soon realized that I am a transgender and requested a neighbor to find some job for me. I am not working as a cleaner in one of house in surroundings. I prefer not to drag, beg, do sex-work or dance but live with dignity. The household where I work belongs to a rich an influential family and they take good care of me.

To help the community, I now visit Deras on and off and they call me Faqeer Sayien, which is very respectable word for transgender. If any of our transgender face any issue from police or other locals, I am the one who try to rescue from this situation. I remember few of our friends which were arrested in their way back from function by police and I reached on spot late night to help them.

My community knows me very well, as they all know my employers are politically influential and there is always back up and support for them. I have always demonstrated good values to my

employers and they respect me as a TG. With my connections I am very helpful for TG community in Larkana.

I also tried to investigate the murder cases of TGs, killed by unknown people, while they were coming back from a function. We dig out names of the people who killed our friends, those people. The culprits were arrested but police wanted to release them against bribe. We all TGs held a protest demonstration in front of police station for protest. In addition, my owners also supported me. The issue was then resolved and those killers are now in jail. I urge that social security is very important and we cannot assure it all the times for my friends but I will continue to help them as much as I can.

Case Study # 7: From being a sex worker to an activist – Nirmal believes in positive attitude

Belonging to a conservative family and poor family of a distance village in remote Lahore, I had no chance to come out and tell them about my sexuality. Most of our relatives including my father, works for other peoples' lands. I decided to travel here in Lahore for work as it is the nearest city from our village. Initially it was very tough and the only source of income for me was sex work but I had freedom to put on makeup and wear women clothes all the time and I liked it.

Slowly, things started getting better and our quality of life was improved, it was a start of journey towards betterment. I heard from community that there is an NGO in Lahore, who is hiring transgender for its CBOs. Excited to work in an office and do something for community, I also applied and after some basic training, I was offered a position of office helper. Later looking at my interest and hard work, I was promoted as an outreach worker. Since 2012, I have been working here and often I cover my field supervisor in her absence and my family is also living in a green town area in Lahore.



Nirmal an emerging activist

My family now respects me more as they know I am doing a job. I have financially supported two of weddings in my home. I don't have to beg, dance or do sex-work anymore. I even cover for my field supervisor when she is on leave from work.

Today everybody knows that I am a transgender and my family has accepted me for what I am. They also know that I have TG friends and we often hang out with them. Except my father, they also know that in a relationship with men. I believe if you make an effort and struggle then you can make things right and choose something which can work. Even with this identity one can still achieve a lot. With our right behavior

and attitude, we can ensure that people have wrong perceptions about this community. We can actively participate in a mainstream and society.

Case Study # 8: Against all odds, Shehzadi wins her case of property against her brother

After my parents died, my brother asked my leave home. Although I was entitled to this property but he always insulted me saying I have no right as I am a Khusra (transgender) and I am involved in unethical activities. He blamed me that I call people at home for sex and indulged in extremely disrespectful activities. They call me an insult to the family. He believed that I am making a deliberate attempt to damage the reputation of my family in the society and I have no rights what so ever.

Knowing that police is not very supportive to transgender, I still went to the police station first in frustration. Apparently no help was available but I kept going there along with friends hoping that someone may get my rights but of no use. Later on, one of my friends told me to consult with a lawyer and file a case, and I did that. Every time, I went to the court I faced extremely derogatory and insulting remarks from my brother and even a few of his friends, just because I am a transgender but I didn't give up.

Finally, the decision was in my favor and court did not discuss anything related to my identity. Although, my ID card represents me as a male but everybody knew that I'm a TG. I must appreciate here the efforts of my friends who always go with me in front of judge/court, and help me deal with such stressful situation. I have learned that hat we must demand our right in a society without going into any kind of pressure or fear that we may lose.

Many TGs says that id card has no benefit, no doubt it is not that much helpful as it was supposed to be, but this recognition has helped me file a case in the court, as id card was the basic requirement. In my case I was a winner and it helped me.

-Shehzadi, Multan

Case Study # 9: Saima is a star performer at work and likes to sensitize religious scholars



I was part of infectious control society and now a day I am working in a community center of social & welfare department which is run by Gender Interactive Alliance and Bindya Rana is a head of this organization, I always took stand against stigma & discrimination and my blunt attitude is very famous in Karachi. While growing up, life was miserable for me. My biggest disappointment was my family whose rejection and neglect, due to my TG identity, was breaking me from inside out. Wherever approached them to seek as a help, it was a failure. Since I was educated and was not fitting in dera culture my friend referred me to join infectious control society.

Initially other staff used to pass very transphobic comments like what the hell is a TG doing here? How come she can be any kind of help to an organization? They are surprised and suspicious if I am actually capable to do any office related work or not. But I made them realize that not only a TG can work, TG can be more beneficial for on organization. TGs are more creative and energetic. In a very short span of time, I had a full control on petty cash transactions,

payroll, budgeting, drafting and finance of the organization.

Initially, I was part of infectious control society and now a day I am working in a community center of social & welfare department which is run by Gender Interactive Alliance (GIA) headed by Bindya Rana. I always took stand against stigma & discrimination and my blunt attitude is very famous in Karachi.

I am very good in multitasking and I proved this over the period of time in several organizations. My employer was very happy and there were many people who were jealous from me at work place, but with my persistent attitude towards work, I proved them that their perception is very wrong towards TGs.

Today everybody knows me very well in NGO sector, even several meetings about TG in my region are incomplete without me- I often conduct sessions on HIV/AIDS and gender identity to sensitize people. Some of my targeted groups/audiences are religious scholars as they can provide great support in this conservative and rigid society.

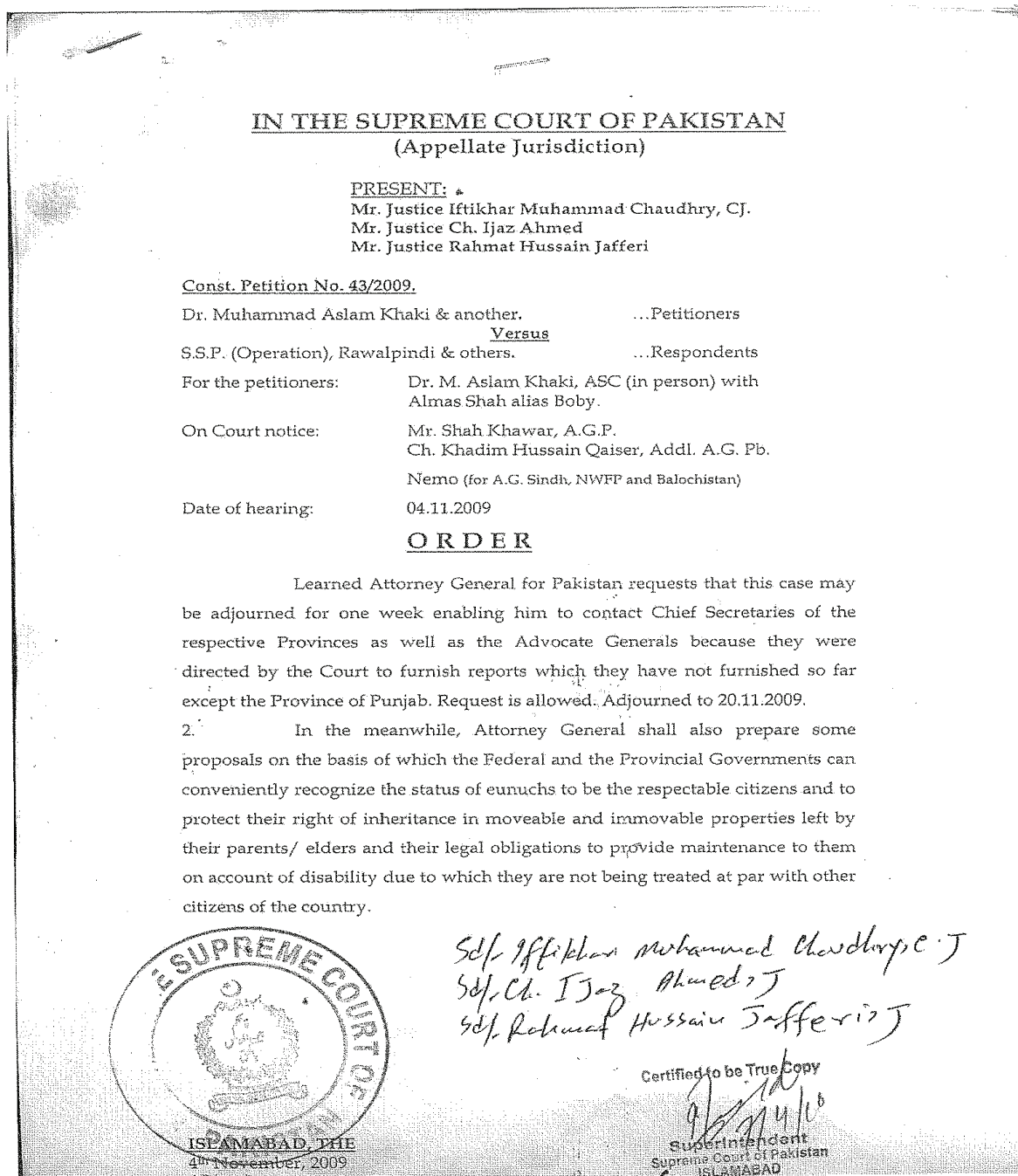
I am always up for help if there is any need for my community, today when I look back into my life then there are a lot of achievements rather than the failures as there was always courage to overcome these issues. All of my past is just fading away with time with my new future.

– Saima Jee, Karachi

Annexures

ANNEX I:

Copy of the 2009 Supreme Court ruling



whereof it has been decided to prepare a working paper for approval of the Government as well as for this Court, to protect the rights and welfare of unis.

2. It is to be noted that this class of the society has been neglected merely on account of gender disorder in their bodies, otherwise they are entitled to enjoy all the rights granted to them by the Constitution being its subject, including their rights in inherited property because normally to deprive them from their such legitimate rights, some time their families disowned them. As far as existing laws are concerned, there are no provisions on the basis of which they can be deprived from their legitimate rights to inherit the properties. Similarly NADRA is required to adopt a strategy with the assistance of the concern departments of the Govt. to record exact status in the column meant for male or female after undertaking some medical tests based on hormones etc. They are also entitled for entering their names in the electoral list. As far as the question of casting the vote is concerned, it could be decided separately, because they can, if need be, exercise the right of franchise etc.

3. As number of unis have been registered in all the Provinces as well as in the Federal Territory, therefore, Federal and Provincial Governments can also ensure for extending them opportunity of receiving education in childhood or in higher institutions/schools subsequently. On account of gender disorder in their bodies they can be accommodated against the

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Superintendent
Supreme Court of Pakistan
ISLAMABAD

HRC 2858 etc.

3

jobs which they can perform quite conveniently. As the Government has already ensured the jobs to the disable persons, therefore, similar policy can also be adopted for them.

4. It has been published in the press that they are being harassed by the police and other agencies taking the benefit of their weaknesses. For this purpose we have already passed order dated 17.8.2009. The Government is required to ensure the implementation of above said order.

5. It is informed that in the name of unix some male and female who are otherwise have no gender disorder in their bodies have adopted this status and commit crimes on account of which a bad name is brought to unix. This aspect is to be checked by the police of the area where such like people are operating.

6. These matters, inter alia, can be considered by the Government quite conveniently with a view to provide them protection and respect so they may also spend their life in a respectable manner.

7. Learned Attorney General states that besides making the policy in this behalf, if need be, the Government will legislate a law in their favour and a Commission can also be constituted. We expect some positive outcome on the next date of hearing.

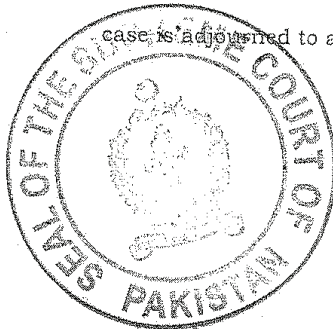
8. Copy of this order be sent to the Chief Secretaries/ Commissioners etc of respective Provinces who, with the consultation of the Secretary, Social Welfare Department and

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Sub-intendent

DCO will make efforts to implement the same. All the concerned Ministries are expected to cooperate with the learned Attorney General and Advocate Generals for implementation of the same and to prepare a policy in this behalf.

At the request of learned Attorney General for Pakistan case is adjourned to a date in office after one month.



Sd/- Afkhar Muhammad Chaudhry, C.J.
Sd/- Ch. Ijaz Ahmed, J
Sd/- Khilji Arif Hussain, J

Certified to be True Copy
Superintendent
Supreme Court of Pakistan
ISLAMABAD

Islamabad the,
20th. November, 2009.

| | | |
|-----------------------------|---------|----------------|
| Case No: | 2784/10 | Civil/Criminal |
| Date of Presentation: | 6-6-10 | |
| No. Of Words: | 1200 | |
| No. Of Folios: | 12 | |
| Requisition Fee Rs: | 5.00 | |
| Copy Fee Int: | 7.44 | |
| Court Fee stamp: | 12.44 | |
| Date of Completion of Copy: | 7/11/10 | |
| Date of delivery of Copy: | 21-5-10 | |
| Checked by/Prepared by: | 3 | |
| Reviewed by: | 1 | |

12/12/09

IN THE SUPREME COURT OF PAKISTAN
(Original Jurisdiction)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.
Mr. Justice Anwar Zaheer Jamali
Mr. Justice Khilji Arif Hussain

Constitution Petition No.43 of 2009

Dr. Muhammad Aslam Khaki & another ... Petitioners

Versus

S.S.P.(Operations) Rawalpindi & others ... Respondents

Petitioners: Dr. Muhammad Aslam Khaki, ASC
With Almas Shah, @ Boby

On Court Notice: Mr. Shah Khawar, Act. Attorney General
With Mr. Javed Iqbal, SP (Legal), Islamabad

For Govt. of Punjab: Mr. Khadim Hussain Qaiser, Addl. A.G. Pb.
With Mr. Akhtar Ali, SHO, Taxila
Mr. Muhammad Nazir, SI

For Govt. of Sindh: Raja Abdul Ghafoor, ASC
With Dr. Iqbal Saeed Khan, Dir. Social Welfare Dept.
Dr. Saeed Ahmed Qureshi, focal person to Secy. Health,

For Govt. of NWFP: Mr. Ishtiaq Ibrahim, Addl. A.G.
With Waris Khan, S.O (Health)

For Govt. of Baluchistan: Mr. Mehmood Raza, Addl. A.G. Baluchistan
With Mr. Saeed Ahmed Kasi, S.O. Social Welfare Dept.

Date of hearing: 23.12.2009

ORDER

On the last date of hearing it was observed that unix/eunuchs are entitled of shares from inherited property in pursuance whereof their registration has been completed, therefore, the Secretaries Social Welfare Departments are directed that on the basis of such registration they should approach the respective DCOs and communicate the order of this Court to them that after tracing their family roots, it may be ensured that they get their shares of inheritance, if any, and if no inheritance, yet has opened, they should be considered at the time of opening of the same as there is no law of the land, which deprives them from their respective

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Superintendent
[Location]

Const.P.43/09

rights. The unix are also directed to cooperate with the authorities in this behalf. However, their family members who have deprived them from their due shares, are also advised not to deny their rights otherwise the law will take its own course. Reports in this behalf shall also be completed and be sent province-wise on the next date of hearing. In the meanwhile this order shall be treated as judgment in their favour for the purpose of getting right of inheritance etc. from moveable and immovable properties left by their predecessors.

2. Mr. Khalid Zaman, Section Officer, Ministry of Interior stated that copy of the order dated 20.11.2009 has been received in their office on 16th December, 2009 therefore, so far, Interior Ministry has not consulted with the NADRA for the purpose of recording exact status of unix in the column, meant for male or female after undertaking some medical tests based on hormones, therefore, on the next date of hearing progress in this behalf shall also be made.

3. Learned Attorney General stated that so far no progress has been made regarding entering the names of the unix in the electoral list. However, Mr. Aslam Khaki, learned ASC stated that names of so many unix have already been registered and some have also contested elections. The Election Authorities of the Provinces are directed to have a contact with the Secretaries Social Welfare Department and after getting the copy of the registration of the unix in the Provinces, they should enter their names in the voter lists on the basis of the I.D. Cards whatsoever they possess and if any change is recorded on the basis of NADRA's entries, the same shall also be carried out in the electoral lists. Copy of this order be also sent to the Chief Election Commissioner for making directions to the concerned authorities.

4. The Provincial and the Federal Governments have also not taken steps for ensuring the admission of the unix in the educational institutions. The Secretary, Social Welfare Department, Sindh, Mr. Iqbal Ahmed stated that steps are being taken for their admission and accommodation in the educational institutions. The remaining Provincial Governments through Secretaries Social Welfare Department are also directed to follow the same practice and ensure their admission in the educational institutions, because it is their basic and fundamental right to get education in the institution in terms of Article 22 read with Article 25 of the Constitution.

5. Learned Attorney General stated that previously there was a scheme by the name of Adult Education, however, he will inquire from the Federal and the

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Supreme Court of Pakistan
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Provincial Governments whether such scheme is still there or not. However, in absence of any scheme, the government may ensure admission in the educational institutions including technical and vocational institutions, of all those unisex who have not crossed the age of receiving the education so far.

6. It is informed by Mr. Iqbal Saeed, Director Social Welfare Department, Mr. Saeed Ahmed, Director Health, Government of Sindh that unisex were involved by these two departments during Polio Vaccination Scheme of this month. Efforts made in this behalf by the Government of Sindh are highly appreciable and we expect that other Provincial Governments shall also follow the same practice. Besides, they shall also accommodate them against other jobs as has already been noticed that steps be made to create some respectable jobs so they may earn their livelihood respectably. In this behalf all the Secretaries of the Social Welfare Department of the Provinces shall submit a comprehensive report.

7. The police authorities apparently had not taken any step to ensure that unisex are not being harassed and actions are being taken against those persons who in fact are not unisex but by using such status are committing the crimes and ultimately the actual unisex are being blamed for the same. In this behalf the IGP's shall instruct their subordinates to adopt a mechanism to ensure that they are not being harassed and their status being of unisex be not exercised by other persons etc.

8. Learned Attorney General stated that the Government has decided to prepare a scheme and if need be, legislation shall be made to protect the rights of the unisex, being citizens of this Country in terms of Article 25(3) of the Constitution on the same lines as are guaranteed to the other citizens of the Country. Adjourned to a date after one month for receiving the reports.

9. It has been pointed out that in the State of Bihar (India) a strategy has been evolved to provide respectable jobs to the unisex like recovery of taxes from the habitual defaulter etc. Extract of such information has been downloaded from the internet which is reproduced herein below:

"The Bihar government is trying out innovative ways to involve the eunuchs, also called kinnars or hijras, in socially useful work. It has successfully used the services of eunuchs to recover taxes from habitual defaulters in Patna. Now, the social welfare department plans to rehabilitate them - in a first such rehabilitation scheme for eunuchs. Bihar Social Welfare Minister Damodar Raut told LANS that the government would soon launch a plan for the rehabilitation of eunuchs. "It is in the pipeline. The rehabilitation scheme for rehabilitation scheme for eunuchs will be a reality in the state soon, he said. Eunuchs will be

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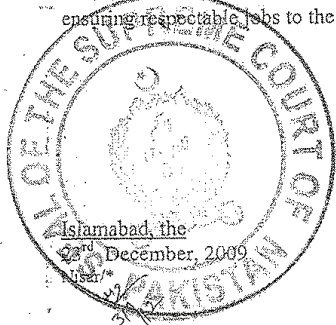
Superintendent
Supreme Court of Pakistan
(ISLAMABAD)

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provided literacy and vocational training to prepare them for respectable regular employment. It will give them the opportunity to enhance their socio-economic status," said Masood Hassan, director of the social welfare department."

10. The Government of Pakistan, Social Welfare Departments as well as the Provincial Governments may also take this information as well for the purpose of ensuring respectable jobs to the UNIX.



Sd/- Jafar Muhammad Chaudhry J
Sd/- Ameer Zaheer Jawali J
Sd/- Khalidji Arif Hussain J

Certified to be True Copy
Superintendent
Supreme Court of Pakistan
ISLAMABAD

Case No: 2784/10 Civil/Criminal
Date of presentation: 6-6-10
No. of wards: 12
No. of fees: 5.60
Registration Fee Rs: 7.44
Copy Fee in: 72.44
Date of Completion: 7/4/10
Copy: _____
Date of delivery of: 21-5-10
Copy: _____
Compared by/Prepared by: _____
Received by: _____

ANNEX 2:

Guidelines For Focused Group Discussions

Study on Transgender Community in Pakistan

Questions for FGD

Instructions:

Conducting an FGD is a skill and art at the same time. Strong communication skills, creative and spontaneous interaction with the participants and keeping the discussion on track are some of the basic requirements of a facilitator for FGDs. Questioning plays the most vital role in determining pathway of the FGDs.

Following are few questions for this particular study that cover key thematic areas identified in literature review, however, they are not 'the only' questions to be asked. Further probing and questioning is highly recommended as per need of the group.

Section 1: Being a transgender person

In the first section of interview we will explore your life experiences and thoughts about how different is this world for a transgender person for example labels given by society, status in family structures and society at large.

1. What are the phrases & terms people (neighbors, teachers, relatives, parents, friends and fellows at school) use to label a TG and how does it affect a TG?
2. How different is the world s/he perceives or imagines after discovering her/himself a TG?

Section 2: Pre and post Recognition of TG as third gender in Pakistan

Now we move to the second section of this interview and together we will explore about the effects of decision of Supreme Court of Pakistan to recognize TGs as a third gender.

1. What do you think how much it is helpful to be recognized as third gender?
2. Have recognition helped to restore the respected status in the society like any other cisgender person?

Section 3: Access to and response from justice awarding institutions

We will explore the implications of existing laws and policies and will identify the need for new legislation or improve the existing laws in this section.

1. What happens when a TG needs justice from relevant justice institutions? What challenges are faced there? What are the other sources of support i.e. who guides about what to do, where to go, how to access help?
2. What are your challenges and experiences about getting your CNICs?

Section 4: Prevailing economic opportunities and avenues for empowerment

In section 4 we will discuss how is it easy for a TG person to use his capacities to earn a livelihood and contribute to the social development as aspired and what status does TGs as a community enjoy in society at large.

1. What are the major occupation TG opt to go for and how do they make decisions to opt these?
2. How would you explain the financial and economic situation of TGs in Pakistan in general? How do they spend their money? Do they have complete control on their money?

Section 5: Emotional, physical and sexual harassment and violence

This is the last and fifth section of our discussion to explore the level and types of harassment and violence faced by TG community. Please discuss in detail about what are the major events causing harassment and violence and what are the major actors initiating harassment and violence.

1. What is most common or frequent sexual or physical abuse against TGs and by whom?
2. How does this violence and trauma affect lives of TGs?
3. How emotional trauma is tackled what help/s are available to TGs to get out of psychological stress?

ANNEX 3:

Questionnaire For In-Depth Interview

Study on Transgender Community in Pakistan

IDI Questionnaire

| | |
|-----------------|--------------|
| Date: | City: |
| Interview code: | Interviewer: |
| Starting Time: | Ending time: |

Instructions:

This interview is part of a research being conducted to explore life experiences of trans-genders in Pakistan so that more information on lives of TGs could be gathered and used for more effective programing and services. Your participation and sharing of information about your life will further enrich the information being collected.

This questionnaire has 05 sections that will guide us to keep our discussion on track but please don't hesitate to tell me if you do not understand or feel uncomfortable with any question that I ask. Every word that you speak is important for me so I am noting your responses and making an audio recording as well (as explained in consent form) it will help me in recalling all what you said and write a better report.

1. What is your Firka Name?

.....

2. What is your Khotki name?

.....

3. How old are you?

.....

4. What is your education?

.....

5. What is your occupation?

.....

(more than one answers are expected, please note as many places as described and with detail given)

6. What is your average monthly income?

.....

(more than one answers are expected, please note as much detail as possible)

7. Have you ever been married? (if yes) What is your current marital status?

.....

8. Which city do you belong to?

.....

(if other city is place of origin, please note the reasons for coming to the city where interview is being conducted)

9. Where do you live nowadays?

.....

(more than one answers are expected, please note as many places as described and with detail given)

Section I: Being a transgender person

In the first section of interview we will explore your life experiences and thoughts about how different is this world for a transgender person for example labels given by society, status in family structures and society at large,

10. What are the phrases & terms people (neighbors, teachers, relatives, parents, friends and fellows at school) use to label a TG?

.....

(it is important to focus respondents' emotional reactions to this questions too. Also more than one answers could be expected, please note as described and with details given)

11. How does a TG react to such labels and what changes in his/her perceptions and reality about the world s/he lives in?

.....

(overt as well as covert reactions should be explored)

12. How different is the world s/he perceives or imagines after discovering her/himself a TG?

.....

The interviewer needs to explore positive and negative aspects of experiences and feelings around this)

Section 2: Pre and post Recognition of TG as third gender in Pakistan

Now we move to the second section of this interview and together we will explore about the effects of decision of Supreme Court of Pakistan to recognize TGs as a third gender. We will also discuss situational & institutional variables of vulnerabilities and opportunities pre and post recognition of TG as third gender.

13. What do you think how much it is helpful to be recognized as third gender?

.....

(interviewer to explore and note pre and post recognition scenario)

14. Have recognition bridged the gap to go back to normal society as an active citizen (living back with the family, meeting old friends)

.....

(interviewer will need to probe examples of such experiences and note details as much as possible)

15. Have recognition helped to restore the respected status in the society like any other cisgender person?

.....

(interviewer will need to probe examples of such experiences and note details as much as possible)

16. What are the changes (positive & negative) in behavior of people towards TG

.....

(interviewer will need to probe examples of such experiences and note details as much as possible)

Section 3: Access to and response from justice awarding institutions

We will explore the implications of existing laws and policies and will identify the need for new legislation or improve the existing laws in this section. We will talk about how effectively and easily TGs can access justice awarding institutions as a citizen

17. How often a TG reports a crime in case s/he is assaulted (both physically & socially)

.....

(interviewer will need to probe examples of such experiences and note details as much as possible)

18. Who s/he goes with to police station?

.....

(interviewer will need to probe examples of such experiences of help and note details as much as possible about tactics being used and ability of the accompanying person to provide such help)

19. What challenges s/he faces at police station?

.....
(interviewer will need to probe examples of such experiences and note details as much as possible)

20. How supportive is current justice system in terms of getting legal aid and opportunity to exercise the right of free and fair trial?

.....
(interviewer will need to probe examples of such experiences and note details as much as possible)

Section 4: Prevailing economic opportunities and avenues for empowerment

In section 4 we will discuss how is it easy for a TG person to use his capacities to earn a livelihood and contribute to the social development as aspired and what status does TGs as a community enjoy in society at large.

21. What are the major occupation TG opt to go for?

.....
(interviewer to explore examples from personal experiences about how these occupations were helpful in coping with implications of identity crisis and what occupational hazards are perceived to be associated with these options)

22. What factors contribute in the selection of such occupations?

.....
(interviewer to explore examples from personal experiences about who and introduces these options and who exercises the powers to decide what to do?)

23. How often a TG get mainstream economic/employment opportunities?

.....
(interviewer to explore examples from personal or friends' or other TGs' experiences)

24. what are major reasons/refusal stated by mainstream employer for being not hiring a TG

.....
(interviewer to explore examples from personal experiences and note various reasons given)

25. How would you explain the financial and economic situation of TGs in Pakistan in general? How do they spend their money? Do they have complete control on their money?

.....
(this is a very sensitive question, please use appropriate words to explain what you intend to ask. A very careful probing is required.)

Section 5: Emotional, physical and sexual harassment and violence

This is the last and fifth section of our discussion to explore the level and types of harassment and violence faced by TG community. Please discuss in detail about what are the major events causing harassment and violence and what are the major actors initiating harassment and violence.

26. What is most common or frequent sexual or physical abuse a TG face?

.....

(more than one answers are expected, please note as much detail as possible)

27. Who is the source of violence in most of the incidents?

.....

(more than one answers are expected, please note as much detail as possible)

28. How emotional trauma is tackled who comes forward to help a TG to get out of psychological stress

.....

(friend, guru, family or anyone else)

29. How many times a TG have the access to consult a psychologist or professional help and who is the source of information for this consultation?

.....

(interviewer needs to explore personal experiences of respondent and if not experiences by self learnings from others' experiences can be probed)

30. What are the common reactions of TGs to these incidents of violence and assault?

.....

(probe about depression, anxiety, relationship problems, suicidal intentions and attempts, personality changes etc)

ANNEX 4:

Questionnaire For Key Informant Interview

Study on Transgender Community in Pakistan

KII Questionnaire

| | |
|-----------------|--------------|
| Date: | City: |
| Interview code: | Interviewer: |
| Starting Time: | Ending time: |

Instructions:

This interview is part of a research being conducted to explore life experiences of trans-genders in Pakistan so that more information on lives of TGs could be gathered and used for more effective programing and services. Your participation and sharing of information about your life will further enrich the information being collected.

This questionnaire has 05 sections that will guide us to keep our discussion on track but please don't hesitate to tell me if you do not understand or feel uncomfortable with any question that I ask. Every word that you speak is important for me so I am noting your responses and making an audio recording as well (as explained in consent form) it will help me in recalling all what you said and write a better report.

1. What is your name (optional)?

.....

2. What organization do you work for?

.....

3. Can you please explain how do you know about TGs and what is your experience of working/dealing with them?

.....

4. What is your education?

.....

5. What do you think about TGs situation in this city?

.....

(note perceptions/knowledge about TGs' living in the city and ideas about migration from other cities)

Section 1: Being a transgender person

In the first section of interview we will explore your experiences and thoughts about how different is this world for a transgender person for example labels given by society, status in family structures and society at large,

6. What are the phrases & terms people (neighbors, teachers, relatives, parents, friends and fellows at school) use to label a TG?

.....

(please note as described and with details given)

7. How does a TG react to such labels and what changes in his/her perceptions and reality about the world s/he lives in?

.....

8. How different is the world s/he perceives or imagines after discovering her/himself a TG?

.....

Section 2: Pre and post Recognition of TG as third gender in Pakistan

Now we move to the second section of this interview and together we will explore about the effects of decision of Supreme Court of Pakistan to recognize TGs as a third gender. We will also discuss situational & institutional variables of vulnerabilities and opportunities pre and post recognition of TG as third gender.

9. What do you think how much it is helpful to be recognized as third gender?

.....

(interviewer to explore and note pre and post recognition scenario)

10. Have recognition bridged the gap to go back to normal society as an active citizen (living back with the family, meeting old friends)

.....

(interviewer will need to probe examples of such perceptions and note details as much as possible)

11. Have recognition helped to restore the respected status in the society like any other cisgender person?

.....

(interviewer will need to probe examples of such perceptions and note details as much as possible)

12. What are the changes (positive & negative) in behavior of people towards TG

.....

(interviewer will need to probe examples of such perceptions and note details as much as possible)

Section 3: Access to and response from justice awarding institutions

In this section we will explore the implications of existing laws and policies and will identify the need for new legislation or improve the existing laws. We will talk about how effectively and easily TGs can access justice awarding institutions as a citizen

13. How often a TG reports a crime in case s/he is assaulted (both physically & socially)

.....

(interviewer will need to probe examples of such perceptions and note details as much as possible)

14. Who s/he goes with to police station?

.....

(interviewer will need to probe examples of such perception of help and note details as much as possible about tactics being used and ability of the accompanying person to provide such help)

15. What challenges s/he faces at police station?

.....

(interviewer will need to probe examples of such perceptions and note details as much as possible)

16. How supportive is current justice system in terms of getting legal aid and opportunity to exercise the right of free and fair trial?

.....

(interviewer will need to probe examples of such perception and note details as much as possible)

Section 4: Prevailing economic opportunities and avenues for empowerment

In section 4 we will discuss how is it easy for a TG person to use his capacities to earn a livelihood and contribute to the social development as aspired and what status does TGs as a community enjoy in society at large.

17. What are the major occupation TG opt to go for?

.....

(interviewer to explore experiences and thoughts behind these perceptions about how these occupations were helpful in coping with implications of identity crisis and what occupational hazards are perceived to be associated with these options)

18. What factors contribute in the selection of such occupations?

.....

(interviewer to explore examples from experiences about who introduces these options and who exercises the powers to decide what to do?)

19. How often a TG get mainstream economic/employment opportunities?

.....

20. what are major reasons/refusal stated by mainstream employer for being not hiring a TG

.....

21. How would you explain the financial and economic situation of TGs in Pakistan in general? How do they spend their money? Do they have complete control on their money?

.....

(this is a very sensitive question, please use appropriate words to explain what you intend to ask. A very careful probing is required.)

Section 5: Emotional, physical and sexual harassment and violence

This is the last and fifth section of our discussion to explore the level and types of harassment and violence faced by TG community. Please discuss in detail about what are the major events causing harassment and violence and what are the major actors initiating harassment and violence.

22. What is most common or frequent sexual or physical abuse a TG face?

.....

23. Who is the source of violence in most of the incidents?

.....

24. How emotional trauma is tackled who comes forward to help a TG to get out of psychological stress

.....

(friend, guru, family or anyone else)

25. How many times a TG have the access to consult a psychologist or professional help and who is the source of information for this consultation?

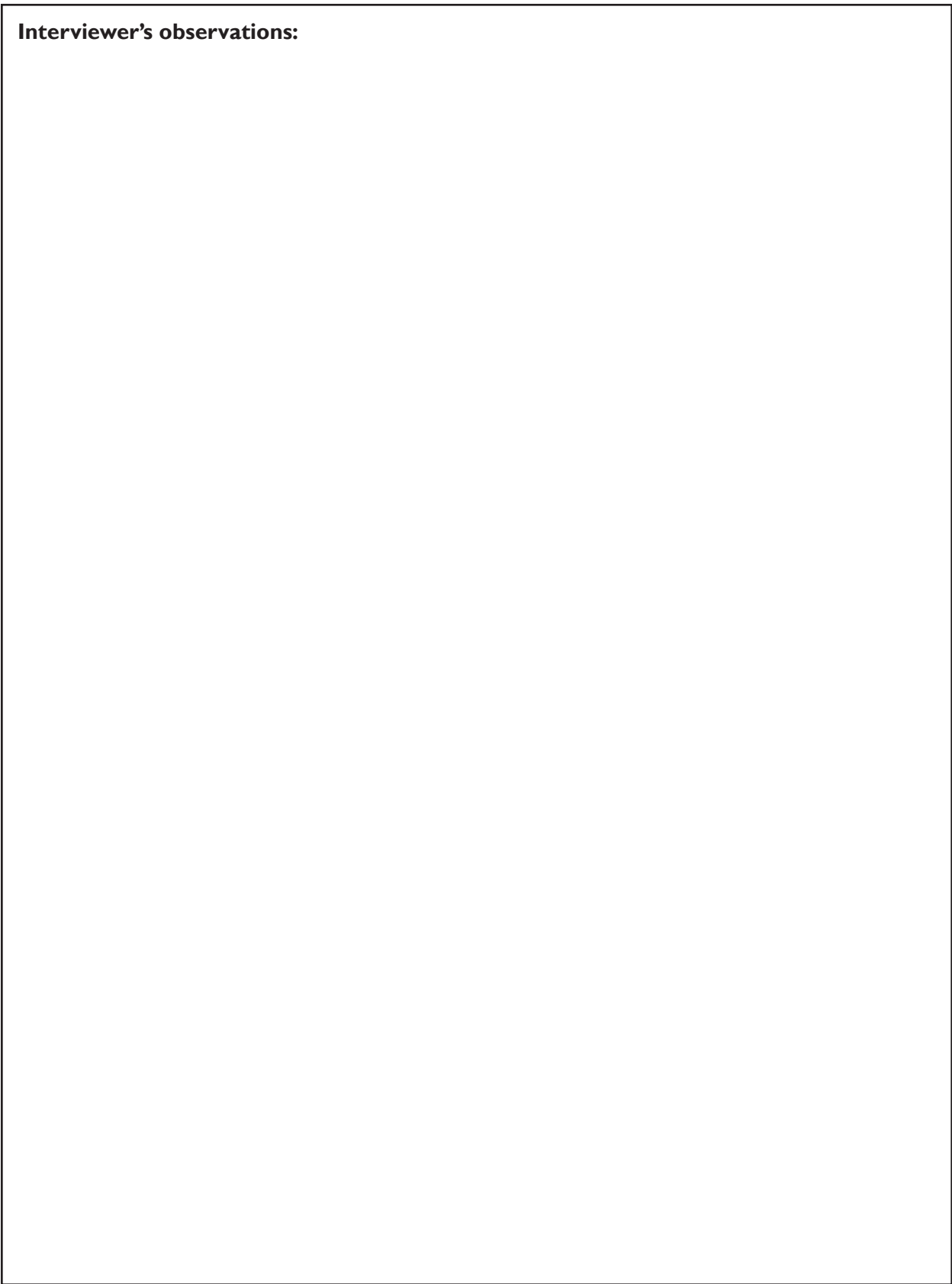
.....

26. What are the common reactions of TGs to these incidents of violence and assault?

.....

(probe about depression, anxiety, relationship problems, suicidal intentions and attempts, personality changes etc)

Interviewer's observations:





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