

DECLARATION

**Legal Recognition and Protection of Transgendered Persons' Rights
in Sri Lanka: A comparative legal study**

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ABSTRACT

Discrimination against any genetic defect or other condition goes beyond the norms of equality. Because of biological gender disparities in both men and women, society has long generated separate social conditions for these two parties. The term "transgender" refers to people whose gender identification and expression differ from the gender assigned to them at birth. Currently, transgender issues are receiving a lot of attention in the west, and several countries have passed laws that officially recognize the transgender community and its members' legal rights. The Indian Supreme Court has acknowledged the concept of third gender in the context of South Asia, however Sri Lanka's legal system is hesitant to amend the laws to better the transgender community's status. Therefore, the focus of this study is on determining how much Sri Lanka's legal institutions have contributed to developing social rights for transgender people. In comparison to Sri Lanka, India and the United States have longer histories with transgendered persons.

The research objectives are to examine the human rights of transgendered people in Sri Lanka, to establish legal protections for those rights and to provide recommendations based on comparisons between Sri Lanka and the United States and India in order to protect the rights of transgendered people in Sri Lanka. In this study, the qualitative approach and the comparative approach were applied. This study proposes and discusses methods to strengthen the legal standing of Sri Lanka's transgender population. The international legal framework for transgender rights is considered as benefiting gender identity and gender orientation. Securing transitional social rights can be supported by the sociological, natural law, and American realism schools of thought. Therefore, the statutory authorities and the Sri Lankan community should contribute to the swift implementation of legal measures to strengthen transgender social rights while respecting the legal positions of India and the USA.

Key words: Transgender Rights, Sri Lankan Law, Comparative analysis.