

**PROTECT AND PROMOTE THE RIGHTS OF TRANSGENDERS' UNDER
THE SOCIAL-ECONOMICAL AND MEDICO-LEGAL CONTEXT IN SRI
LANKA;LESSONS LEARNED FROM MALTA.**

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The abstract:

Transgender people are people whose gender identity differs from what would be expected according to their sex characteristics at birth. Transgender people are also part of society and have the same rights as everyone else. The transgender community in Sri Lanka faces extreme marginalisation and vulnerability due to limited access to health, education, employment, etc. Discrimination and violence towards transgender people due to society's and law enforcement bodies' lack of knowledge and awareness is common in Sri Lanka. Though several international and regional mechanisms defend transgender people's rights, the only protection in Sri Lanka is the Constitution, Chapter III, Article 12, and a circular issued by the Ministry of Health, Nutrition, and Indigenous Medicine's Circular No. 01-34/2016 for gender recognition. However, the prevailing complicated legal gender recognition process for changing identity documents and its processes and practices contradict each other and are unfriendly to accessing justice. As the Sri Lankan legal system has not adequately acknowledged the necessity of enacting legislation for the care of the human rights of trans people, both state perpetrators and society abuse the human rights of these people. Sri Lanka has not conducted a comprehensive investigation and sufficient recognition into the existing laws of trans safeguarding, and trans care in the legal system, yet this quantitative, qualitative, analytical, and comparative methodology is used to examine and evaluate the current legal framework in Sri Lanka compared with Malta. Hence, it is imperative to thoroughly review the current legal structure in its entirety, following international standards for trans people in Sri Lanka. This process in Sri Lanka requires the cooperation of all parties involved and the enhancement of trans people's rights in Sri Lanka. Finally, these conclusions are regarded as the state's contribution to assisting the transgender community in protecting and promoting their rights following international standards and amendments to the Constitution, providing recommendations for expanding state capabilities, policy

implications, and wide access to opportunities and social benefits, as well as expanding the practical application of their rights from the lessons of Maltese law as a best practice country.

Keywords:

Transgender, Gender Identity, trans people rights, Legal Gender Recognition,

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