



بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Federal Shariat Court


Islamabad 13.12.2022

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PRESS RELEASE

The transgender children shall be protected by the state.

Full bench of the Federal Shariat Court comprising Honourable Chief Justice Dr Syed Muhammad Anwer and Justice Khadim Hussain M. Shaikh heard the petition regarding Transgender Persons (Protection of Rights) Act, 2018. Representatives from transgender community also attended the hearing. During the course of hearing a person from khwaja sira community showed concerns over worse situation of the community. The Honourable Chief Justice inquired regarding the same from the representatives of Ministry of Human Rights, however, they could not provide a plausible explanation. The Honourable Court expressed its concern over the matter and was dissatisfied with their explanation. The Hon'ble Court held that unfortunately, these children have abandoned by their own families, as a result whereof they are abused by the criminals and fall prey to pedophiles and other predators in our society, which is a scar on the face of this society. Similarly, the lives of same category of persons become more miserable as they turn old. The Hon'ble Chief Justice further remarked that Section 6(a) of the impugned Law bounds the Government and Ministry of Human Rights to ensure the rescue, protection and rehabilitation of transgender persons in addition to providing medical facilities, psychological care, counseling, etc. The Hon'ble Bench further said that Allah Almighty has bestowed dignity on every human being and this is our believe as stated in the Holy Quran, even it has also been enshrined in the Constitution of the Islamic Republic of Pakistan, 1973. Therefore, there should be exclusive protection homes for such children, who are intersex and are abandoned by their families, as well as for the older persons falling under the category of intersex (*Khusra*) as defined in section 2(n)(i) of the impugned Law. The Court directed the Ministry of Human Rights to submit a report positively by 15.12.2022 showing whether there is any facility for the protection of children born with some defects in their sexual organs.


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