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Recognition By Government

This section covers various identification issues, viz. Census, Voter Identity Card, Driving Licence, Ration Card, PAN card and Passport with respect to eunuchs. The root cause of the issues faced by eunuchs in obtaining various essential documents is the recognition of them as a separate gender identity. Also, many identification documents are obtained on the basis of information such as date of birth, father's name, proof of residence etc. Since eunuchs cannot furnish these, they cannot obtain any official documents either.

Census – Until the 2011 census, the population census had only two categories of gender. There was no choice of a third gender. However, the situation has changed and a separate category of 'Other' has been



included from the 2011 census onwards. The concerned enumerator visits each house and asks for the genders of the residents. They accept whatever is reported. Parents mostly report male for eunuch children. Known eunuchs are included in 'Other' category.

An unknown population of humans exists, not only unaccounted for but in limbo in a system where their identity cannot be recognised.

Voter Identity Card –The Election Commission of India, on 12 Nov. 2009 gave transsexuals and eunuchs a distinct identity. Instead of faking themselves as



No Father's/Mother's/Husband's Name - the root of the problem

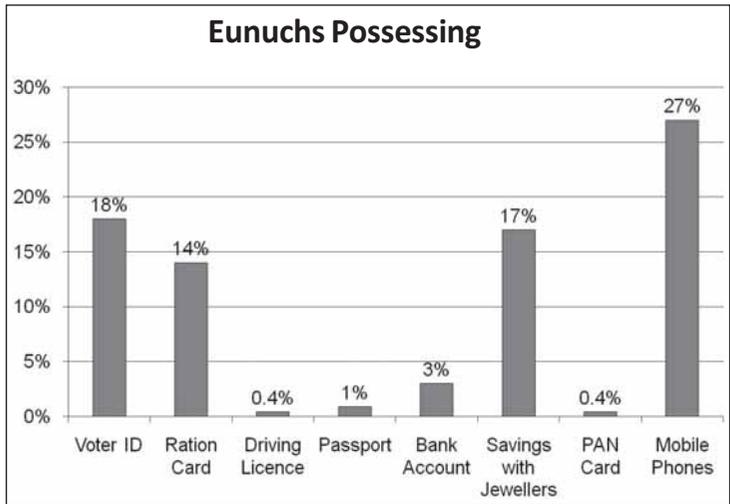
male or female, they can now identify themselves in electoral rolls as 'Others'. Enumerators and booth level officers will also be asked to indicate the gender of eunuchs/transsexuals as 'O' if they so desire, while undertaking any house-to-house enumeration/verification.

Driving Licence – When a random sampling of Regional Transport Officers was done, an officer in Guwahati confirmed on conditions of anonymity that he and his colleagues have so far not come across a case, where a eunuch has applied for a driving licence. He said that a licence is given when the applicant is medically fit and he/she knows how to drive a vehicle. They will issue a driving licence, so

long as he/she can drive a vehicle and passes a medical examination. On the licence, there is no space for a third gender. The RTO will mention whatever gender is declared by the applicant (male or female).

Ration Card – There is no separate provision for listing gender, other than male or female in ration cards. Eunuchs mostly mention female as their category. Issuance of ration cards being a state affair, some states are considering the issuance of ration cards to eunuchs under ‘O’ category.

Passport– Passports can be issued to anybody who is eligible, regardless of gender. There is provision in the Passport Application Form (No. 1) for listing gender as Male, Female or Others vide para 3 of the form. Thus, eunuchs have a separate classification for the purpose of identity in passports.



Sports – For competitive sports, declaration of gender is required. Males compete with other males and females with females. Ambiguity arises when an intersex tries to compete as a female in the women’s category. So during the Olympics, Asian Games and other events at the international and national levels, participants are required to undergo oestrogen tests. On failing this, they are directed to compete in the male category.

Country Representation at Olympics – For more than thirty years until 1999, the International Olympic Committee (IOC) conducted genetic ‘gender-testing’ on all women athletes, to make sure that they were ‘really female’ (this was done to prevent ‘sex changers’ from competing).

In a number of cases, tests conducted on girls suffering from Complete Androgen Insensitivity Syndrome (CAIS) identified them as ‘males’ and disqualified them from the competition. These were truly tragic misidentifications, since the presence of the Y chromosome in AIS girls



does not make them males genetically, nor does it confer any advantage of strength to them. The mislabelling of their gender, often made public, resulted in humiliating the women involved, worsening their gender identity crisis.

The gender testing screenings were dropped before the summer 2000 Sydney Games. On May 17, 2004,

the IOC announced that post-operative, who have undergone GRS, transsexual women and men athletes will be eligible for the Olympics if their new gender has been legally recognised and they have gone through a minimum 2-year period of post-operative hormone therapy.

The decision covering both male-to-female and female-to-male cases, came into effect starting with the XXVIII Athens Olympics in August 2004.

The following measures were approved by the Olympic Board:

1. Gender reassignment before puberty.

It was confirmed that 'individuals undergoing gender reassignment of Male to Female (MtF) before puberty should be regarded as girls and women' (female) and similarly those undergoing Female to Male (FtM) reassignment would be regarded as boys and men (male).

2. Gender reassignment after puberty.

The group recommended that individuals undergoing gender reassignment from male to female after puberty (and vice versa) be eligible for participation in female or male competitions respectively, under the following conditions:

- a) Surgical anatomical changes have been completed, including external genitalia changes and gonadectomy.
- b) Legal recognition of their assigned gender has been conferred on them by the appropriate official authorities.

- c) Hormonal therapy appropriate for the assigned gender has been administered in a verifiable manner and for a sufficient length of time to minimise gender-related advantages in sport competitions.
- d) No sooner than two years after gonadectomy.

Since transsexuals competing in high-level sports were becoming more common, it was decided that a confidential case-by-case evaluation would also be conducted. In the event that the gender of a competing athlete is questionable, the medical delegate (or equivalent) of the relevant sporting body shall have the authority to take all appropriate measures for the determination of the gender of a competitor.