

Challenges faced by Queer Community

written by iasexam.com | 19/04/2024



Context

The Ministry of Law and Justice has recently notified a six-member committee to **address issues related to the queer community**.

About

- In 2023, the Supreme Court dismissed a plea to legalize same-sex marriages, declaring that the right to marry isn't a fundamental right and falls under the purview of legislative law in accordance with societal norms.
- However, the Court directed the government to set up a high-powered committee to thoroughly examine all applicable factors concerning the queer community.

Queer Community

- The queer community is an inclusive and numerous group of those who identify as lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual, or any other sexual orientation, gender identity, or expression that falls outside of societal norms.

Challenges faced by Queer Community

- **Discrimination and ostracisation:** They face discrimination in employment, instructional institutes, and in families which significantly impacts their overall wellbeing.
- **Identity disaster:** They are frequently compelled to identify with a gender with which they may be not related at the place of job in spite of the government passing the **Transgender Persons (Protection of Rights) Act, 2019** which permits the community the right to self-perceived gender identification.
- **Social Stigma:** They often face trouble in belongings inheritance or infant adoption. Because of being socially ostracised, they're compelled to take up menial jobs despite appropriate qualifications or forced into sex work.
- **Health Disparities:** Queer people regularly face disparities in healthcare access and high-quality, in addition to particular health concerns along with higher rates of mental health issues, substance abuse,
- **Lack of public amenities:** They face issues with the accessibility of public lavatories and public places. They regularly face issues in prisons, hospitals and schools.

Various Judgment associated with LGBTQ+

- The ruling in **National Legal Services Authority (NLSA) v. Union Of India (2014)** also called the NALSA Case, has following implications;
 - The Court directed Centre and State Governments to supply legal recognition of gender identity whether or not it's male, female or third-gender.
 - Recognising third gender people as a "socially and educationally backward magnificence of citizens", entitled to reservations in academic institutions and public employment.
- **Navtej Singh Johar v. Union of India (2018):** The Supreme Court, inside the verdict, struck down elements of Section 377, efficiently decriminalizing consensual homosexual acts between adults. The court recognized the rights of LGBT individuals to equality, privacy, and dignity.

Initiatives taken by government

- **Transgender Persons (Protection of Rights) Act, 2019:** The law exceeded by the Parliament pursuits to cease discrimination against transgender people in accessing education, employment and healthcare and comprehend the right to self-perceived gender identification.
- **National Council for Transgender Persons:** In pursuance of the Transgender Persons (Protection of Rights) Act, 2019, the National Council for Transgender Persons has been constituted to advise the Central Government on the method and assessment of guidelines, programmes, regulation and projects for the welfare of the transgender network.
- **National Portal for Transgender Persons:** The Ministry of Social Justice and Empowerment released the National Portal for Transgender Persons in 2020.
 - Any Transgender applicant can obtain a certificate of identity and identification card without any physical interface with the workplace of issue.

- **Garima Greh:** The scheme aims to provide safe haven to Transgender people, with primary facilities like refuge, meals, medical care and leisure facilities.

Conclusion

- While there has been large progress in advancing LGBTQ+ rights and lowering discrimination, there are still many challenges to address.
- Continued advocacy, education, and policy change are important to ensure complete equality and reputation for the LGBTQ+ community worldwide.

Source: *The Hindu*

UPSC Mains Practice Question

Q.What are the main challenges facing the Queer community in terms of social justice and how can they be addressed? (250 words)