



Statement of Solidarity

CommonHealth, a pan-India coalition of grassroots organisations, service providers, advocates, and feminists working on maternal health, reproductive health, and safe abortion, unequivocally stands in solidarity with the ongoing protests against the Transgender Amendment Bill, 2026, which was passed in the Rajya Sabha on 25 March 2026.

The Bill undermines the hard-won rights and protections guaranteed under the Transgender Persons (Protection of Rights) Act, 2019 and affirmed by the Supreme Court in *National Legal Services Authority v. Union of India* (2014).

1. We believe that the Bill violates feminist principles of dignity, autonomy, equality, and self-determination, and is shaped by casteist ableist frameworks without meaningful consultation with communities or approval from the National Council for Transgender Persons. The proposed amendments reduce the definition of “transgender” to specific socio-cultural identities such as *kinner*, *hijra*, *aravani*, and *jogta*, and people with intersex variations. This invisibilises trans men and gender-diverse communities, and socio-cultural transgender identities stripping them of their right to legal recognition and self-determination as affirmed by the NALSA judgement. By rejecting the NALSA principle that gender identity resides in an individual's self-declared 'innate perception,' the Bill effectively de-legitimizes anyone who does not belong to a state-recognized socio-cultural group. Access to sexual and reproductive health services, including safe abortion, HRT, and ART, will be severely impacted for those who do not fit within the narrowed definition.
2. The Bill further medicalises trans identities and is framed within a bio-essentialist framework by mandating approval from a medical board, subject to review by a District Magistrate. This regressive step pathologizes gender identity as a medical 'condition' rather than a human right. The certification through multi-stage medical violates bodily

autonomy and dignity and the disclosure of individuals undergoing gender-affirming procedures to state authorities, infringes on their privacy, as protected under the Right to Privacy (*Puttaswamy v. Union of India*). These provisions violate the rights to equality, dignity, freedom of expression, and freedom of association under Articles 14, 15, 19, and 21 of the Constitution.

3. The Bill places existing transgender certificates, ID cards, and pending applications at risk. Further, the sharing of medical histories and the potential for digital surveillance could lead to hyper-visibility and increased stigma, particularly for HIV-positive trans persons and abortion seekers. This Bill will disproportionately impact those already marginalised by caste, class, religion, and disability, facing structural barriers to accessing care.
4. It is also deeply concerning that the Bill introduces new criminal provisions carrying sentences of up to life imprisonment, premised on the idea that trans identities are coerced.” These provisions risk being weaponised against trans communities, activists, service providers, chosen families, parents, and allies. While the law proposes life imprisonment for 'coercion' into a trans identity, it remains silent on the abysmal 6-month to 2-year sentences for sexual violence against transgender persons.

We believe that this is not only a “trans issue,” but a feminist issue. It directly challenges the principles of gender justice and collective struggles against discrimination upheld by patriarchy.

We support the calls to **#RejectTransBill** and **#NoGoingBack**.