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Overseas Progressive Pakistanis (OPP)

▶ **Transgender
Pakistanis within
National and
International Law**

- ▶ Transgender status within the law
 - Lilith's presentation in a social, legal and political context
 - One transgender person killed every 2 days from 2008-2014 (UNHRC)
 - Domestic and international laws have “schizophrenic” view of transgender experiences

Legal issues in Pakistan

- Discrimination in the family, employment, housing, education, healthcare is mutually buttressing
- Pakistan's paradoxical treatment of khwaja siras

-historical roles of khwaja siras

-common confusion between biological standing and SOGI demonstrated in Islamic and federal law

Legal issues in Pakistan (ii)

- On the books, Pakistan has some of the best transgender protection laws in the world
 - 2009, “X” category on legal documents
 - 2009, judicial activism for elections rights
 - ample funding for transgender protections
- Protective organizations

Legal issues in Pakistan (iii)

LIMITS of the law:

- biology-based definitions

- misnomers about sharia

- general distrust of courts

Pakistan represents great codified legal progress, but these far outpace social and cultural views

- ▶ Legal issues in Europe for khwaja siras
 - Lack of domestic evidence of persecution
 - “Gender-based” persecution based on “visible” category?
 - European asylum question incompatible with Pakistani experiences
 - Housing with other cultural members
 - Pakistan looks protective (on paper) for asylum assessors

Final thought

Should law be reflective or aspirational?