

Recognition of Hijras by Government and Others

I shall deal with population census, election voter's identity card, driving license and passport. The issue is the mention of third sex and a recognition of their Separate Sexual Identity in such application forms.

The population census has only 2 categories of Sex – The concerned officer visits home and asks for the sex of the child. Whatever is reported, they accept it. There is no place for third sex. Mostly parents report female for their intersex child.

Election voter's identity card – It follows from the population census. A separate registration is required. They register as advised to them. Persons above 18 years of age are registered as voters. Sex is either male or female. Hijras write female for themselves.

Driving License – I discussed this with a Regional Transport Officer. On conditions of anonymity she confirmed that she and her close colleagues have so far not come across any hijra who has applied for a driving licence. She said that a license is given when the applicant is medically fit and s/he knows how to drive a vehicle. The RTO is not a sex determining authority. They will issue a driving licence so long as s/he can drive a vehicle and passes a medical examination. On the licence, the RTO will mention whatever sex is declared by the applicant (Male or Female). There is no space for a third sex.

Passport – The passport will be issued to anybody. This is the only document where a mention of Male, Female or others 'X' is mentioned.

Sports – For ranked sports, the person has to declare gender. Males compete with other males, while females compete with other females. Ambiguity arises

when an intersex competes with a female. So in Asiads, Olympics and other national level games, the participants are required to undergo estrogen tests. If they fail, then they are directed to compete in the male category.

Our society is almost completely unaware of the existence of CAIS girls and this has led to many problems for them in the past. For example, for more than thirty years the International Olympic Committee (IOC) has 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 quite a number of cases these tests turned up CAIS girls, identified them as "males" and disqualified them from competition. These were truly tragic mis-identifications, since the presence of the Y chromosome in AIS girls does not make them males either genitally or in gender identity, nor does it confer any strength advantage to them. These mis-genderings were often made public, resulting in total humiliation for the women involved.

Until 1999, the IOC conducted gender verification tests at the Olympics but the screenings were dropped before the 2000 Sydney Games. In a significant recent reversal of this dreadful policy, the IOC dropped all such gender-testing, starting with the summer games in 2000. Then on May 17, 2004, the IOC announced that postoperative transsexual women and men will be allowed to compete, after meeting certain conditions, starting with the summer games in 2004. Therefore, discrimination against participation by IS and TS people in the Olympics is finally over.

Transsexuals Cleared to Compete in the Olympics for the First Time Monday, May 17, 2004; Lausanne Switzerland

Under a proposal approved by the IOC executive board, athletes who have undergone sex-change surgery will be eligible for the Olympics if their new gender has been legally recognized and they have gone through a minimum two-year period of postoperative hormone therapy.

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

The following measures were approved by the board:

1. Sex reassignment before puberty

It was confirmed that any "individuals undergoing sex reassignment of male to female before puberty should be regarded as girls and women" (female). This also applies to individuals undergoing female to male reassignment, who should be regarded as boys and men (male).

2. Sex reassignment after puberty

The group recommended that individuals undergoing sex 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 sex has been conferred by the appropriate official authorities
- c) Hormonal therapy appropriate for the assigned sex has been administered in a verifiable manner and for a sufficient length of time to minimize gender-related advantages in sport competitions.
- d) No sooner than two years after gonadectomy.

It was also decided that a confidential case-by-case evaluation would occur. In the event that the gender of a competing athlete is questioned, 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.

IOC spokeswoman Giselle Davies said the situation of transsexuals competing in high-level sports was "rare but becoming more common." IOC medical director Patrick Schamasch said no specific sports had been singled out by the ruling.

General Observations

Men have higher levels of testosterone and greater muscle-to-fat ratio and heart and lung capacity. However, doctors say, testosterone levels and muscle mass drop after hormone therapy and sex-change surgery.

One of the best known cases of transsexuals in sports involves Renee Richards, formerly Richard Raskind, who played on the women's tennis tour in the 1970s.

In March, Australia's Mianne Bagger became the first transsexual to play in a pro golf tournament.

Michelle Dumaresq, formerly Michael, has competed in mountain bike racing for Canada.