



Statement by the 7 Alliance on the Transgender Persons (Protection of Rights) Amendment Act 2026 in India

The [Seven Alliance](#) is a consortium of regional networks of key populations and people living with HIV in the Asia-Pacific, comprised of APCOM, APN+, APNSW, APTN, ICW-AP, NAPUD, and Youth LEAD. It serves as a unified, representative body for communities in all our diversities disproportionately affected by HIV/AIDS and discriminatory laws and policies.

The consortium expresses deep concern and unequivocal opposition to the passage of the [Transgender Persons \(Protection of Rights\) Amendment Act, 2026](#), in the Indian Parliament, in solidarity with transgender and gender-diverse communities in India. This legislative development represents a significant regression in the protection of human rights, dignity, and health equity, with far-reaching implications for HIV/AIDS prevention and response efforts regionally and globally. This development in India must also be understood within a broader global context - across multiple jurisdictions, there is an alarming rollback of rights for trans and gender diverse communities, accompanied by shrinking funding for HIV programmes engaging key populations.

For over a decade, India has been recognised for its legal framework on gender identity, particularly following the landmark *NALSA v. Union of India* (2014) Supreme Court judgment, which affirmed the fundamental right to self-determined gender identity. The Transgender Persons (Protection of Rights) Act, 2019, despite its limitations and implementation gaps, upheld key principles such as self-identification, recognition of gender-diverse identities, and protection from discrimination across spheres of life, including access to health, education, and employment.

The 2026 Amendment Act dismantles these foundational principles and, based on 2011 census data widely considered to be a massive undercount, will affect more than 400,000 trans and gender diverse persons across India.

The key concerns, risks, and harms of the 2026 Act are -

- i. By **removing the right to self-identification and introducing medical testing**, the law shifts authority on the determination of gender identity to state-appointed bodies, violating rights to privacy, dignity, and bodily autonomy¹.
- ii. **Requiring mandatory reporting of medical records related to gender affirming procedures by healthcare professionals to State administrative bodies** deepens distrust of public healthcare systems amongst trans and gender diverse communities,

¹The 2026 Transgender Amendment Bill and its Roll-back of Constitutional Rights. (2026, March 26). Centre for Law & Policy Research. <https://clpr.org.in/blog/the-2026-transgender-amendment-bill-and-its-roll-back-of-constitutional-rights/>

already reluctant to access life-sustaining care due to fear of stigma, discrimination and violence at the hands of service providers.

iii. The **narrowing of the definition of “transgender persons” to a limited set of socio-cultural identities** excludes large segments of the trans and gender diverse communities, including trans men, trans women outside traditional groups, non-binary, genderqueer, and gender-diverse individuals².

iv. **Requirement of medical procedures for legal gender recognition**, especially in the absence of public investments in the provision of gender affirming care, creates a severe economic burden on already marginalized trans and gender diverse populations.

v. Equally concerning is the **introduction of vague and punitive provisions that risk criminalising communities and support systems**³. The proposed penalties for “alluring” or “forcing” individuals into transgender identities, without evidence of such practices, open the door to misuse and harassment of already marginalised groups, including community networks that have historically provided HIV-related services.

These legal exclusions create a dangerous lacuna, effectively stripping many individuals of rights and protections which, in the context of HIV/AIDS, undermine decades of community-led progress in reaching key populations. Beyond their immediate legal implications, such provisions risk deepening stigma and discrimination across multiple aspects of daily life, including access to healthcare, employment opportunities, housing, and interactions with law enforcement. In doing so, they not only erode fundamental human rights but also create significant barriers to HIV prevention, testing, and treatment services, further isolating already marginalised communities and reversing hard-won public health gains.

“When the right to life and dignity is made conditional on state approval of identity, it violates the very spirit of equality and self-determination. Governments must bridge systemic gaps in access, not force people into narrow definitions to deserve care”, said Satya from the Asia Pacific Network of Sex Workers (APNSW). Echoing this sentiment, Orchid from Samabhabona India brought attention to the immediate impact of the Act, “These changes have also negatively affected mental health, creating fear, confusion, anxiety, and trauma within the community. Marginalized groups, including Dalit, OBCs, and Adivasi transgender individuals, are affected the most. Overall, instead of protection, the law risks increasing exclusion and weakening access to essential healthcare.” Simran Shaikh from the National Coalition of People Living with HIV (NCPI+) in India emphatically affirmed, “This new Anti-Transgender Bill is not a ‘debate’ or a ‘difference of opinion’. It is a direct attack on our right to exist with dignity. Let me be absolutely clear - any law that polices our bodies, identities, or access to public life is not a governance reform, it is discrimination dressed up as legislation. We refuse to be reduced to a political talking point. We refuse to negotiate our humanity.”

²Transgender Bill: India Parliament Passes Amendment to Redefine Transgender Identity amid Protests. (2026, March 26). BBC . <https://www.bbc.com/news/articles/czx9de4yql7o>

³India’s Transgender Rights Bill a Huge Setback. (2026, March 26). Human Rights Watch. <https://www.hrw.org/news/2026/03/26/indias-transgender-rights-bill-a-huge-setback>



As representatives of key populations in the region, such as people living with HIV, sex workers, drug users, young people, and trans and gender diverse persons, we are all too familiar with the disastrous impact that criminalisation has on our communities. **The Seven Alliance is in solidarity with trans, intersex, and gender-diverse individuals, collectives, and allies across India who continue to resist these regressive measures, and urges -**

1. The Government of India to uphold its constitutional and international human rights obligations and meaningfully engage with trans and gender diverse communities for shaping policies that affect their lives.
2. Global health actors, donors, and policymakers to recognise the interconnected nature of legal environments and health outcomes, and to sustain, rather than scale back, investments in community-led, rights-based HIV responses for trans and gender diverse communities worldwide.
3. Healthcare professionals, legal professionals, teachers, academics, students, politicians, civil society actors, public service officials, and all other relevant stakeholders, as well as allied communities and movements, to unite and extend their solidarities to trans and gender diverse rights movements.