



RESEARCH ARTICLE

Human Rights for LGBTQIA+ as an Essence of Global Dimensions in the Gravity of Time: A Critical Appraisal

Dr. Ramesh Kumar^{1*}, Dr. Raj Kumar Verma², Rohit Kumar Verma³, Riya Bhargava⁴¹ School of Law, Lovely Professional University, Phagwara, Punjab, India^{2,3,4} Jiwaji University, Gwalior, Madhya Pradesh, India

ARTICLE INFO

ABSTRACT

Received: Jul 29, 2024

Accepted: Sep 8, 2024

KeywordsNatural Rights of
LGBTQIA+LGBTQIA+ Human Rights
ViolationsThird Gender Human
Rights

Same Sex Marriage

Homosexuality

Human rights as the natural rights by birth are inherent for all human being including LGBTQIA+ as well in the conception of human family from the origination of this Earth. But the LGBTQIA+ being the integral part of human civilizations are being deprived and denied from the natural life, liberty and security in today's world of globalization under the Rule of Law in democratic times. This research reveals the protection, preservation, observance and respect as to life, personal liberty and security and human rights of LGBTQIA+ carrying out as an integral essence of global dimensions critically. The civilization and development of LGBTQIA+ as human being is full of untold, unexpressed and unlimited including extreme painful sorrow by reason of exclusion, un-recognition and rejection by our human society from the main stream of development of human civilization being the integral member of human family in spite of existence of human rights whereas human rights are being provided being human which are available to all. The deprivation, denial, gender biasness and serious violations of human rights of LGBTQIA+ are existent in despite of human rights enforcement system under some exceptions with the inclusion of United Nations Democratic Mandate by way of deepest-rooted human rights' dictum and concept as a major foundational stone of UN. (UN Charter. 1945). This is the mixed research of qualitative and empirical. In this research the Random Sampling has been employed from India, Bhutan, Afghanistan, (Asian Countries), United Kingdom (European Country), Ghana (West African Country), Nepal (Asian Country), Tanzania (East African Country), Zimbabwe (African Country) and Namibia (Southern African Country) including different States or Provinces, Regions /Divisions, Districts/Sub- Districts or areas of the Countries. The Random Sample size is 150 in accordance with the questions in the questionnaire. All age group people as respondents have been included. The respondents have been included as Professors, Teachers, Advocates or Lawyers, Students of Higher Education/Under graduate/Post Graduate, Ph.D. Research Scholars, Researchers, Service Men, Psychologist, Officer, Special Educator, Business Men, Law Students, Public General and others. Public opinions/views have been placed in accordance with requirements. The required tools, techniques and Research Methodology are applied. The human society has already been caused irreparable injuries, damages, losses and others as connected as violations of inherent human rights of LGBTQIA+ with arbitrariness and whimsically consequently there is no standard and measurement found to reimburse for the same. LGBTQIA+ was deprived from their identity. It is essential necessity and supreme human rights' mandate naturally that the human rights of LGBTQIA+ must be implemented effectively as required in according to time and circumstances under reasonable classification, protective discrimination and others as respective. the violence, discrimination and others adverse things must not be committed against the LGBTQIA+ it has clear revelation from UN mandate as to implementation of human rights of LGBTQIA+ in the protective and preservative way. The most of the countries in the world

***Corresponding Author:**

jmsdrrameshkumar@gmail.com

are not furnishing the protection, preservation, respect and observance of human rights to LGBTQIA+ under some exceptions in comparison to the men and women human rights as per requirements in accordance with time, circumstances and necessities, subjecting to reasonableness doctrine. This research reveals the human rights for LGBTQIA+ as an essence of global dimensions in the gravity of today's time which must be implemented in worldwide with universality because LGBTQIA+ also are human being. The deprival, denials and exclusions of LGBTQIA+ from the human family is not justified in any way. LGBTQIA+ is also the essence, part and parcel part of nature, universe and mankind. The executive, legislative, judicial, social, psychological and others as connected best and speedy endeavours must be made collectively for the welfare of LGBTQIA+. With respect to this, the indebtedness of unlimited contribution in the development and welfare of world growth and human civilizations of LGBTQIA+ cannot be forgotten, neglected and refused subject to exceptions. This research has the uniqueness and novelty with inclusion of innovative or path breaking perspectives of human rights of LGBTQIA+ as the inherent natural rights being human being as an essence of human life which has the antiqueness as old as origin of this earth and human civilizations but by reason of psychological and sociological of human society, the deprival and denials from the reorganization, protection, preservation, observance and respect of human rights of LGBTQIA+ caused by way of gravest violations of inherent natural rights as human rights. The human society has already been caused irreparable injuries, damages, loses and others as connected as violations of inherent human rights of LGBTQIA+ with arbitrariness and whimsically consequently there is no standard and measurement found to reimburse for the same. LGBTQIA+ was deprived from their identity. Now it is essential necessity and supreme human rights' mandate naturally that the human rights of LGBTQIA+ must be implemented effectively as required in according to time and circumstances under reasonable classification, protective discrimination and others as respective. The LGBTQIA+ is also human being as the part and parcel of human life and human society therefore LGBTQIA+ cannot be neglected, deprived and denied from the human rights arbitrarily. The specific instrument or statute of human rights for LGBTQIA+ is not found with universality as per present time, circumstances and requirements in most of the countries in today's context under some exceptions internationally. In according to essence of time, the special enforcement system to protect the human rights of LGBTQIA+ is not found. The universality, inalienability, naturality and recognizance as human being must be provided in worldwide with the acceptance of LGBTQIA+ human rights protection and preservation by way of specification of human rights instruments at the national wide and worldwide levels with the required expeditions in the human welfare in the furtherance of Rule of Law.

1. INTRODUCTION

The human society has already been caused irreparable injuries, damages, loses and others as connected as violations of inherent human rights of LGBTQIA+ with arbitrariness and whimsically consequently there is no standard and measurement found to reimburse for the same. LGBTQIA+ was deprived from their identity. It is essential necessity and supreme human rights' mandate naturally that the human rights of LGBTQIA+ must be implemented effectively as required in according to time and circumstances under reasonable classification, protective discrimination and others as respective. The LGBTQIA+ is also human being as the part and parcel of human life and human society therefore LGBTQIA+ cannot be neglected, deprived and denied from the human rights arbitrarily. LGBTQIA+ denotes Lesbian, Gay, Bisexual, Transgender and Queer or Questioning. "+ (Plus) the 'plus' is used to signify all of the gender identities and sexual orientations that are not specifically covered by the other five initials. An example is Two-Spirit, a pan-Indigenous American identity. While variations such as LGBT or LGBTQ are often used, many advocates argue that the addition of the "plus" is important and should not be overlooked. The purpose of the acronym is to

represent the tremendous diversity of people who are same/similar gender attracted and transgender. The addition of the plus is better able to fully capture that diversity.” (<https://www.verywellmind.com/what-does-lgbtq-mean-5069804>) “On average, across the 27 countries surveyed, 4% in Gen Z identify as other than male or female vs. 1% among all adults on average, globally, 80% identify as heterosexual, 3% as gay, lesbian or homosexual, 4% as bisexual, 1% as pansexual or Omni sexual, 1% as asexual, 1% as “other”, and 11% don’t know or won’t say. Globally, 7% say they are only or mostly attracted to the same sex, 4% equally to sexes, 83% only to the opposite sex and 6% don’t know or prefer not to say.” (efaidnbmnnnibpcajpcglclefindmkaj/https://www.ipsos.com/sites/default/files/ct/news/documents/202106/LGBT%20Pride%202021%20Global%20Survey%20Report_3.pdf For more information, go to <https://www.ipsos.com/en/ipsos-lgbt-pride-2021-global-survey>) Human rights are naturally available for all including LGBTQIA+ as well. Right to marry as human right is for all members of human family by way of rights to life, (The International Covenant on Civil and Political Rights, 1966 Art. 6.) liberty (The International Covenant on Civil and Political Rights, 1966 Art. 9) and security of human being. (The Universal Declaration of Human Rights, 1948 Art. 3) The arbitrary deprivation and denials of human rights of LGBTQIA+ must not be permissible in any case. The exclusion, deprivations and denials from the human rights to the LGBTQIA+ causes the gravest violation of human rights as psychological, emotional, physical, mental health, ideology adversely affected unlimitedly which is the unlimited most serious violation of human rights or right to life and liberty of LGBTQIA+, the same unlimited exploitation, atrocities, torture, degrading treatment and others as related of LGBTQIA+ must be prohibited and prevented immediately. The same sex marriage, sexual life, social life as to LGBTQIA+ by way of human rights must also be recognized as expeditiously as possible because LGBTQIA+ are also the human being and being human they are having also entitlements of human rights which are very necessary and compulsory to ensure the survival and existence of LGBTQIA+ as the member of human family in the globalized world.

International perspectives

In today’s globalized scenario, the gayest or LGBTQIA+ friendly nations in the world found as Netherlands with 87% of people who have response in affirmative as yes Spain (87%), Canada (84%), Belgium (82%), Norway (80%), Luxembourg (79%), Uruguay (79%), Sweden (78%), Ireland (77%), United Kingdom (77%), Denmark (76%) and others also. 64 countries in the world have criminalization of homosexuality approximately half of these countries are from Africa or including the countries which are having membership of the United Nations Organization. on the basis of the data as contained hereinbefore and hereinafter, the conditions of the LGBTQIA+ for protection of their human rights are not found good proportionately as must be in today’s fastest changing world in reference to the UN charter and International human rights instruments and naturality as incorporated as the foundational root spirit for human welfare in accordance with time, circumstances and necessities. Netherland- the Kingdom of Netherlands as the Sovereign State is one of countries of the Northwestern Europe has the highest rank among the world with respect to LGBT. The same sex sexual aspects were made with legalization in 1811. Homosexuality is legal. Gay marriage is legal. Non-binary gender recognition is recognized. Adoption is also legal. China is the first populous country in the world. In China, LGBT population is estimated 40,000,000-70,000,000 (four to seven crore) approximately. LGBT are unable to solemnize the same sex marriage, adopt and households headed couples are incompetent in respect of legal protection as are provided to heterosexual couples. China furnishes no anti-distinction protections to LGBT nor confers it prohibit hate crimes based on sexual orientation or gender identity. India is the second populous country in the world. In India, LGBTQIA+ population is estimated 2,500,000-70,000,000 (twenty-five to seven crore) approximately. The Transgender Persons (Protection of Rights) Act, 2019 has been enacted in India with effected from 2020, 10 January. Homosexuality was an offence as unnatural offences (Indian Penal Code, 1860 Sec. 377) but the same has been decriminalized. Navtej Singh Johar & Others v. Union of India Homosexuality decriminalized under section 377 of the Indian Penal Code above 18 years with free consent & completely voluntary for human. National Legal Services Authority v. Union of India & others (Third gender recognized in this case) this Court observed: “We are a country governed by the Rule of Law. Our Constitution confers certain rights on every human being and certain other rights on citizens. Every person is entitled to equality before the law and equal

protection of the laws.” Naz Foundation v. Government of NCT Delhi Suresh Kumar Koushal and another v. NAZ Foundation and Others Justice K S Puttaswamy (Retd.), and Anr. v. Union of India and Ors. Above Cases are in connection the Third gender/Transgender/Hijras. Supriyo @ Supriya Chakraborty & Anr. v. Union of India (2023), W.P. (C) no. 1011/2022, Dairy no. 36593/2022. 2023 October, 17 is related to the right to solemnize the marriage recognizance of LGBTQIA+ the parliament may provide the recognition of marriage between non-heterosexual couples and others as relevant. With respect to the Transgender/Third Genders/Hijras have been deprived from the fundamental or human or other rights in our society in very serious manner, their pains and sorrows is unlimited & intolerable which have been given by the human society. The study as under has been conducted by ‘the Kerala Development Society’ on the part of the National Human Rights Commission, New Delhi which says that the total Transgender is 4.8 Lac in accordance with Census 2011 only 30000 are registered in the Election Commission. 99% transgender have suffered from the social rejection more than one times with inclusion of their family. 96% transgender are denied from the jobs or forced to take low paying or undignified works for their livelihood as Bahais, sex workers & begging, 89% transgender said they are qualified but they even have no jobs. 50% to 60% transgender have never gone to schools those who attended the same faced the discriminations. 57% transgender are kept on getting sex- alignment surgery but they have not money, 18% are physically abused 62% verbally abused in Schools 15% harassed by the students and teachers also, 98% have not own their property. 2% only are lives with their parents. 92% are deprived from the rights of participation in any economic activity in the Country. (The Times of India, New Delhi, 2018, 13 August. p. 9.) Some are working, going to schools or study and others related. In the State of West Bengal, in July, 2017, ‘Mr. Jayanta Mandal’ was appointed as ‘the First Transgender Judge’ in India. Thereafter ‘Mr. Nag Kambal’ was appointed as a Transgender Judge in the State of Maharashtra in February, 2018 in the Lok Adalat, Nagpur who stands the ‘Second Transgender Judge’ in India and Ms. Swati Bidhan Baruah has appointed as a Judge in the State of Assam who is the first Assam & the Third Transgender Judge in India & the Assam stands at the 3rd number for this. (The Dainik Bhaskar, Faridabad, Delhi NCR, 2018, 15 July. p. 1.) Ms. Mohini, Graduate in Public Administration & M.A. in Social Work has been appointed as a ‘Member’ of the National Lok Adalat who was born in a small village ‘Jhunhunnu’, Rajasthan & residing in Ludhiana, the Punjab since last 09 years & is also the ‘First Transgender of the Punjab’ in this regard. (The Dainik Bhaskar, Faridabad, Delhi NCR, 2018, 3 August. p. 5.) United States of America- India is the second populous country in the world. In India, LGBTQIA+ population is estimated 20,000,000-30,000,000 (two crore to three crore) approximately. Obergefell v. Hodges this case is the historic and landmark of Supreme Court of United States of America in which the right to marry of same sex couple as a guaranteed fundamental right was furnished by due process clause and the equal protection clause. (Of the fourteen amendments of the US Constitution) Brazil-LGBTQIA+ population is estimated 8,000,000-20,000,000 approximately. The same sex couple marriage has allowed in Brazil since 16 May, 2013 as per the decision of the National Justice Council (Federal Supreme Court [S.T.F.] Federal District, Direct Action of Unconstitutionality A.D.I.) ordered notaries of every state to do the same sex marriages. After Argentina, Brazil has been become the second nation in the South America for the legalization of same sex couple marriage at national level and the twelfth in worldwide for the same. Nigeria-LGBTQIA+ population is estimated 6,900,000-10,400,000 (sixty-nine lac to one crore four thousand) approximately. LGBTQIA+ homosexuality and same sex marriage are illegal and punishable in this country. No legal protection is provided to LGBTQIA+ here. Prohibition of marriage or civil union by persons of same sex. (Same Sex Marriage (Prohibition) Act, 2013).

Empirical work

Do you think that the LGBTQ has also contribution for the development of Nation or World?

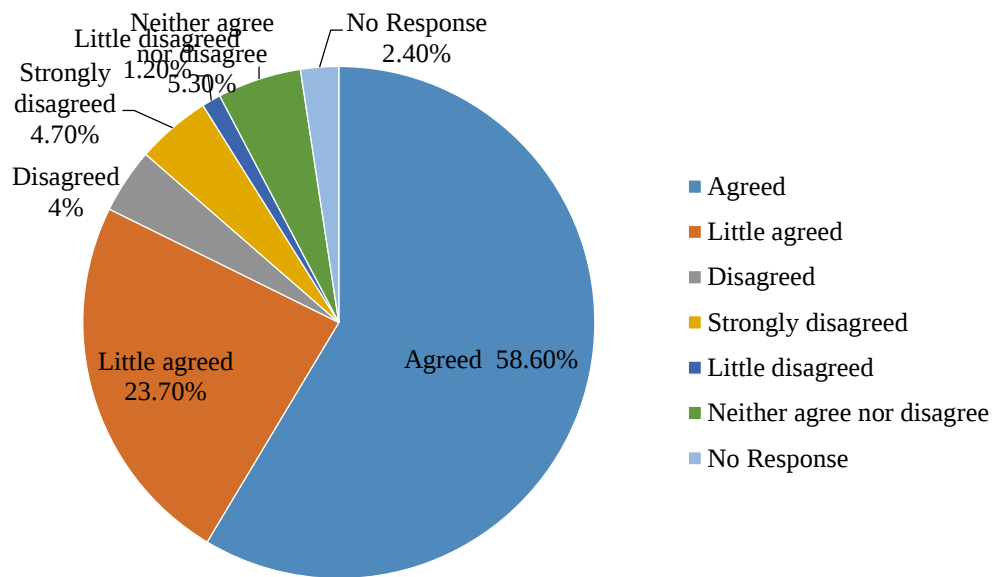


Figure 1

Do you think that our society or Government did not do the sufficient endeavors for the welfare of LGBTQ and protection of human rights as required in accordance with essence of time and circumstances?

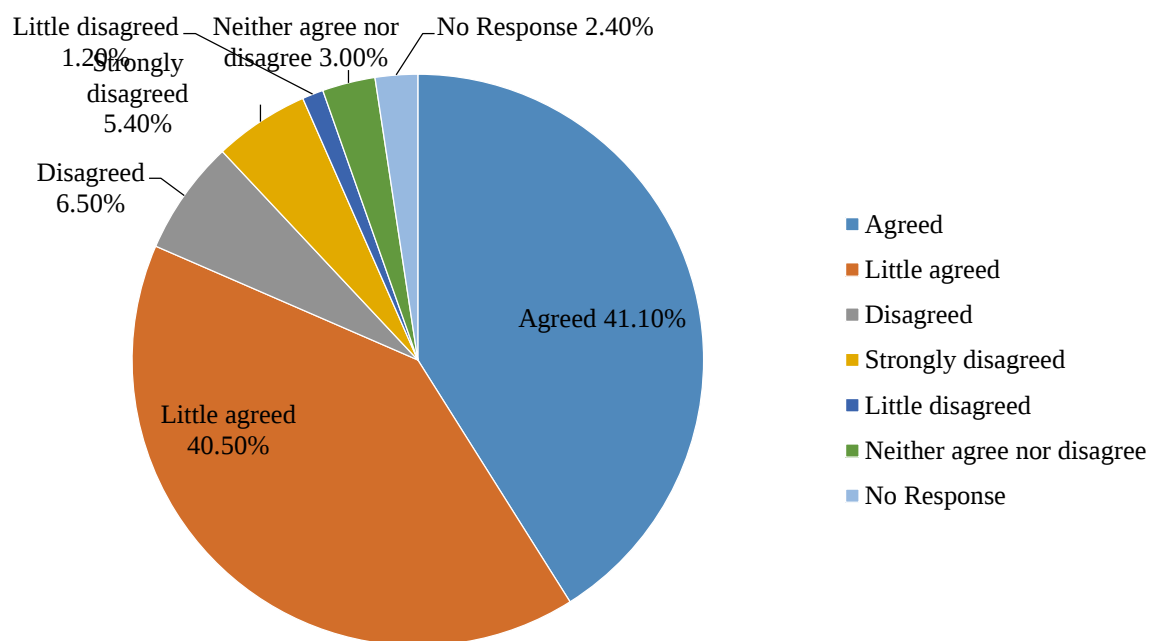


Figure 2

Do you think that our society compelled to LGBTQ for begging, dancing, and other connected things by way of exclusion from society not providing opportunities in comparison to men and women for survival of life and liberty as human?

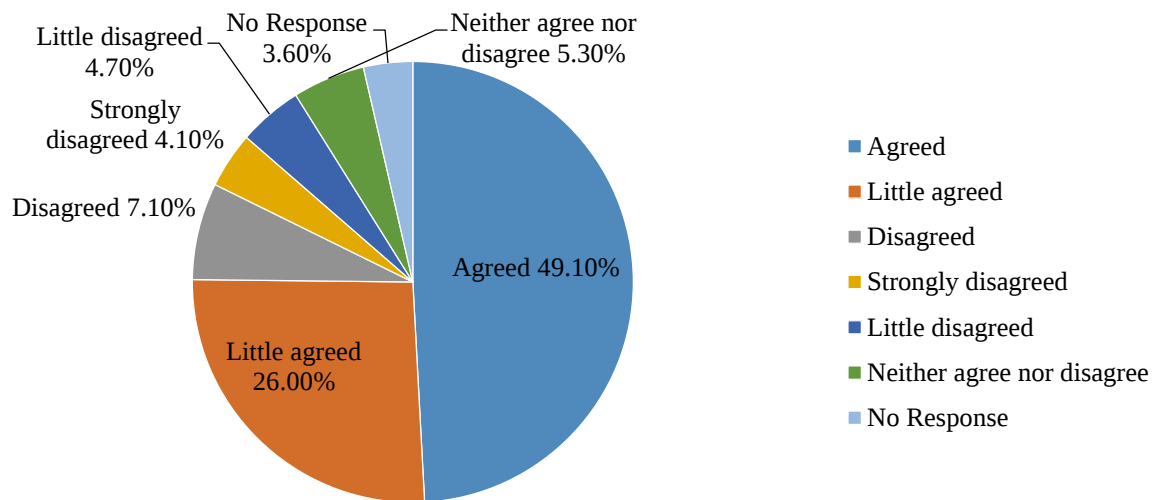


Figure 3

Do you think that our society did not give the opportunity to LGBTQ appropriately to show their intellectual competence on suitable places as per requirements to contribute in the main stream of development of Nation or World in the light of human rights?

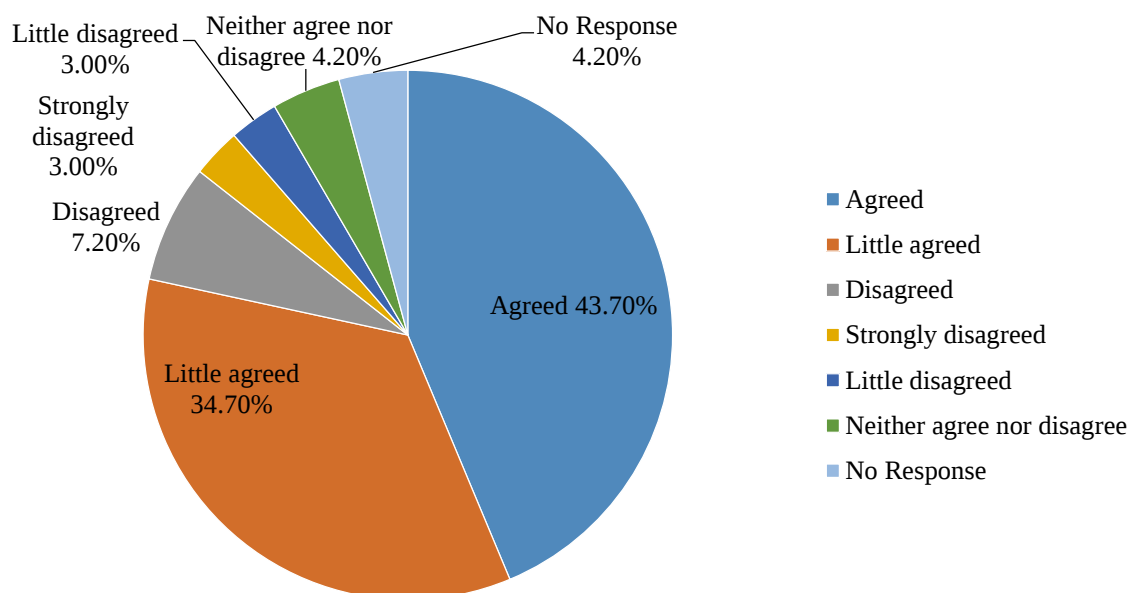


Figure 4

Do you think that the LGBTQ have been neglected by our society with a view to their existent human rights?

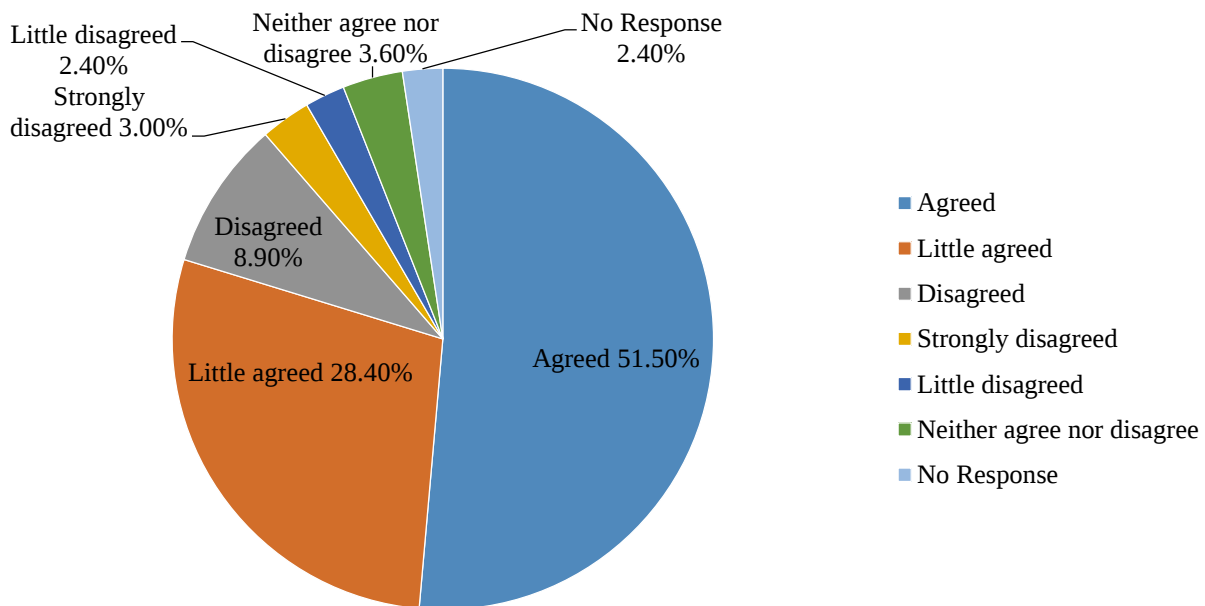


Figure 5

Do you think that human rights are provided for LGBTQ as an integral human family member?

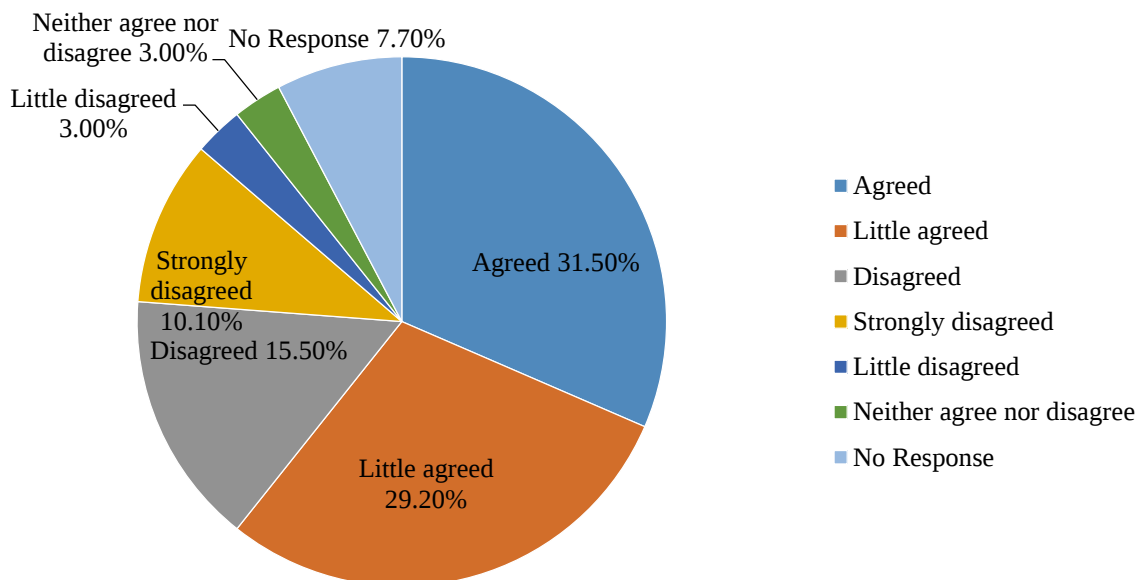


Figure 6

Do you think that LGBTQ as human family member have not been accepted by society for a long time in spite of availability of human rights?

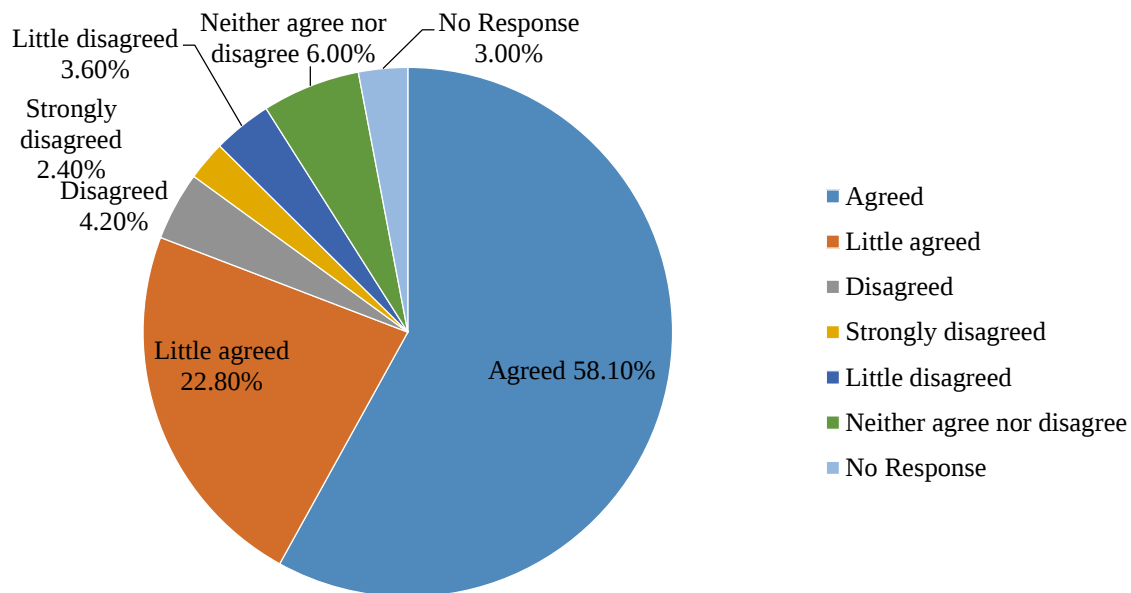


Figure 7

Do you think that LGBTQ have been excluded from the society as to Human Rights other than wise than some exceptions?

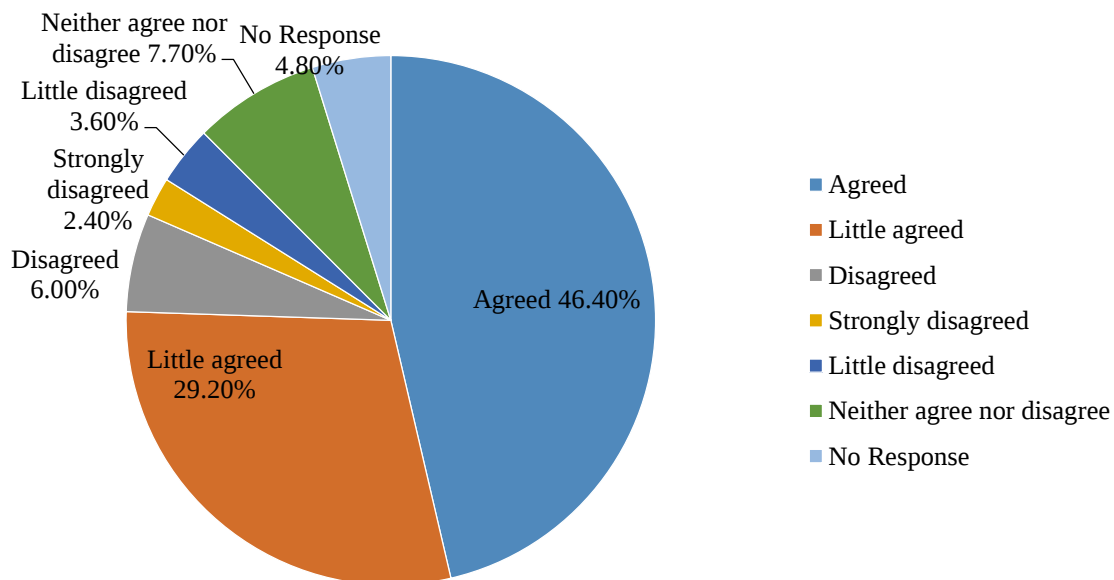


Figure 8

Do you think that LGBTQ have been deprived and denied from the human rights by society since from very beginning till now?

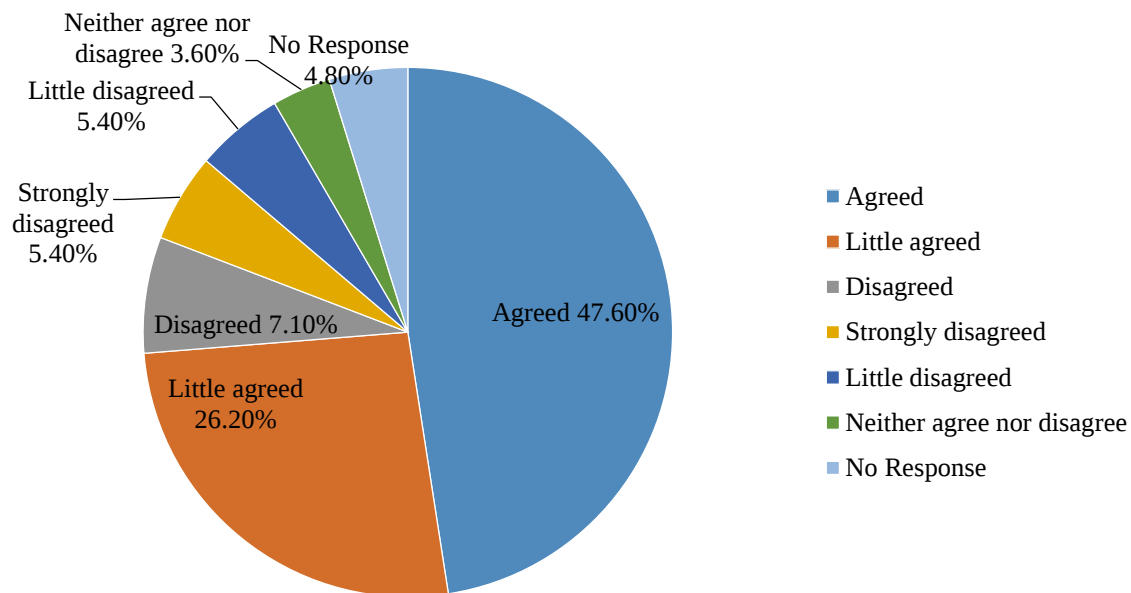


Figure 9

Do you think that our global society causes the irreparable injury, losses mental trauma and others as connected by reason of exclusion from society due to customs, usages traditions and others as related by way of the most serious violation of human rights to LGBTQ?

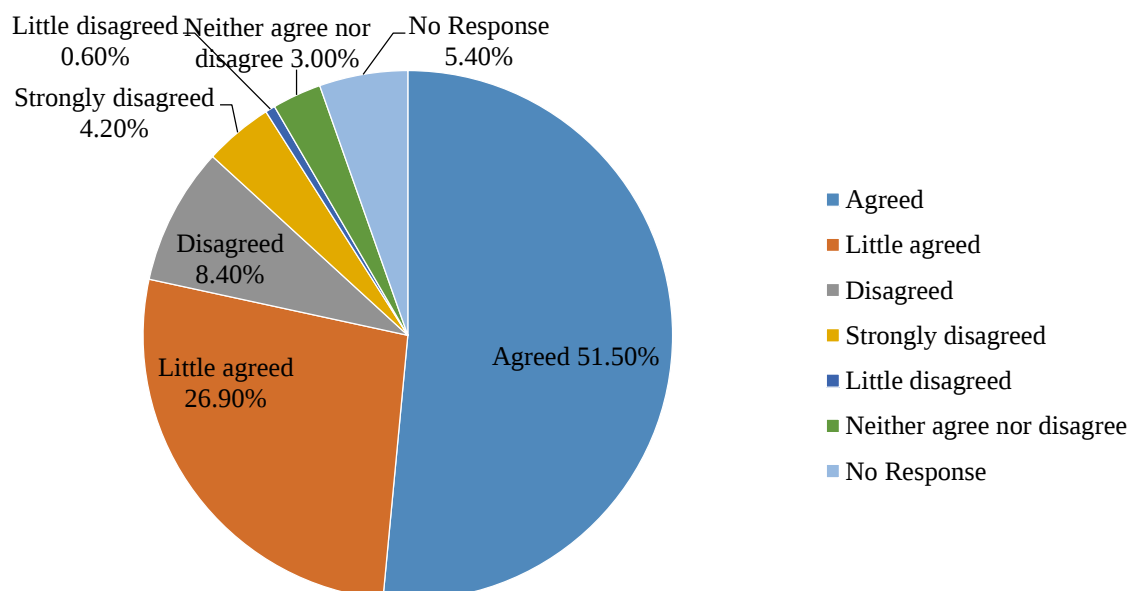


Figure 10

Do you think that LGBTQ have been deprived and denied from the Human Rights by the laws time being in force subject to some exceptions?

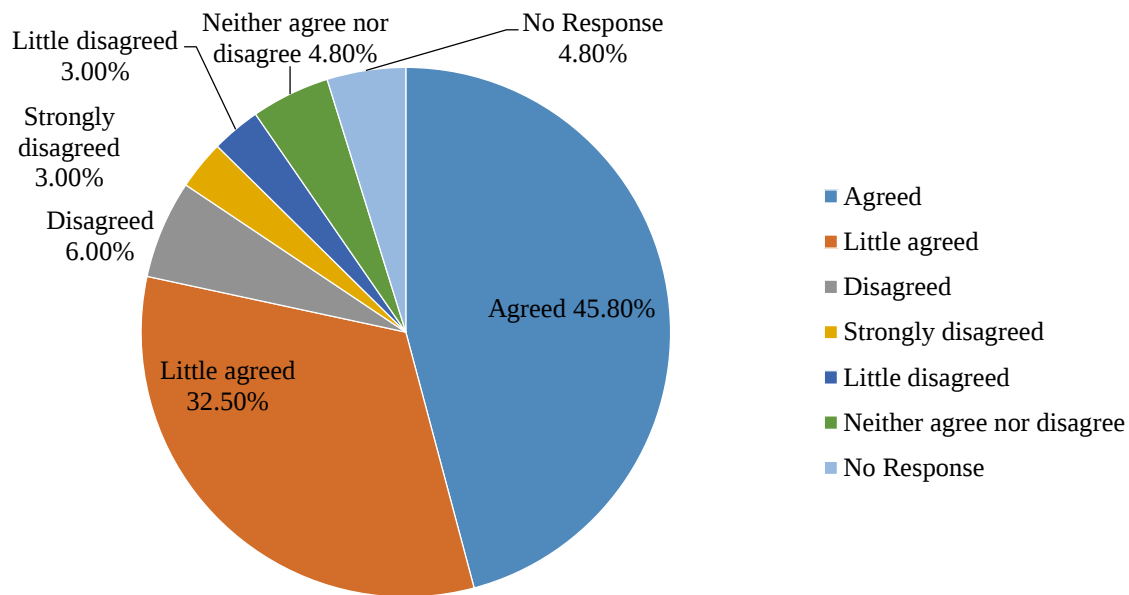


Figure 11

Do you think that the violation of human rights was justified in that time by way of the psychological perspectives of society?

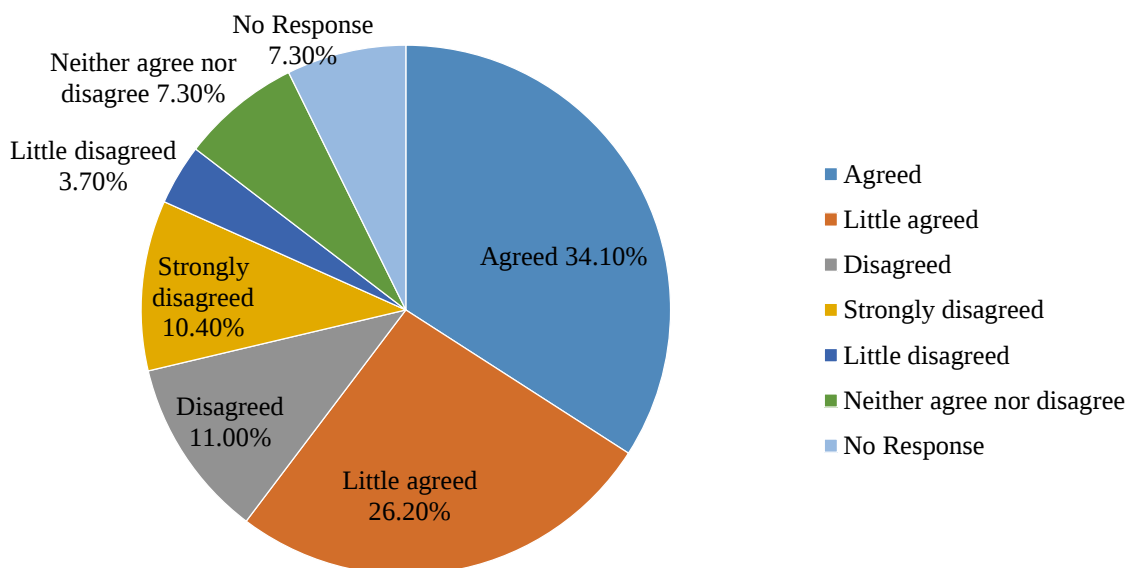


Figure 12

Do you think that LGBTQ get entitlement as vulnerable section of human family for getting the special rights and privileges by laws by reason of reasonable classification?

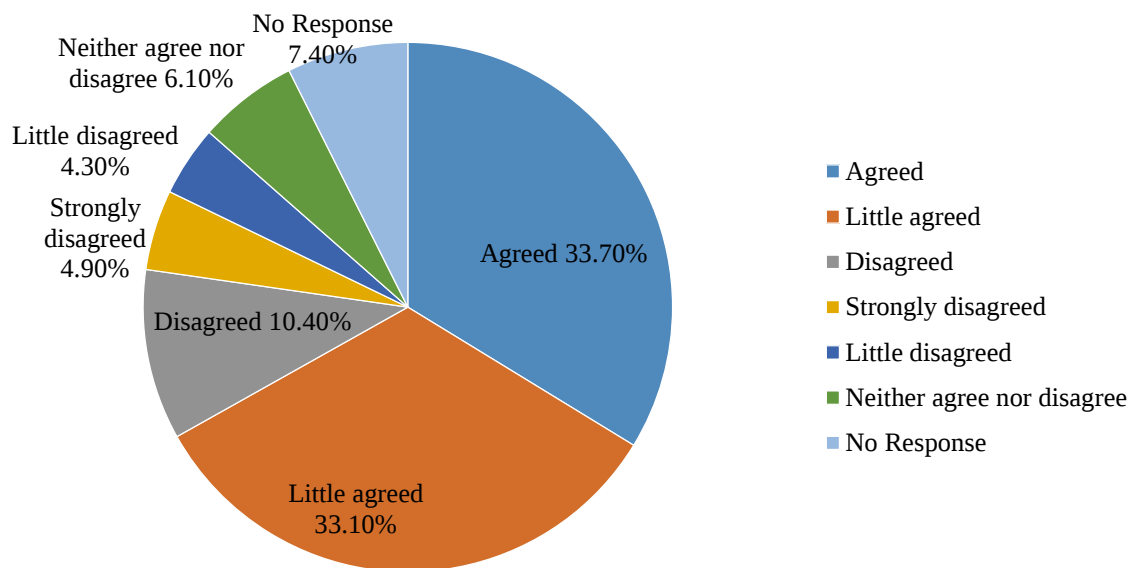


Figure 13

Do you think that Homosexual Marriage is justified in society with a view to morality culture, religious aspects and others as connected?

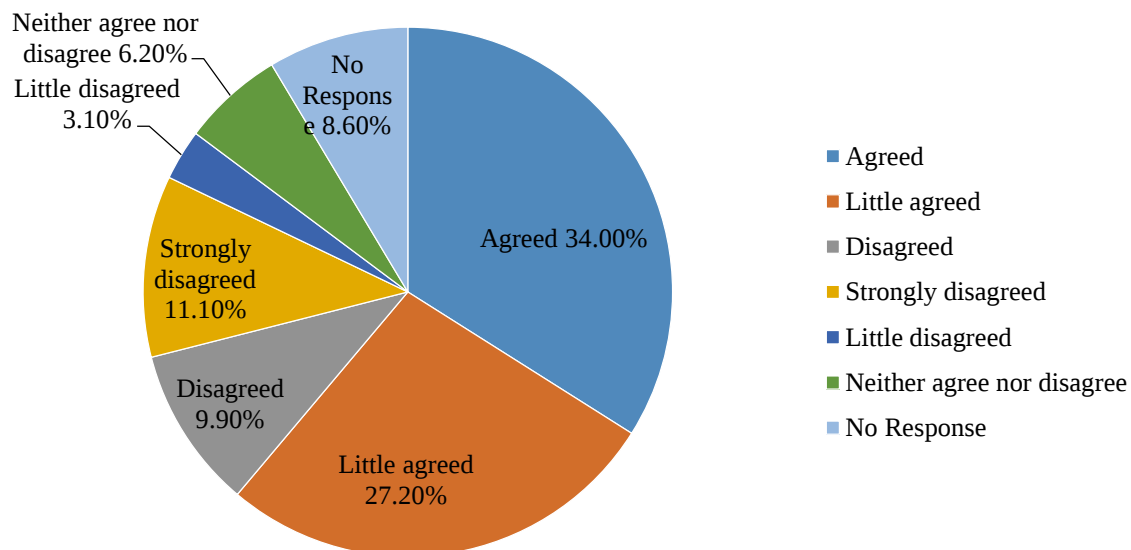


Figure 14

Do you think that Right to life and personal liberty of LGBTQ is violated openly by reason of psychological aspects of human and other causes of society?

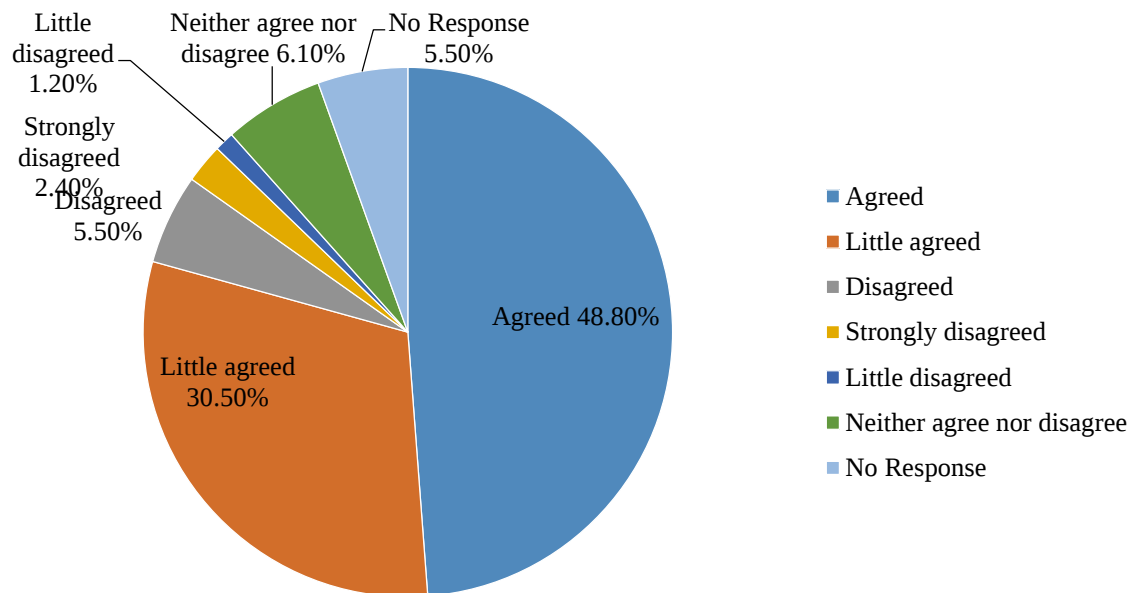


Figure 15

Do you think that Live in Relationship is justified for LGBTQ in society with respect to morality culture, religious aspects and others as related?

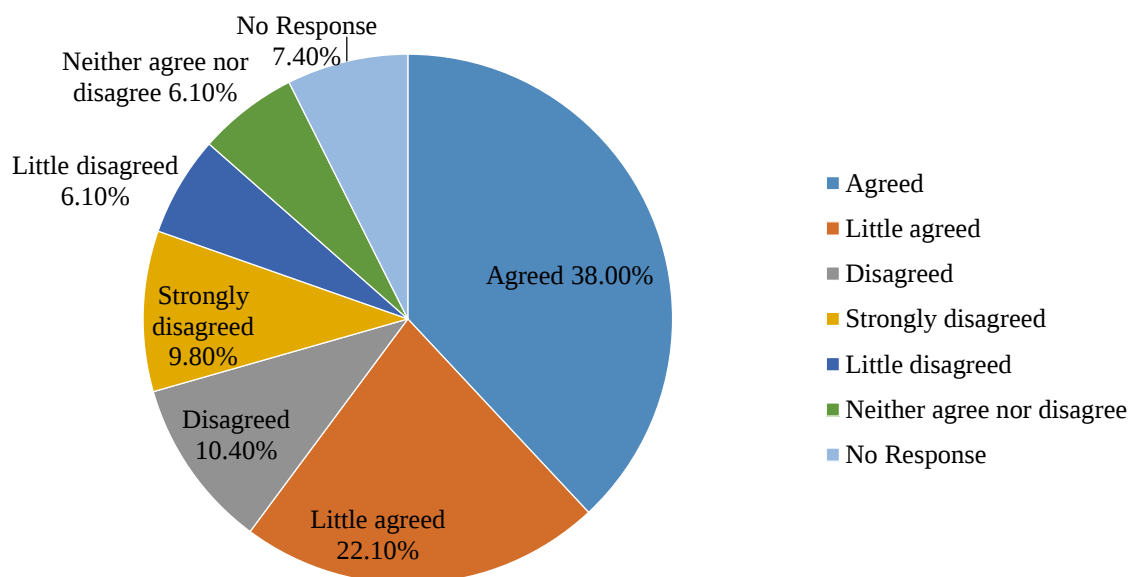


Figure 16

Do you think that the sexual life be permitted voluntarily with free consent without coercion and others as related for LGBTQ for being member of human family in accordance with Laws, in LGBTQ Private life as recognized by society as spousal life of men and women?

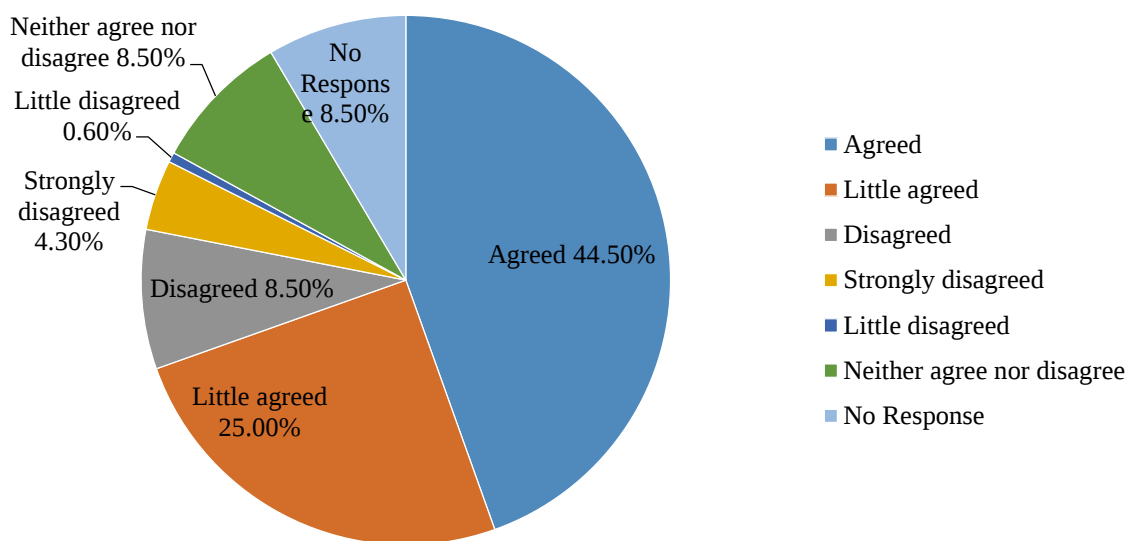


Figure 17

Do you think that the sexual life be permitted voluntarily with free consent without coercion and others as related for LGBTQ in accordance with Laws, in LGBTQ Private life as recognized by society?

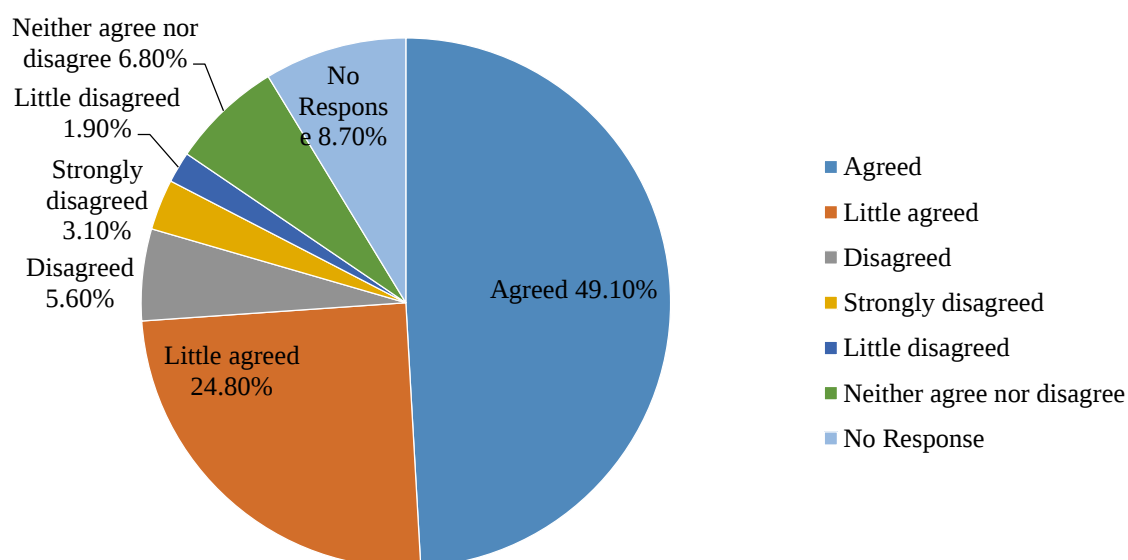


Figure 18

Do you think that the LGBTQ should change the 'Sex' or 'Gender' as per one's choice for the enjoyment of the human rights as matrimonial spousal life of men and women?

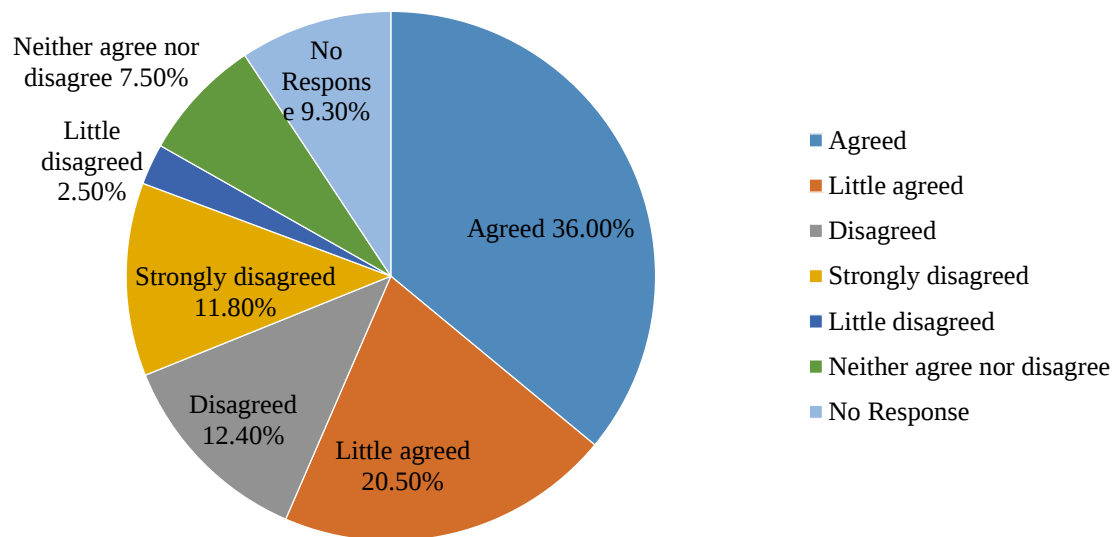


Figure 19

Do you think that the human rights of LGBTQ are protected, preserved, promoted, respected and others by society?

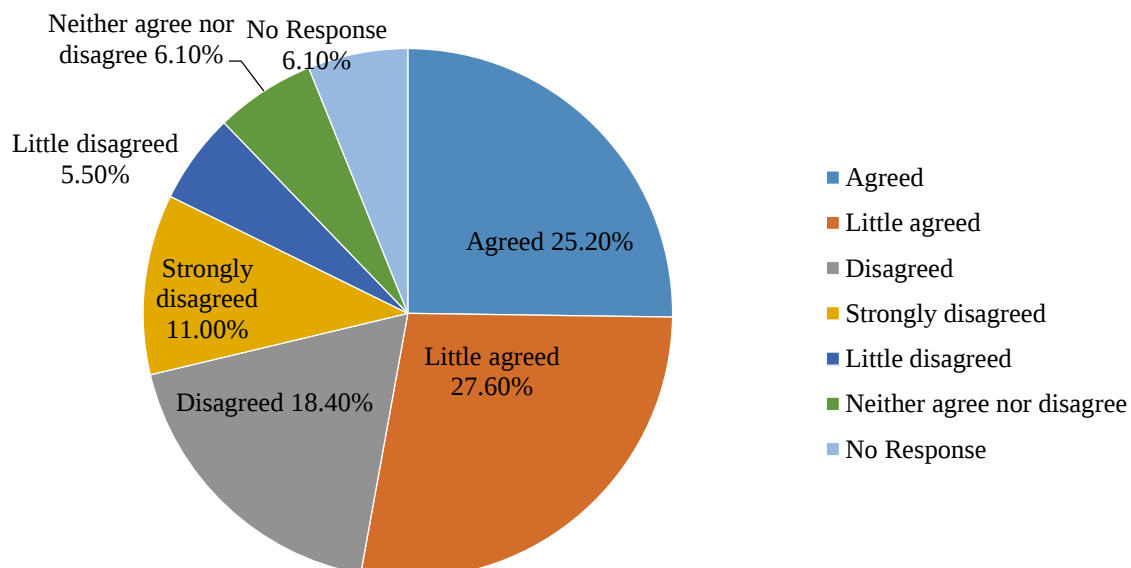


Figure 20

Do you think that the special laws should be made for the protection of rights of LGBTQ?

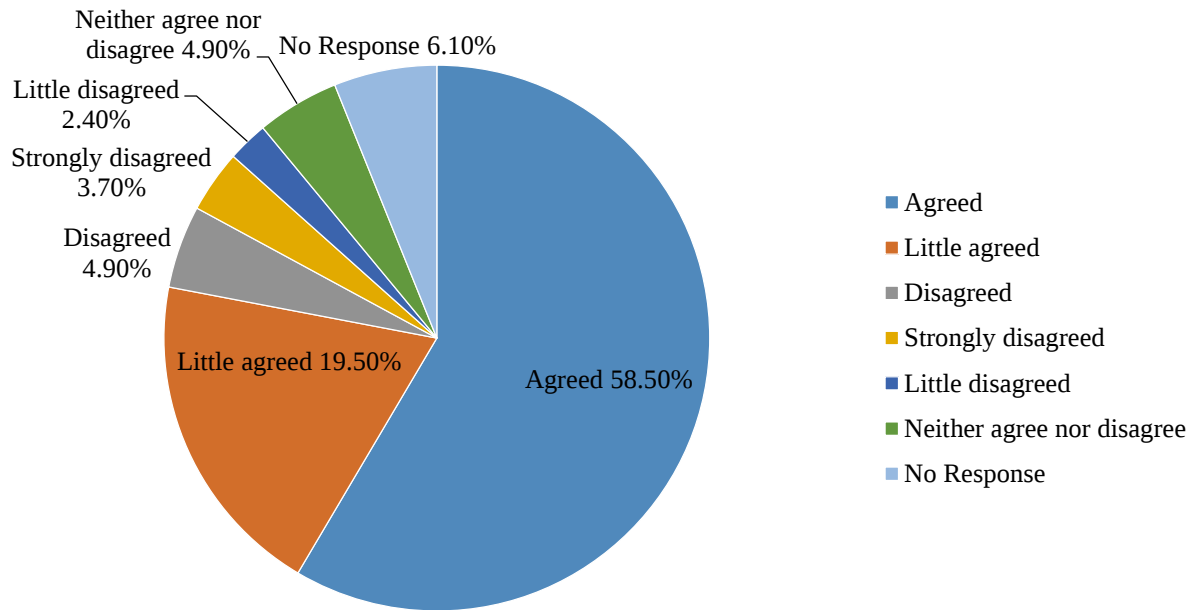


Figure 21

Do you think that the special enforcement mechanism should be made for the protection of rights of LGBTQ separately?

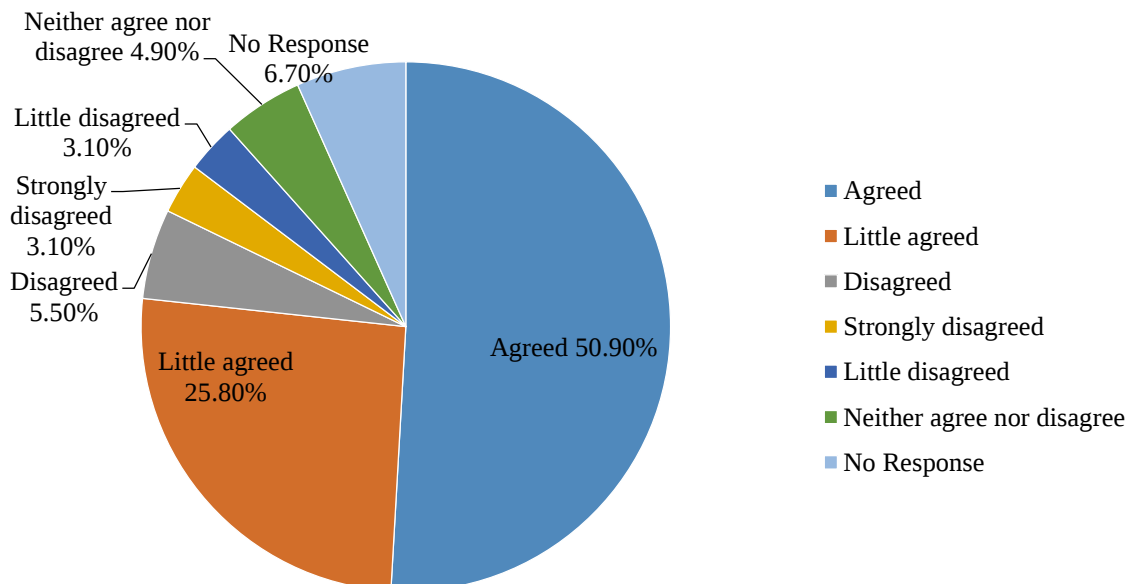


Figure 22

Do you think that the implementation of human rights of LGBTQ is up to the mark in today's globalized world?

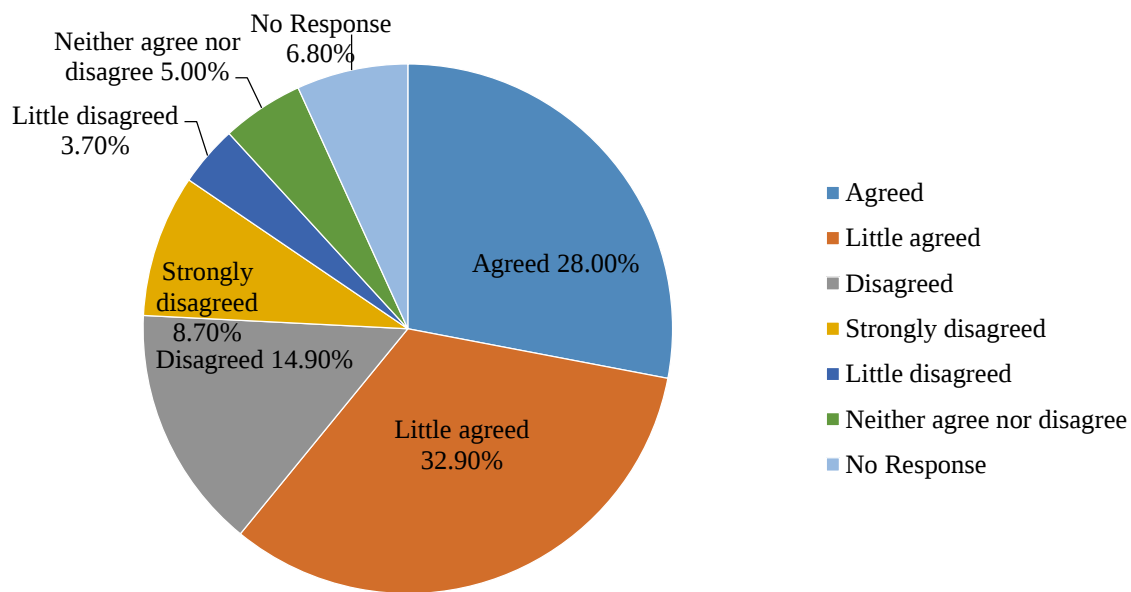


Figure 23

Do you think that the abuses of LGBTQ sexually are found?

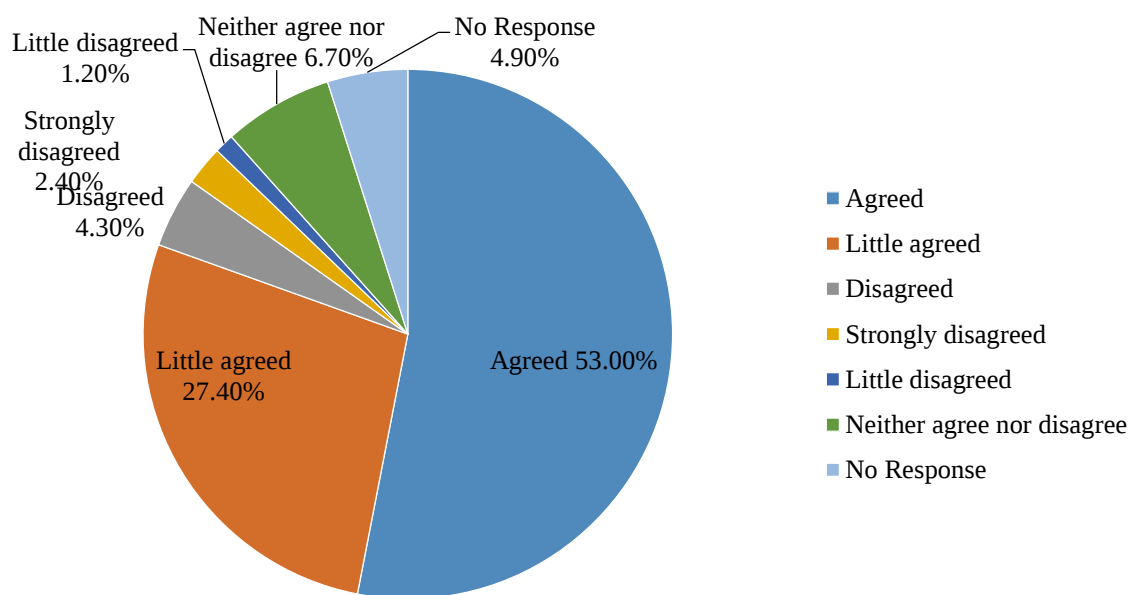


Figure 24

Research questions

Why this discrimination is being committed against LGBTQIA+?

What is the root cause behind the distinctions?

Who gives the birth to Transgender/LGBTQIA+?

Why are we abandoning to them/ LGBTQIA+ from the human family?

ANALYSIS AND DISCUSSION

Human rights are inherent by birth for all human being including LGBTQIA+ irrespective of age and other distinctions, subjecting to reasonable limitations or restrictions. In the International Bill of Human Rights, the terminology 'all human being', 'everyone' 'no one' 'all' 'person' is found otherwise than some exceptions and specifications as in connection with 'right to marry' 'right to found family' (The Universal Declaration of Human Rights, (U.D.H.R.)1948 Art. 16) for both these human rights 'men and women' words have been used. It is naturally shown that the marriage right (International Covenant on Civil and Political Rights, (I.C.C.P.R.), 1966 Art. 23 (2) and to make family right as human rights have not inclusion of LGBTQIA+ which must be included specifically or the new document or convention or covenant must be made suitably for the LGBTQIA+ by the United Nations as expeditiously as possible. Everyone has entitlement of human rights without any kind of discrimination ((International Covenant on Civil and Political Rights, (I.C.C.P.R.), 1966 Art. including LGBTQIA+ (The Universal Declaration of Human Rights, (U.D.H.R.)1948 Art. 2) but on the basis of 'Sex' or 'Gender' the LGBTQIA+ is being distinct or discriminated fullest of biasness. Why this discrimination is being committed against LGBTQIA+? What is the root cause behind the distinctions? The discrimination is being caused by reason of psychological established and determined state of mind of human which is immediately needed to change for the welfare of LGBTQIA+ due to its most serious danger consequences against human rights of LGBTQIA+. In spite of against human rights the torture, degrading, inhuman treatment and punishments (International Covenant on Civil and Political Rights, (I.C.C.P.R.), 1966 Art. 7.) are being passed against LGBTQIA+. The inherent and universal right to life, liberty and security is being infringed in the gravest manner. The inherent dignity has not been recognized and provided timely as required. For a long time, the common or minimum standard of human rights has not been conferred on the LGBTQIA+ in according to time, circumstances, necessities and others as required. Human rights fundamental freedom, inherent dignity, worth of human is mandated democratically in UN Charter and other international instruments as human rights but the implementation of the same for LGBTQ in today's scenario is as equal to nothing other than some exceptions which is disregard and contempt for human rights. On perusal of contained hereinbefore and hereinafter, the most of countries or governments are not opened in accordance with the United Nations or International Community's democratic mandate of human rights as the foundational roots of Rule of Law as required for the LGBTQIA+ human rights. It is the extreme prime time and essence for due deliberations, considerations, most careful and minute with meticulous analysis and review our human psychological ideation's perspectives in the fullest dimension for the execution of human rights specifically human right to life, personal liberty and security of LGBTQ persons. The natural justice is present for all as the supremacy of law in the worldwide as to human welfare. The civil, political, economic, social and cultural human rights as required suitably be provided and implemented at the grass root level. Now further prime question is before us that who gives the birth to Transgender/LGBTQIA+? The birth of Transgender/LGBTQIA+ is given by the human spouses consequently they also are the member of this human family then why are we abandoning to them from the human family due to societal fear, psychology and others. This is the most serious deprivation from the family life, entitlements, pleasure, happiness and others as connected. The criminalization of sexual life, marriage and others as related as an offence should not be in today's era bearing in mind the human rights which are in existence by birth to all and Transgender/Third Gender/LGBTQIA+ as well. International Transgender Day of Visibility is observed on 31 March from 2009.

FINDINGS, CONCLUSION AND SUGGESTIONS

In a nut shell, the violence, discrimination and others adverse things must not be committed against the LGBTQIA+ it has clear revelation from UN mandate as to implementation of human rights of LGBTQIA+ in the protective and preservative way. Besides democratic UN mandate or International Community mandate for human rights of LGBTQIA+ some nations of the world did not legalize the marriage, sexual life and others as required so far which is against the human rights of LGBTQIA+. The identity establishment, inclusion in society, human dignity, social life and human rights in accordance with requirements, time and circumstances must also be provided legally to LGBTQIA+

as equal to men and women as an integral member of human family. The psychological endeavors which are now need of hour in today's scenario must be made for the protection and preservation of human rights of LGBTQIA+ in nationwide and worldwide. LGBTQIA+ approximately LGBTQIA+ marriages are performed and provided recognition in 34 countries in the world estimated 1.35 billion people 17% of the population of the world. (Same-Sex Marriage. (2023). "On average, surveys in Western cultures show that about 93% of men and 87% of women identify as completely heterosexual, 4% of men and 10% of women as predominantly heterosexual, 0.5% of men and 1% of women as equally bisexual, 0.5% of men and 0.5% of women as predominantly homosexual, and 2% of men and 0.5% of women as completely homosexual. An analysis of 67 studies found that the lifetime prevalence of sex among men (regardless of orientation) was 3–5% in East Asia, 6–12% in South and Southeast Asia, 6–15% in Eastern Europe, and 6–20% for Latin America. The International Alliance for HIV/AIDS estimates the global prevalence of men who have sex with men to be between 3 and 16 percent. A small number of people do not feel sexual attraction and identify as asexual, which in itself can be considered a sexual orientation or lack thereof. In 2021, Ipsos interviewed people in 27 countries on all continents about their sexual orientation and gender identity. For some countries, the samples were weighted for representativeness, but in others with less internet access, they were skewed more towards cities. In this survey, 80% of people worldwide identified as heterosexual, 3% as homosexual, 4% as bisexual, and 1% each as pansexual, asexual, and other. The results showed that significant differences in sexual identity emerged between generations around the world, with the youngest group, Gen Z, more likely to identify as bisexual (9%) than Millennials (4%), Gen Xers (3%) and Boomers (2%). Gen Z and Millennials were also more likely to identify as gay, with 4% and 3% respectively, compared to 2% of Gen Xers and 1% of Boomers. Additionally, the survey found that men were more likely than women to identify as gay (4% vs. 1%). The survey found that Sweden was the country with the highest rate of individuals identifying as transgender." (<https://www.ipsos.com/en/ipsos-lgbt-pride-2021-global-survey>) In this respect, the terms 'person' 'everyone' or 'citizen' or 'whoever' 'everyone' 'no one' or others have been or are used in human rights or the laws therefore the words also include the Transgender/ Third Genders/Hijras/LGBTQIA+ but they have not accepted or included by the people or society as other males and females. There is no exception under human rights generally or in the most of laws for not to include or accept the aforesaid persons. The society or people respective have unlimitedly caused the irreparable or unreimbursed injury or losses or damages and others against the Transgender/ Third Genders/Hijras. It is most & unlimited serious injustice against them. They are also the human therefore they must be included, accepted, respected with the dignity with all the required things for their active participation the main stream of the development of the country and globalized world as other all human being or mankind & they all also the integral or part and parcel part or organ of the society or our world human family because human rights and its Enforcement system is available for all beyond all kinds of discriminations or distinctions under 'Rule of Law' in the democratic system.

Declaration of conflicting interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) received no financial support for the research, authorship, and/or publication of this article.

Acknowledgements

I/We would like to unlimitedly and sincerely oblige and thank perpetually and irrevocably to God, Goddess Saraswati and Shiv Aadi Prashakti.

REFERENCES

- The Universal Declaration of Human Rights, (U.D.H.R.) 1948 Art. 1.
- LGBT+ Pride 2021 Global Survey A 27-Country Ipsos Survey
<https://www.verywellmind.com/what-does-lgbtq-mean-5069804> (Retrieved 2023, 19 March)
- LGBT+ Pride 2021 Global Survey A 27-country Ipsos survey
- LGBT+ Pride 2021 Survey
 efaidnbmnnnibpcajpcglcfindmkaj/https://www.ipsos.com/sites/default/files/ct/news/documents/202106/LGBT%20Pride%202021%20Global%20Survey%20Report_3.pdf For more information, go to <https://www.ipsos.com/en/ipsos-lgbt-pride-2021-global-survey> (Retrieved 2023, 19 March)
- The International Covenant on Civil and Political Rights, 1966 Art. 6.
- The International Covenant on Civil and Political Rights, 1966 Art. 9.
- The Universal Declaration of Human Rights, 1948 Art. 3.
- Rivera-Valderrama, S., Tipula-Quispe, N., Jilapa-Humpiri, R. W., Anderson, D., & Guerra, F. Influence of information and communication technologies on the personalization of learning in the university context. *Pakistan Journal of Life and Social Sciences*, 22(1), 2024
- Gahar, A. K., Abood, H. M., Karim, A. K. A., & Ahmed, A. A. The Impact of Climate Change on Working Women in Babylon Governorate. *Pakistan Journal of Life and Social Sciences*, 22(1), 2024
- Al-Zaqeba, M. A. A., & Basheti, I. A. Measurement Problems in Interest-Free Financial Instruments. *Pakistan Journal of Life and Social Sciences*, 22(1), 2024
- Most gay friendly. (2023),
https://www.weforum.org/agenda/2015/07/what-are-the-10-most-gay-friendly-countries/?DAG=3&gclid=Cj0KCQjwxMmhBhDJARIsANFGOSsMbhWhZi60ZdUFnpSGr8D3CJkCmoWJ9ceBJPyTy8QDnlt0p5D71MkaAmE0EALw_wcB (Retrieved 2023, 19 April)
- Criminalization consensual same sex sexual-acts. (2023). <https://database.ilga.org/criminalisation-consensual-same-sex-sexual-acts> (Retrieved 2023, 9 April)
- LGBT_Rights_in_the_Netherlands,(2023),
https://en.wikipedia.org/wiki/LGBT_rights_in_the_Netherlands (Retrieved 2023, 9 April)
- Region Netherlands. (2023),
<https://www.equaldex.com/region/netherlands> (Retrieved 2023, 9 April)
- Demographics of Sexual Orientation,
https://en.wikipedia.org/wiki/Demographics_of_sexual_orientation#:~:text=or%20'other'.2020,bisexual%2C%20or%20another%20sexual%20minority (Retrieved 2023, 9 April)
- LGBT Rights in China
https://en.wikipedia.org/wiki/LGBT_rights_in_China (Retrieved 2023, 19 April)
- Demographics of Sexual Orientation
https://en.wikipedia.org/wiki/Demographics_of_sexual_orientation#:~:text=or%20'other'.2020,bisexual%2C%20or%20another%20sexual%20minority (Retrieved 2023, 19 March)
- (Most Gay Friendly. (2023).
https://www.weforum.org/agenda/2015/07/what-are-the-10-most-gay-friendlycountries/?DAG=3&gclid=Cj0KCQjwxMmhBhDJARIsANFGOSsMbhWhZi60ZdUFnpSGr8D3CJkCmoWJ9ceBJPyTy8QDnlt0p5D71MkaAmE0EALw_wcB (Retrieved 2023, 19 March)
- Indian Penal Code, 1860 Sec. 377
- Writ Petition SC (Criminal) No-76 of 2016, 2018, 6 September.
- Writ Petition SC (Civil) No- 400 of 2012 with also Writ Petition (Civil) No- 604 of 2013, 2014, 15 April
- Supriyo @ Supriya Chakraborty & Anr. v. Union of India (2023), W.P. (C) no. 1011/2022, Dairy no. 36593/2022. 2023 October, 17
- Delhi High Court delivered on 2009, 2 July.
- The Times of India, New Delhi, 2018, 13 August. p. 9.
- The Dainik Bhaskar, Faridabad, Delhi NCR, 2018, 15 July. p. 1.
- The Dainik Bhaskar, Faridabad, Delhi NCR, 2018, 3 August. p. 5.

Demographics of Sexual Orientation,

https://en.wikipedia.org/wiki/Demographics_of_sexual_orientation#:~:text=or%20'other'.,2020,bisexual%2C%20or%20another%20sexual%20minority (Retrieved 2023, 19 March)

576 U.S. 644 (2015) 2015, 26 June.

Federal Supreme Court [S.T.F.] Federal District, Direct Action of Unconstitutionality [A.D.I.] 4.277-DF/ Argument of Breach of Fundamental Precept [A.D.P.F.] 132-RJ, Rapporteur: Min. Ayres Britto, 05.05.2011, 198, Electronic Judiciary Diary [D.J.e], 10.14.2011, 611, 611 (Braz.). Resolution 175, NATIONAL COUNCIL OF JUSTICE [C.N.J.], May 14, 2013, 1, 2 (2013) (Braz.).

Scholarship

efaidnbmnnnibpcajpcglclefindmkaj/https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1445&context=wmjowl (Retrieved 2023, 19 March)

Same-Sex Marriage in Brazil,

https://en.wikipedia.org/wiki/Same-sex_marriage_in_Brazil (Retrieved 2023, 19 March)

Demographics of Sexual Orientation,

https://en.wikipedia.org/wiki/Demographics_of_sexual_orientation#:~:text=or%20'other'.,2020,bisexual%2C%20or%20another%20sexual%20minority (Retrieved 2023, 19 March)

Kumar, Ramesh. (2022). Human Rights of Men in the World of Globalization-An Essence of Time: A Critical Appraisal: *Jai Maa Saraswati Gyandayini An International Multidisciplinary e Journal*, 8(2), 1-6. <https://doi.org/10.53724/jmsg/v8n2.02>

Demographics of Sexual Orientation,

https://en.wikipedia.org/wiki/Demographics_of_sexual_orientation#:~:text=or%20'other'.,2020,bisexual%2C%20or%20another%20sexual%20minority (Retrieved 2023, 19 March)

LGBT_rights_in_Nigeria

https://en.wikipedia.org/wiki/LGBT_rights_in_Nigeria (Retrieved 2023, 19 March)

Kumar, Ramesh, Verma Kumar, Raj, Verma Kumar, Rohit. (2023). Justice Accessibility in perspective of Juristic Rational Science with Specific Dimension of Medical and Forensic Science: *Jai Maa Saraswati Gyandayini An International Multidisciplinary e Journal*, 9(1), 10-13. <https://doi.org/10.53724/jmsg/v9n1.03>

Nigerian-President-Signs-Anti-Gay-Law

<https://www.theguardian.com/world/2014/jan/13/nigerian-president-signs-anti-gay-law> (Retrieved 2023, 19 March)

Refworld, efaidnbmnnnibpcajpcglclefindmkaj/https://www.refworld.org/pdfid/52f4d9cc4.pdf (Retrieved 2023, 19 March)

Same Sex Marriage (Prohibition) Act, 2013

The Universal Declaration of Human Rights, (U.D.H.R.) 1948 Art. 16.

The Universal Declaration of Human Rights, (U.D.H.R.) 1948 Art. 16.

International Covenant on Civil and Political Rights, (I.C.C.P.R.), 1966 Art. 23 (2).

International Covenant on Economic, Social and Cultural Rights, (I.C.E.S.C.), 1966 Art. 2

International Covenant on Economic, Social and Cultural Rights, (I.C.E.S.C.), 1966 Art. 2.

International Covenant on Civil and Political Rights, 1966 Art. 2.

The Universal Declaration of Human Rights, (U.D.H.R.) 1948 Art. 2.

The Universal Declaration of Human Rights, (U.D.H.R.) 1948 Art. 5.

International Covenant on Civil and Political Rights, (I.C.C.P.R.), 1966 Art. 7.

International Covenant on Civil and Political Rights, (I.C.C.P.R.), 1966 Art. 6, 9, 10.

The Universal Declaration of Human Rights, (U.D.H.R.) 1948 Art. 3.

Same-Sex Marriage. (2023),

https://en.wikipedia.org/wiki/Same-sex_marriage (Retrieved 2023, 19 March)

Demographics of Sexual Orientation,

https://en.wikipedia.org/wiki/Demographics_of_sexual_orientation#:~:text=or%20'other'.,2020,bisexual%2C%20or%20another%20sexual%20minority (Retrieved 2023, 19 March)

Kumar, Ramesh. (2022). Meninism and Preconceived Ideology with specific Indian Dimension of Human Rights in Today's Changing Globalized Scenario: A Critical Appraisal. *Legal Research*

Development (An International Referred e-Journal) Vol.07.Issue-I.Sep.2022.27-29
doi: <https://doi.org/10.53724/lrd/v7n1.10>.

Demographics of Sexual Orientation,

https://en.wikipedia.org/wiki/Demographics_of_sexual_orientation#:~:text=or%20'other'.2020,bisexual%2C%20or%20another%20sexual%20minority (Retrieved 2023, 19 March)

The Hindustan Times, New Delhi. 2017, 18 December. p.2.

Yap Jia Qing, Ernest Lim. (2022). A Legal Framework for Artificial Intelligence Fairness Reporting. *Cambridge Law Journal, Cambridge University Press, Faculty of Law, University of Cambridge*
doi:10.1017/S0008197322000460

Ally Abubakar, Tariq, Kumar, Ramesh (2024). Implementation of Women's Human Rights in Dar Es Salaam with Special Reference to Domestic Violence: A Critical Appraisal, *Revista de Gestao Social e Ambiental*. 18.5.1-14 doi: <https://doi.org/10.24857/rgsa.v18n5-038>

Siobha'N Mcinerney- Lankford. (2009). Human Rights and Development: A Comment on Challenges and Opportunities from a Legal Perspective. *Journal of Human Rights Practice, Oxford University Press, Oxford University, UK* Vol. 1. Number 1. March 2009,
doi:10.1093/jhuman/hun005

Ally Abubakar, Tariq, Kumar, Ramesh (2024). Laws Relating to Women Human Rights and Domestic Violence in Tanzania, *Pakistan Journal of Life and Social Sciences*. 22.2.366-373 doi: <https://doi.org/10.57239/PJLSS-2024-22.2.0027>

Andreas von Staden (2022). The Conditional Effectiveness of Soft Law: Compliance with the Decisions of the Committee against Torture, *Human Rights Review, Springer* 451-478
<https://doi.org/10.1007/s12142-022-00653-5>

Myeshia N. Price Amy E. Green, Association of Gender Identity Acceptance with Fewer Suicide Attempts Among Transgender and Nonbinary Youth, *Transgender Health, Mary Ann Liebert Inc.* <https://doi.org/10.1089/trgh.2021.0079>