

‘THE ONES WHO ARE LEFT BEHIND’: TRACING SPACE FOR NON-BINARY INDIVIDUALS IN SUSTAINABLE DEVELOPMENT GOALS 2030 AGENDA



Shreya Rawat*

*Research Scholar, Law College Dehradun,
Uttaranchal University

Prof. (Dr.) Poonam Rawat**

**Head Of Department,
Law College Dehradun, Uttaranchal University

Abstract

In the shared principles of 2030 Agenda for sustainable development, the United Nations declares “The achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full human rights and opportunities....” There are 17 sustainable development goals with 169 specific targets focused on creating socially, economically and environmentally sustainable world. The goals aim for inclusive society for all stating “No one must be left behind.” However, we fail to find any mention of word ‘third gender’ or ‘sexual orientation’. We still live in a society discriminating against sexual and gender minorities. Nonetheless, the terms and principles of SDGs can be interpreted to advocate in favor of gender non-conforming persons. In this paper the author attempts to highlight the challenges faced by the queer community in various walks of life. The writing also deals with Sustainable development goals 1, 3, 4, 5, 8 and 10 while trying to trace where Transgender community stands in relation to them.

Keywords:

Sustainable, SDG, Third gender, Queer, Inclusive

Introduction

Transgender community or gender non-conforming refers to people who do not consider themselves in either of the two binary sexes (male/female) or recognize themselves in the sex other than that they are assigned at birth. This is not very common. This does not fit the common society. And with



the ‘uncommon’ trait, comes the biased gaze of society. The ‘general’ society looks down on them for being different than the rest. This stigma is faced by them in every walk of their lives right from school to workplaces. For the intersex people it starts from the birth. Ostracized by the society, harassed by bullies, ill-treated by their loved ones leave them traumatized. The trauma stays for the whole life. The repercussions of patriarchy, sexism, heteronormativity, racism and biasness are that a mark is left for whole of the lives. All the discrimination makes them feel lonely, isolated and depressed. These are some of the problems that queer community faces on almost daily basis. This list is not exhaustive. There are a lot of other problems which the community encounters. Not only smaller countries, but big nations have failed to include this community in the mainstream society. Even the international document Universal Declaration of Human Rights led sustainable development goals have failed to include gender non-conforming people as such. Sustainable development goals made on the foundation of UDHR have 17 goals with the aim for creating an inclusive society. However, it does not specifically provide for inclusion of queer community.

Concept

SDG 3 and prejudices in healthcare

SDG 3 calls for promoting and ensuring well-being and good health of people of all ages. It sets out 13 targets, out of which Target 3.7 provides for ‘sexual and reproductive healthcare services’. Target 3.8 calls out for ‘universal health coverage and access to quality, safe and effective health care services’. The reality however, is different from what we are trying to achieve. Health and healthcare situation for gender non-conforming individuals is substandard.

Trans persons face different mental and physical health issues. The mental health issues for transgender individuals begin from the early stage of body dysphoria. This is the internal battle faced by them when even the external struggle has not yet started. The research shows that all these experiences are deepened in the years of puberty.¹ The most distressing part is that the person has to fight with himself before fighting with the world. The trans phobic Indian society has so much filled each mind with the hetero normative ideas that the individual sometimes fears his own identity. These

¹Huttunen, A., Hirvonen, N., & Kähkönen, L. (2020). Uncomfortable in my own skin—emerging, early-stage identity-related information needs of transgender people. *Journal of Documentation*, 76(3), 709-729, <https://doi.org/10.1108/JD-09-2019-0193>



internalized negative beliefs and attitudes affect the self-esteem and identity development of a queer individual. Queer may devalue themselves by considering their behaviour as ‘wrong’, ‘unnatural’, ‘immoral’ or ‘sin’ and involve themselves in self-destructive behaviour like substance abuse, leaving their studies and professional concerns incomplete.²

WHO declares that LGBT+ persons are at a higher risk of suicide these are the vulnerable groups to experience discrimination. As per now no concrete statistical data nationwide is there on suicide transgender individuals. But over the years the cases of harassment and bullying, abuse, torture have been witnessed. A qualitative study on LGBT women showed that isolation, anxiety, drug use, and suicidal tendency were common experiences. It is found that they don’t take help of psychologists because of stigma, fear of negative mental interventions and sometimes previous unfavourable experience.³ They face violence, abuse, family rejection, pressure and discrimination. Young people with gender dysphoria often wish to go through social and medical gender transition.⁴ This creates a mental pressure over them to establish their identity in the society as a particular gender.⁵ This sense of inability to achieve the identification increases their mental and psychological pressure which results in suicidal or non-suicidal self-harming thoughts and behaviour like NSSI.⁶

The physical healthcare situation is no different. The place where common people show their wounds freely and open up about their physical difficulties is not the same for trans community. They feel cut off from these places also. They feel even the attitude of healthcare workers is not empathetic towards them, which often leads them to hide their identity if they can. In

²Joseph, S. (2005), *Social work, Practice and Men Who Have Sex with Men*. Sage Publications

³Wandrekar, J. R., & Nigudkar, A. S. (2020). What do we know about LGBTQIA+ mental health in India? A review of research from 2009 to 2019. *Journal of Psychosexual health*, 2(1), 26-36, <https://doi.org/10.1177/2631831820918129>

⁴Becker, I., Ravens-Sieberer, U., Ottová-Jordan, V., & Schulte-Markwort, M. (2017). Prevalence of adolescent gender experiences and gender expression in Germany. *Journal of Adolescent Health*, 61(1), 83-90, <https://doi.org/10.1016/j.jadohealth.2017.02.001>

⁵Coleman, E., Bockting, W., Botzer, M., Cohen-Kettenis, P., DeCuypere, G., Feldman, J., ... & Zucker, K. (2012). Standards of care for the health of transsexual, transgender, and gender-nonconforming people, version 7, *International journal of transgenderism*, 13(4), 165-232, <https://doi.org/10.1080/15532739.2011.700873>

⁶Claes, L., & Vandereycken, W. (2007). Self-injurious behavior: differential diagnosis and functional differentiation. *Comprehensive psychiatry*, 48(2), 137-144, <https://doi.org/10.1016/j.comppsy.2006.10.009>



a study, the authors point out the discriminatory bill of health and human services in the U.S. that rescinded health protections for gender diverse Americans.⁷ In the time of epidemics especially, such rule and withdrawal of such protection many prove to be fatal to their health. Many studies show that medical healthcare providers often misbehave with them and treat them as unequal and inferior.⁸ There are inequalities in healthcare with regard to sexual and gender stigma.⁹

SDG 4 and School Bullying

SDG 4 calls for ensuring quality education to all ‘girls’ and ‘boys’; again neglecting the third category of people. Target 4.5 calls to end gender disparities in education and ensure equal access to education for ‘vulnerable’. It is very probable that vulnerable class includes non-binary people too. Target 4.A. declares that education facilities must be gender sensitive. The picture of education system is totally unlike.

Many such people face bullying and abusing in schools and to avoid humiliation often skip classes or even drop out of school. Exposure to violence shows negative effects on the health and education.¹⁰ Absenteeism has been found to be responsible for low graduation rates that can have consequences for the whole life.

School bullying is a major cause of anxiety and future traumas in trans individuals.¹¹ As far as India is concerned this holds true only for gender

⁷Malina, S., Warbelow, S., & Radix, A. E. (2020). Two steps back—rescinding transgender health protections in risky times. *New England Journal of Medicine*, 383(21), e116, <https://doi.org/10.1056/nejmp2024745>

⁸James, S., Herman, J., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. A. (2016). The report of the 2015 US transgender survey, <https://www.semanticscholar.org/paper/The-Report-of-the-2015-U.S.-Transgender-Survey-James-Herman/e7be734f9129854a0288493a739b2df1bdfdf06d>

⁹Moallem, S., Salway, T., Phanuphak, N., Kivioja, K., Pongruengphant, S., & Hayashi, K. (2022). The relationship between sexual and gender stigma and difficulty accessing primary and mental healthcare services among LGBTQI+ populations in Thailand: Findings from a national survey. *International Journal of Mental Health and Addiction*, 20(6), 3244-3261, <https://doi.org/10.1007/s11469-021-00740-7>

¹⁰Woodford, M. R., Kulick, A., Sinco, B. R., & Hong, J. S. (2014). Contemporary heterosexism on campus and psychological distress among LGBQ students: The mediating role of self-acceptance. *American Journal of Orthopsychiatry*, 84(5), 519, <http://dx.doi.org/10.1037/ort0000015>

¹¹Lian, Q., Li, R., Liu, Z., Li, X., Su, Q., & Zheng, D. (2022). Associations of nonconforming gender expression and gender identity with bullying victimization: an analysis of the 2017 youth risk behavior survey. *BMC public health*, 22(1), 1-7, <https://doi.org/10.1186/s12889-022-13071-6>



non-conforming people as most intersex in India don't even get the facility of going to a school. There is high rate of victimization and bullying towards gender non-conforming students.¹² The isolation faced by them in schools make them drop out and leave studies, which in turn brings economic dissatisfaction. The discrimination faced in the stage of puberty leaves an effect on their mental health forever.¹³ Queer people are often mocked about their mannerisms. Sometimes even teachers also tend to participate in abusing, harassing and sometimes even forcing the transgender pupils to sit aloof from their classmates.¹⁴

This discrimination also affects academic grades¹⁵ of such individuals.¹⁶ Even social support from friends is associated with higher self-esteem in cisgender LGB students but not their transgender counterparts.¹⁷

A quality education system is inclusive, that accepts and nurtures all students regardless of their colour, creed, sexuality or anything unrelated to academics. Unreasonable classification in schools is dangerous as it sets an example before the younger generation. They form the society in future and their learning leads their mentality all their lives. The discrimination they see in schools is repeated by them in their lives out of and after the school.

¹²Henderson, E. R., Sang, J. M., Louth-Marquez, W., Egan, J. E., Espelage, D., Friedman, M., & Coulter, R. W. (2022). "Words Aren't Supposed to Hurt, But They Do": Sexual and Gender Minority Youth's Bullying Experiences. *Journal of interpersonal violence*, 37(11-12), NP8747-NP8766, <https://doi.org/10.1177%2F0886260520978199>

¹³Beusekom, G., Baams, L., Bos, H. M., Overbeek, G., & Sandfort, T. G. (2016). Gender nonconformity, homophobic peer victimization, and mental health: How same-sex attraction and biological sex matter. *The Journal of Sex Research*, 53(1), 98-108. <https://doi.org/10.1080/00224499.2014.993462>

¹⁴Knight, K. (2019) *Section 377 is History but Young LGBT Indians Need Concrete Policies to Protect them from Bullying*, Human Right Watch, www.hrw.org

¹⁵Hartig, A., Voss, C., Herrmann, L., Fahrenkrug, S., Bindt, C., & Becker-Hebly, I. (2022). Suicidal and nonsuicidal self-harming thoughts and behaviors in clinically referred children and adolescents with gender dysphoria. *Clinical child psychology and psychiatry*, 27(3), 716-729, <https://doi.org/10.1177/13591045211073941>

¹⁶Mathies, N., Coleman, T., McKie, R. M., Woodford, M. R., Courtice, E. L., Travers, R., & Renn, K. A. (2019). Hearing "that's so gay" and "no homo" on academic outcomes for LGBTQ+ college students. *Journal of LGBT Youth*, 16(3), 255-277, <https://doi.org/10.1080/19361653.2019.1571981>

¹⁷Taylor, K., Coulombe, S., Coleman, T. A., Cameron, R., Davis, C., Wilson, C. L., ... & Travers, R. (2022). Social support, discrimination, and self-esteem in LGBTQ+ high school and post-secondary students. *Journal of LGBT Youth*, 19(3), 350-374, <https://doi.org/10.1080/19361653.2020.1812465>



Our schools are definitely setting wrong examples which are dangerous for the future.

SDG 5 and Social Discrimination

SDG 5 enshrines the principle of Gender equality. The draft calls for empowering women and girls by giving them equal opportunities as well as ending discrimination against them. If we widely interpret the term ‘gender’ we can keep all other non-binary genders in the category. But in all targets of SDG 5, provisions for specifically females have been made.

The transgender persons are ostracized by the society, discriminated and humiliated at every pace by every other person. One can assume that when the whole world side-lines a person, family can come to rescue and they are the people who would be there. But the trans community is deprived of this support too. They face family exclusion, poor relationships with their kins, domestic abuse and homelessness.¹⁸

This results in social anxiety, cynic sense, depression and alcohol and substance abuse. To escape from horrifying reality, they often get succumbed to drugs. Their state of being different and ‘unnatural’ is frowned upon by the society and that instigates the family to act this way. A surprising fact is that some of them have even been discriminated by LGB groups.¹⁹ When a person is questioned and made unsure of what he/she feels, the confidence shatters. Discrimination breaks the soul; especially, when one cannot do anything about it. Distressed and diminished mental health of transgender individuals hinders their growth. Blunt comments, mocking and mean behaviour do not let them come out of their own shell. They live in their own small, congested world so as to feel safe.

SDG 8 and Workplace Discrimination

SDG 8 appeals for promoting inclusive and sustainable economic growth, decent and productive employment for all. But the LGBT community suffers workplace harassment too. They get through various forms of abuses such

¹⁸Glick, J. L., Lopez, A., Pollock, M., & Theall, K. P. (2019). “Housing insecurity seems to almost go hand in hand with being trans”: Housing stress among transgender and gender non-conforming individuals in New Orleans. *Journal of Urban Health*, 96, 751-759. <https://doi.org/10.1007/s11524-019-00384-y>

¹⁹McCann, E., & Brown, M. J. (2021). Homeless experiences and support needs of transgender people: A systematic review of the international evidence. *Journal of nursing management*, 29(1), 85-94, <https://doi.org/10.1111/jonm.13163>



as mean jokes, insensitive casual homophobic jokes, insulting references as to their sexual orientation and side lining at the workplace. Existing laws against workplace harassment like Equal Remuneration Act, 1976 and POSH Act, 2013 do not specifically account for the rights of LGBT people. Thus, there is no obligation to make inclusive workplace. Even anti-discrimination laws like Transgender persons (Protection of Rights) Act, 2019 are too weak to provide proper protection for private employees. These laws use gender specific language, require proof and certification of transgender status, and do not provide any kind of remedy in case of violations. Constitutional guarantee provided under Art. 16(2) is restricted to the public sector. Thus, Indian LGBT employees are left with no remedy when their rights are violated by private employers.²⁰ Workplace discrimination laws and maternity benefits do not include the LGBTQ persons.

LGBT workers often tend to hide their identities at workplace under the fear of being isolated. They also face micro aggressions at work, like hearing demeaning remarks about them or people similar to them. They are also a prey of sexual harassment at greater rate and more frequently than their heterosexual counterparts. Sexual orientation negatively affects their career advancement at work.²¹ Such treatment affects economic contributions of LGBT community and results in lower productivity, unemployment and underemployment. It is because of this reason that they face poverty and marginalization. Social exclusion pushes them into dirty businesses like prostitution and sex work.

If they are discriminated at workplace, it leads to lower utilization of human capital as in this community there are skilled workers but then they are passed over in employment. Sometimes homosexuals are replaced with heterosexuals even if they are less skilled than the former as they seem 'normal' to the employers. In addition, even if there is no effect in wages or employment opportunities, harassment in workplace reduces their productivity as they are not able to contribute their hundred per cent to work disturbed by the discriminatory behaviour.

²⁰ Devaprasad, A. (2020). Creating LGBT inclusive workplaces in India: The push for an anti-discrimination law. *Georgetown public policy Review*, <https://gppreview.com/2020/10/05/creating-lgbt-inclusive-workplaces-india/>

²¹ Ellsworth, D., Mendy, A. (2020) *How the LGBTQ+ community fares at workplace*, McKinsey & Company, <https://www.mckinsey.com/featured-insights/diversity-and-inclusion/how-the-lgbtq-plus-community-fares-in-the-workplace>



One more issue for queer at work is wage gap. They are not safe at the workplaces as well. Key biases faced by the gender diverse workforce in their offices which varies from overt to covert from subtle ambiguous statements to blatant aggressive acts. This makes them anxious and depressed, which in turn can affect their productivity at work and harm their efficiency thus preventing their real abilities to come forward. Target 8.5 calls for decent work generation and full productive employment, with equal pay for equal work. But discrimination at workplace creates another reality on the face of truth.

FINDINGS: Let alone the question of implementation, Agenda 2030 of the Sustainable development goals fails to expressly provide space to the ‘third gender’ in its targets. This is certainly a big pitfall as an important community of the world which is continuously struggling for its rights through years, is not being addressed anywhere. SDG 4 regards education but includes only two sexes i.e., male and female. SDG 5 which specifically refers to ‘Gender Equality’ points out only ‘women’ to be put in equal footing as men, as if there is no other existing gender. SDG 5 has failed bitterly to even aim for a gender unbiased society. In SDG 10, Target 10.2 declares that there must be political social inclusion of all. It calls for ending any kind of discrimination on the basis of age, race, origin, sex, disability or other status. The term ‘other status’ may be construed to include the third gender. However, there is no clear indication. Talking about implementation, while SDG 3.8 states that medical facilities should be affordable to all, there are many AFAB (Assigned Female at birth) and AMAB (Assigned Male at birth) who are not able to afford a sex transition surgery to become what they wish. While SDG 8 calls out for an inclusive work environment and equal work pay, the picture is really bleak for the LGBT community.

DISCUSSION ON THE BASIS OF FINDINGS: First and Foremost, Transgender people should be given proper and clear space in the SDGs so as to set off the journey of recognizance of their rights at International level. School curriculum and school environment can be made more inclusive by including unbiased literature and writings. For the implementation part, Aids by nurses and other medic workers with should be given proper training to foster inclusive care and promote better family connections of gender diverse people. There must be inclusive workplace environment to boost the financial condition of third gender while promoting income equality.²² Society must be made vigilant through campaigns and programmes around the world to eradicate the prejudices of common masses towards the said community.

²²Fontana, E., & Siriwichai, P. (2022). Understanding transgender persons’ careers to advance sustainable development: The case of Trans for Career Thailand. *Sustainable Development*, 30(6), 1573-1590, <https://doi.org/10.1002/sd.2329>



The welfare policies and foster care systems can build trust; create affordable and accessible healthcare services thus improving their mental health. More social connectedness and support lowered the rate of anxiety and depression. Friends are a significant source for this community. Mental health professionals should take help of families of gender non-conforming youth to provide gender affirming care.²³ There is relation between gender identity documents and mental health of gender non- conforming persons. Those who have changed their official documents in conformation with their identity had lower suicide risk than their counterparts who were unable to do so.²⁴ This shows that along with better health services the convenience of updating one's gender identity can help such individuals in improving their mental health.

Conclusion

We can gather that experiences of transgender community happen in many stages. First the inside struggle that they deal with, second the time they are isolated by their families, third when they are harassed at schools and workplaces and so on. This is certainly a class that suffers right from birth to last breath. Most of the countries are not doing very well on the healthcare services front. This has pushed many such persons to the abyss of isolation, depression and anxiety. Enough of men and women, this section of society has been left untouched till now. Even after declaration of UDHR, which is the touchstone of Human Rights for the whole world, the international statutes fail to make a gender inclusive society by only creating gender specific statutes. Still in the year 2023, we are lagging behind in achieving the set goals of 2030 Agenda. A problem discussed on national level may be termed as 'regional' but when it is discussed at the world platform and when we take into consideration the environment, the flora and fauna, when we talk about the whole world addressing the problems and discussing challenges coming in way of development, neglecting a major chunk of the population struggling for gender identification which if included would contribute to achieve the sustainable goals to the fullest, would be a major drawback from achieving a worldwide successful sustainability.

²³Tüzün, Z., Ba°ar, K., & Akgül, S. (2022). Social connectedness matters: Depression and anxiety in transgender youth during the COVID-19 pandemic. *The journal of sexual medicine*, 19(4), 650-660, <https://doi.org/10.1016/j.jsxm.2022.01.522>

²⁴DeChants, J. P., Price, M. N., Green, A. E., Davis, C. K., & Pick, C. J. (2022). Association of updating identification documents with suicidal ideation and attempts among transgender and nonbinary youth. *International journal of environmental research and public health*, 19(9), 5016, <https://doi.org/10.3390/ijerph19095016>