Media reporting and guidelines on LGBTIQ issues

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EQUIL-GROUND Publication
Foreword

This booklet is brought to you as a publication of “EQUAL GROUND”, which is a non-governmental organisation, aiming to promote and protect the human rights of the Sri Lankan LGBTIQ community – i.e. Lesbian, Gay, Bisexual women and men, Transgender persons, intersexual persons and questioning persons. EQUAL GROUND works to promote civil, political, cultural, social and legal rights of the community with different sexual orientations and gender identities, in the meanwhile, provides the necessary counselling for such communities, conducts awareness programs or workshops, maintains a sheltering center, maintains a scholarship fund, engages in other welfare activities and mediates with and directs various stakeholders such as the government, private sector etc. on behalf of the community. Also, EQUAL GROUND represents the community of different sexual orientations and gender identities on various national and international forums such as conferences, workshops, trainings etc. and provides the necessary mediation on behalf of them.

With the ambition of fostering a life for the community with different sexual orientations and gender identities by changing the mentality or opinions in the society about them, EQUAL GROUND has initiated and implemented various programs in 13 districts of Sri Lanka and through such programs, Sri Lanka Police, Human Rights Commission of Sri Lanka, Lawyers, Legal Aid Commission, Journalists, Grama Niladhari officials, University students, Youth associations in rural villages, health officials and general public have been made aware about the LGBTIQ community. As a result of such efforts, many changes and reforms have been taking place in the society with regard to the LGBTIQ community, as opposed to the year 2004 in which EQUAL GROUND was established as an organisation. However, due to the derogatory and baseless statements issued and publicised by various fundamentalist groups, we observe that there is an increase in violence against the community. Mass media also plays a significant role in this. We have referred to news reports which were published in Sri Lanka in the recent past with regard to LGBTIQ persons, and we figured that most of these news reports consist of imaginary opinions which are not well researched nor well investigated. It is inevitable that such irresponsible reporting with the inclusion of social and cultural viewpoints of their own and without being sensible and sensitive, without considering media ethics and human rights will further violence against the LGBTIQ community.

On the one hand, the background to designing this booklet is to provide the necessary guidance for media to reporting factually, while on the other hand, it is to create the sensibleness to avoid such media being used wrongfully. We believe that you will use the scope of your journalism positively and creatively when reporting about the LGBTIQ community after referring to this booklet. We have included a glossary which consists of correct terminology when reporting about LGBTIQ persons in the media and furthermore, we have briefly described on what sexuality is, how sexuality and sexual orientation differs from each other and what gender is. Also, we have included a chapter which discusses why the media must focus on media ethics and human rights and we have quoted a few examples from news reports in the recent past. In the end, we have also included a series of guidelines which we think must be followed in writing, reporting or in any other form of art or design about the LGBTIQ community in a manner which is correct and truthful.
GLOSSARY

This is an adaptation of the GLAAD Media and Reference Guidebook (www.glaad.org/reference) suitting the Sri Lankan context.

Sexual Orientation

Sexual Orientation is the proper scientific term for the physical, psychological and spiritual/romantic attraction one has towards another person of the same sex or opposite sex for a period of time. Gay, Lesbian & bisexual women and men and heterosexual sexual orientations are included in this.

The usage of wrong words such as sexual desire/selection/bias instead of sexual orientation in reporting and expressing indirectly makes one feel that being gay, or bisexual is a condition which can be cured. It is not essential that one should have had any experience of any kind of sexual pleasure to determine or understand what their sexual orientation is. It is merely to be mindful of or to understand whom they like.

Heterosexual

Heterosexual is a specific term to denote the physical, psychological and spiritual/emotional attraction one has for a person of the opposite sex for a period of time.

Homosexual

Homosexual is an older term used to denote gay persons in the sense of derogation and disgust. Many international media outlets have limited the use of this term. This term denotes or means persons who are attracted to the persons of the same sex they belong to.

Gay – Same-sex male

This is a specific term to denote the physical, psychological and spiritual/emotional attraction a man has on another man for a period of time. Refrain from using the term “homosexual” to describe gay persons as it is considered an outdated, derogatory term which induces a wrongful meaning.

Lesbian – Same-sex female

This is a term to denote the physical, psychological and spiritual/emotional attraction a woman has on another woman for a period of time. Refrain from using the term “homosexual” to describe lesbians as it is considered an outdated, derogatory term which induces a wrongful meaning.

Bisexual / Bi – Bisexual men and women

Bisexual is a term used to denote the physical, psychological and spiritual/emotional attraction a person can have on a person of the same sex and the opposite sex for a period of time. These people can experience these feelings and attraction in varying degrees. There is no need to have a particular kind of sexual experience for a bisexual person to be a bisexual person. In fact, they do not have to have any sexual experience for them to identify themselves as a bisexual.
Glossary

Sex

Sex is about categorising or differentiating persons as men and women. A person's sex is decided after taking the external physical features of the infant stages of a person into account (This is what’s being included in the birth certificate). In fact, a person’s sexuality is a mixture of chromosomes, hormones, internal and external reproductive organs and secondary sex characteristics.

Gender Identity

Gender Identity is different from the sex one inherits from birth. It connects with how one feels oneself to his/her mind than the sex he/she is born with; It is about understanding whether one is a male or a female psychologically and acting according to that. It is something which deeply resonates with the sense of a person’s gender.

Gender Expression

Gender Expression is about expressing the gender of a person by externally visible features such as name, pronouns, choice of dressing, hairstyle, character, voice or physical features. The society identifies these features as male characteristics and female characteristics, but these characteristics may change from time to time and according to the culture. Transgender people try to align their gender expression with their gender identity, putting behind the sex assigned to them at birth.

Transgender

An umbrella term for people whose gender identity and/or gender expression differs from what is typically associated with the sex they were assigned at birth. People under the transgender umbrella may describe themselves using one or more of a wide variety of terms including transgender. Some of those terms are defined below. Use the descriptive term preferred by the person. Many transgender people are prescribed hormones by their doctors to bring their bodies into alignment with their gender identity. Some undergo surgery as well. But not all transgender people can or will take those steps, and a transgender identity is not dependent upon physical appearance or medical procedures.

Transsexual

Transsexual is an old term originated from the medical and psychological community, and this term is used to identify those who still want to change their physiques permanently or who have already permanently changed their physique through medical intervention (which includes hormonal treatment and surgeries, but not limited to). Unlike transgender, transsexual isn't a common term which covers a broad description of persons. Many transgender persons don't identify themselves as transsexuals, and they have a liking towards being called as transgenders. It's suitable if one gets to know what term one would like to be called. If they like it, use it as a transgender woman or a transgender man, accordingly.

Trans

This term is used as a shortened form to identify transgender or transsexual or to include diverse identities which come under the transgender umbrella term. Be mindful of the usage of this term with the audience who don’t know what this term means, as the meaning of this isn't certain or broad. Use this term only in a direct statement or when you can relate the meaning of this term in the context of your story.
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Transgender man

This term is used by persons who were considered to be female by birth due to the structure of their sexual organs but live and identify themselves as males. Sometimes, they might shorten this as Trans man. Some use the term “FTM” as to denote the shortened form of female-to-male, but some keep it simple and identify themselves as males. It is suitable to know what identity each person likes to be called.

Transgender woman

This term is used by persons who were considered to be male by birth due to the structure of their sexual organs but live and identify themselves as females. Sometimes, they might shorten this as Trans woman. Some use the term “MTF” as to denote the shortened form of male to female, but some keep it simple and identify themselves as females. It is suitable to know what identity each person likes to be called.

Cross-dresser

The term cross-dresser is often used when any person wears attire assigned to a particular sex (male or female). It is a form of gender expression, and it could be practiced for fun or amusement. A cross-dresser doesn't intend to change their sex for the entire lifetime and nor do they intend to live the rest of their life as the sex they dress up as.

LGBTIQ

LGBTIQ is the acronym for Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning community. LGBTIQ is used because it mostly acknowledges the diversity of the community. This term must be used in a way which doesn't confuse the reader. It is ideal if the complete idea is explained when the term is used for the first time. Also, this is used as a pronoun because it could be used in common to describe the community comprising of minor sexual identities or diverse sexual identities and to protect their human rights.

Queer

Queer is a traditional English derogatory word which was usually used to mean weird or different; it has been used by some LGBTIQ people to identify themselves. However, it is not a term which is commonly used among the LGBTIQ community; hence it is advisable to use this term only when it is mentioned so in a direct statement or when a person explicitly calls themselves as such. If there is a Q at the end of ‘LGBT’, it means that it is either queer and those who haven’t adequately identified their sexual and gender identities, hence questioning.

Cisgender

Cisgender is a term coined by some to describe persons with non-trans gender. The word "Cis" in Latin means "in the same side"; hence it becomes the opposite term to "Trans". Identifying non-trans persons simply as non-trans persons is sufficient.
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Gender Non-Conforming

This term is used to describe persons whose gender expressions are different from the traditional expectations of masculinity and femininity. Note that not all who haven’t affirmed their gender identities identify themselves only as transgender people and not all transgender persons fall into the category of gender non-conforming people. Many exhibits a non-traditional gender expression, but that doesn’t necessarily make them transgender persons. Many transgender men and women exhibit gender expressions which are traditionally masculine and feminine, respectively. Simply put, the mere fact that a person is a transgender does not make such person a gender non-conforming person. This isn’t a similar word for transgender or transsexual, and one must use this term only if she/he is gender non-conforming.

Genderqueer

This is a term which denotes persons whose gender identity and/or gender expression falls out of the categories of male and female. They might define their gender as something which falls in between male and female or completely different from such words. This term isn’t synonymous with transgender or transsexual and this must be used only if someone identifies himself or herself in a similar fashion. It could be an unconventional move or a political backlash against the norms/conventions.

Homophobia

Homophobia describes the fear, impatience or prejudice towards homosexual persons and the strong disgust against LGBT persons.

Biphobia

Biphobia is the fear towards bisexuals. Biphobia is based on stereotypes of adulterous behaviour, sexual intercourse with many people and sexually transmitted diseases. The words impatience or prejudice describe the strong disgust against bisexual persons.

Coming Out

Coming Out is the process which lasts throughout one’s life in accepting oneself. Some people create an identity for themselves as a homosexual female, homosexual male or a transgender within themselves, and then they reveal it to outsiders. Sharing one’s identity in public could be a part of but not limited to the journey of coming out.

Out

A person who reveals his identity in person, in public and their professional life.
Example – Ricky Martin is a pop star who is out. It’s suitable to use the term “openly gay”.

Openly Gay

Openly Gay describes people who identify themselves in public, in person and professionally as gay/homosexual. This could be used for an openly gay female, openly gay male or openly transgender person. Although it is a commonly used, correct term, this term suggests an open confession about one’s sexual orientation or gender identity. Refer “Coming Out” above.
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Closeded

Closeded describes a person who hasn't opened up about his sexual orientation or gender identity. It will be ideal to mention them as a person who hasn't come out about his/her identity as a homosexual male, homosexual female or transgender person.

Outing

The revelation about a person's sexual orientation or gender identity in public without the consent of the said person is called "outing" (based on rumours or wild guesses). Many of the LGBT community see this as an act which shouldn't be committed.

Lifestyle

A wrong term used by anti-gay extremists to defame the life of LGBTIQ persons. Just like there's no particular heterosexual lifestyle, there are no lesbian, gay or trans lifestyles either.

Marriage

Generally, marriage is an activity that is carried out to legally build a family, which receives state sponsorship and access to other services. In the case of same-sex marriages, a same-sex couple cannot get married in Sri Lanka or any other South Asian country. As of 2017, the person of the same sex can get married only in around 20 countries of the world.

Civil Union

A relationship between gay men or women which is acknowledged by the state with many rights that are bestowed upon married persons.

Domestic Partnership

The civil/legal recognition for a committed relationship between a couple. At times, this provides them with a limited security.

Sodomy laws

In the history, these laws have been used to single out and arrest gay persons. The term "sodomy" should never be used to describe homosexuality, bisexuality or sexuality in general.

In the law that was initially prescribed in section 365 of the Penal Code, which is now set out in Section 365 (a), sexual activities that are conducted between gay men and women in Sri Lanka are criminalised.
Introduction

Sri Lanka is a country with a social system of multi-ethnic, multi-religious and various cultural identities. Social norms and attitudes of the people influence the civil and political status of Sri Lankans. In most cases, these social norms, attitudes, values, and stereotypes are built to prioritise a specific group in society, placing other groups in a secondary position.

Here, the group that receives priority inevitably becomes the majority, and the group with the subservient position becomes the minority. As a result, social systems and social norms that are accepted by the majority becomes the standard. Differences are created alongside ethnicity, religion, other cultural concerns as well as sexuality. According to the Constitution of Sri Lanka, Sri Lankans bear various identities such as caste, ethnicity, political party, religion and as men and women, and each identity receives different values.

In the discussion of the groups which are different regarding sexual identities, some groups are taken into consideration such as groups that are different in terms of their sexuality, groups with different sexual preferences, and gender. There are many ways to address these groups, but as per human rights resources, they are categorised as the LGBTIQ (Lesbian, gay, bisexual, transgender, intersex and questioning) community.

Thereby, lesbian women, gay men and bisexual men and women are categorised considering their sexual orientation, and transgender and intersex persons are categorised according to their gender identity. Sexual orientation and gender identity will be discussed in detail in the next chapter. The LGBTIQ community experience different types of abuse, marginalisation, and discrimination in Sri Lanka and as a result, they always live with distrust, suspicion, fear and a sense of hopelessness about their future. Furthermore, they experience discrimination, defamatory mockery, and cynical treatments and also mental and physical harassment from families, peer groups, educational institutions, health service providers, government and private service providers, institutes such as the police, which implements laws, religious institutions and from religious practices, from mass media and workplaces. As a result, a considerable percentage of the community with different sexual identities go through mental illnesses and deprivation. Many suffer from mental illnesses such as stress, anxiety, and depression which hampers their lives and personal development.

The law of Sri Lanka further aggravates various harassment and discrimination that takes place on a societal level. As many other countries who were a colony of the British Empire, the existing laws of Sri Lanka are based on Victorian values. Accordingly, considering sexual preferences and sexual orientations, the law is executed against persons with diverse sexual identities. Attraction towards the same sex and sexual relations between same-sex persons are criminal offences. Although discriminatory laws against women that were in existence for a long time have been changed towards a progressive trajectory, discriminatory laws against the LGBTIQ community continue to remain strong and intact. Therefore, the community with diverse sexual and gender identities receive constant interventions from the police, and the ambiguities in existing laws are manipulated by the police to exert their power over this community.

The result of the discrimination that is stimulated by society and being treated as criminals by laws is that they are diminished to a marginalised community. A fatal result of it is that persons who can contribute to the development of Sri Lanka and could be involved in developmental activities effectively are compelled to migrate to other countries for employment, education, and as refugees because they do not receive the chance to live a life with self-respect. We believe that journalists and media personnel stand amongst the resource persons who can make a positive impact regarding this situation.
We identify that the media can make a contribution towards the well-being of the community with diverse sexual identities in two ways:

Firstly, reporting incidents and news about persons with different sexual identities in a way that would preserve their human rights and self-respect. It is by protecting three principles in media practices, namely accurate reporting, sensitive reporting and ethical reporting.

Secondly, reporting in a way that would invoke empathy towards the community with diverse sexual identities, in an informative and creative manner. As the journalist is placed in a higher place than the politician and the social scientist in the process of social reformation, the journalist can make a significant contribution through accurate and sensitive writing and reporting. We expect that this booklet would provide you with the guidelines for necessary sensitisation and knowledge.

EQUAL GROUND presents this booklet to you with the experiences and the repository of knowledge that we acquired via working for the LGBTIQ community. We believe that everyone deserves human rights and that everyone expects to live free of stigma and discrimination. With the belief that LGBTIQ persons are among those with such expectations, we hope that you would utilise your writing and reporting competencies to allow them to fulfil their expectations.
Introduction to Sexual Orientation and Gender Identity

It is common knowledge that a human is born through the fertilisation of an ovum by a sperm that takes place during sexual intercourse between a man and a woman. A genetic material called chromosomes determines the biological sex of the baby that is born which makes them either male or female. This is entirely a biological phenomenon which cannot be decided according to the whims and fancies of the parents. Thereby, masculinity and femininity are biologically determined creations. The characteristics that contribute to the process of reproduction such as external and internal reproductive organs, sex cells, secondary sex characteristics are instrumental in distinguishing between a man and woman. Please check the illustration below.

According to the illustration, there are three principal organs that are important in a person’s life. They are the brain, heart and sexual organs. The brain involves the human’s mental procedures, thoughts and production of hormones while the heart denotes the emotional concerns such as love and affection. Sexual organs support reproductive and sexual activities. Only the sexual organs are generally considered in a discussion about a person’s sexuality. A name, surname, religion, ethnicity, and caste that is determined by social and cultural factors are assigned to a baby that was born through biological means. As the baby is born, the masculinity and femininity that was determined biologically are socially baptised by making boys wear blue outfits and girls, pink outfits. From this point, the biological difference between the sexes is given a societal outlook. After that, man and woman are made to socialise as two different types of beings, and patriarchal values and norms are always valorised. Thereby, biological sex is extended to a sociobiological concern that treats men and women differently based on social attitudes, norms, stereotypes and cultural variables.

According to Oakley (1974)¹, social attitudes and practices that are based on biological factors are further implemented through the process of socialisation.

- Social behaviour that is familiarised to children from an early age
- Directing girls and boys towards different objectives
- Bestowing different statuses verbally and practically
- Directing towards activities that are different from each other

Through these factors, the social attitudes about women and men are extended to the next generations. What Oakley attempts to suggest through the above position is that although the basis for the demarcation between men and women are biological, their roles are played through cultural behaviours. These cultural behaviours are identified as gender. The gender-based inequality has familiarised only the difference between men and women. This distinction projects the man as strong, patriarchal and heterosexual while the woman holds a secondary position. According to this discussion,

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two layers, namely, biological necessity and social interpretation can be identified. The layer regarding the biological necessities considers men and women alongside their reproductive activities whereas social interpretation considers their lifestyles and the decentralisation of powers. On this basis, the communities with different sexual identities are different in gender.

Viewing biological male and female as normative and constant and the organisations in families, schools, workplaces, religious institutions, and political organisations are arranged in a manner that would accentuate this factor. According to the existing social norm, the task of the woman is the transferor of sexuality, reproduction and motherhood from generation to generation. In this respect, these cannot be changed once she is born as a biological female. Further, she has to play the roles related to reproduction, motherhood and sexuality. This applies similarly to the man: he is compelled in taking part in the roles related to sexuality, reproduction, fatherhood and continuing the family name.

LGBTIQ persons differ from the above-stated norms because they cannot objectively fulfil the expectations that are bestowed upon them by society. Furthermore, they refuse the roles, tasks and the statues that are assigned to men and women by society and their activities are disjointed from the gender binary expectations. Playing with dolls, Play-cooking in small containers, wearing necklaces, bangles and hair clips help daughters get accustomed to their assigned roles of sexuality, reproduction, and motherhood. The boys are made to play with cars, bats and balls and toy guns through which they receive the guidance for what awaits them in the future.

The attaining of the age of a young girl and the patriarchal implications of the rituals that are attached to it, customs regarding marriage, checking the virginity of the girl, conceiving, infertility, and rituals of fertility emphasise gender-based expectation of a woman. As they are sociocultural activities that further strengthen these ideas, social attitudes regarding lesbians and transgender women take a different stance. They are considered anti-social, persons involving in abnormal activities and also criminals. However, we should understand the social and psychological factors that influence them. Especially as persons attached to the media, you are required to know the distinctions between gender, sexual orientation, and persons with diverse sexual and gender identities. Please check the illustration below.

Think for a moment that the person in this illustration is you. According to this illustration, the functions of the brain of a person determine their gender. In other words, sexuality is presented as a social expression through the functions of the brain. Mental functions that correspond to the sexual organs of a person do not occur at all times. Think for a moment whether you identify as a man or a woman because you feel like a man/woman or solely because you have male/female sexual organs.

There are persons in the world who perceive themselves as belonging to the opposite sex of the sex that they were assigned at birth. They are the transgender community. There have been a number of studies that investigate into what makes someone transgender. As per those studies, a definite reason as to what makes a person transgender cannot be posited. Some researchers argue that it is determined by the way the hypothalamus is arranged in one's brain. They argue that the placement of the brain along with the mental signifiers and the way a person perceives themselves emotionally can differ from their sexual organs. Some researchers argue that the observations of men and women that take place during the first few stages of their personality development support in determining whether a person is transgender or not.
The biological reasons related to being transgender cannot be singled out accurately because they are also attached to the emotions of the persons. What you ought to bear in mind is that sexuality is not just biological but also psychological and that there can be a diverse range of sexual identities. Accordingly, a person who was assigned male at birth perceives themselves as a woman, and they change their behaviour and the environment accordingly. They are called transgender women. Similarly, the persons who were assigned female at birth who perceive themselves as men and who change their behaviour and environment are called transgender men.

The modern medicine provides facilities for transgender persons to change their bodies to correspond to the sex that they identify with and through gender reassignment surgeries they can be the person that they mentally identify as. However, undergoing surgical or hormonal changes isn’t compulsory for one to be identified as a transgender person. Many transgender persons take a considerable amount of time to come to terms that their mind does not correspond to their sexual organs, i.e. that it is not necessary for them to act like someone from the opposite gender. The reason for this is that the social system is discriminatory and defamatory towards transgender persons. As a result, transgender children have to go through the clash between their mind and body while struggle with societal pressures.

If you happen to meet a transgender person, please bear in mind that they are already tired of their personal and social struggles. Many transgender persons are chased out of their houses, and they are also rejected from their workplaces. Therefore, they are compelled to do irregular jobs which put their lives in danger. As a result of the alienation and the ridicule from society, transgender individuals face problems related to low self-esteem and self-respect, which makes them suffer from mental illnesses and deprivation. They suffer from grave mental illnesses such as stress, depression, anxiety and neurosis and at times when these illnesses reach an insufferable stage, they commit suicide. Trans persons alter their gender expressions through hormones, gender-affirming surgery and or other interventions that correspond with what is socially associated with their identified gender. However many transgender persons do not have the financial means to undergo the gender-affirming surgery. After the gender reassignment surgery, these individuals are sometimes referred to as transsexuals. Studies show that a transgender person experiences three stages in their transitioning.

**Social transitioning**
Dressing up according to the gender that one identifies with by adjusting to ‘acceptable’ hairstyles, adjusting their behaviour to the characteristics associated with the particular gender and changing the name to ease the social interaction during their day-to-day life.

**Legal transitioning**
Formally changing the name, the way of address, the gender and sexuality as per the requirements of official documents

**Medical transitioning**
Changing one’s identity through hormonal treatments, surgery, and sex reassignment surgery

In many Asian countries, it is impossible for the transgender community to have the legal transitioning but as a result of the efforts taken by organizations such as the Human Rights Commission of Sri Lanka, EQUAL GROUND, and through the joined efforts of the members of LGBTQ activists, the transgender community in Sri Lanka can legally change their official documents in a few steps. In an ideal society a self-identification should be sufficient for transition than forcing people to take up physical traits, and or behaviour laid out by a heterosexual community to perpetuate patriarchal structures of inequality.
Sexual orientation is the attraction one feels physical, mentally and spiritually to another person. Society has wrongly interpreted sexual orientation as a mere physical attraction. In describing sexual orientation, some studies\(^1\) have attempted to divide it into three categories.

- **To whom one is attracted? (Sexual attraction)**
- **With whom one is sexually active? (Sexual behaviour)**
- **How one perceives their sexual orientation (Sexual orientation)**

As the laws, policies and the activities of social organisations are arranged with the presumption that all persons are heterosexual, this state is called heteronormativity. Harassing gay persons, discriminating against them, defaming them and avoiding them are considered under the term ‘homophobia’. Use of defamatory words in order to discriminate and ridicule gay persons also can be observed. The use of these words is seen not only among the general public but in media. Gay persons do not have an issue with their gender identity like transgender persons. What the transgender community requests\(^1\) is to give them the opportunities to have the sexual identity with which they mentally identify. There is a medical implication in this plea. However, the gay persons request to eliminate the legal and social obstacles for them to be with the person that they love and attracted to, even if that person is of the same sex as them. According to the laws of Sri Lanka, homosexuality is a criminal offence, and it is criminalised by sections 365 and 365 (a). As per the Penal Code that was enacted in 1833, homosexuality is a punishable criminal offence. As these sections in the Penal Code are not interpreted properly, the police have retained the ability to arrest and harass gay persons arbitrarily. Section 365 (a) of the Penal Code states as follows:

> “Any person who, in public or private, commits, or is a party to the commission of, or procures or attempts to procure the commission by any person of, any act of gross indecency with another person, shall be guilty of any offence, and shall be punished with imprisonment of either the description for a term which may extend to two years or with fine or with both and shall be punished with whipping.”

According to this section, determining the public or private space falls under the power of the police officer, and ‘acts of gross indecency’ are not clearly defined. Thereby, even a love relationship between two gay persons or lesbians could be considered crimes by the police.

Gay and bisexual persons who live in Sri Lanka face a number of problems. Their main problem is the lack of social acceptance in the form of their relationships. In this regard, there was an attempt to interpret this necessity of social acceptance as a need to legalise same-sex marriage. Please bear in mind that, socialising gay community and gay marriage are two entirely different concepts. It is not the right to get married that the gay community in Sri Lanka requests but the freedom to live in the society without harassment.

There are a number of issues that the gay community in Sri Lanka faces. Issues in obtaining a good education, issues in access to healthcare, issues in being employed and getting promotions and, the societal and familial pressures to enter into heterosexual marriages and relationships are among these problems. As a result of the homophobic attitudes in society, 80% of the gay community keep their sexual orientation hidden and have secret relationships in fear of social alienation and ridicule. They are forced to enter into heterosexual marriages by their families; however, although they explicitly reveal their sexual orientation, their parents do not listen to them because of the defamatory status same-sex relationships have received from society.

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As a result, many gay persons are migrating to other countries, and many are looking for opportunities to migrate. Further, due to the inability to live according to one's sexual orientation, or because they are forced by their families to get married or because their sexual orientation was exposed, there were a number of instances where gay men and women committed suicide.

Lesbians are more distressed by being forced to be in a heterosexual relationship. Especially, although a gay man can avoid having sexual relations within a heterosexual marriage, within the patriarchal framework in the present society, a lesbian cannot refuse to have sexual intercourse. They are compelled to have sexual intercourse with a man that they do not like/ attracted to, and that is a case of marital rape. Furthermore, similar to the transgender community, the gay community too suffers from numerous mental illnesses and deprivations and there can be instances where they experience self-hatred. Among the stories of hundreds of persons who receive counselling services from EQUAL GROUND, are stories of being harassed or that of being forced into heterosexual marriages.

What are answers that one could receive from the general public to the question ‘who are gay persons’?

01. That it is a sin to be gay.
02. That gay persons only seek sexual pleasure.
03. That gay persons are paedophiles.
04. The idea that gay persons are mentally ill.
05. The society is corrupted because of gay persons.
06. That gay persons are a recent phenomenon that was imported from the West.
07. Sexually transmitted diseases including HIV are spread because of gay persons.

When looked at how the society has conceived such opinions, it is clear that the media has played a huge role in creating and shaping such opinions. The notion of "homosexuals are mentally ill" was accepted societally due to clinical ideas conceived in the early stages of psychology. Hence, you must know whether homosexuals are people with unusual characteristics or not. The following questions will give you the necessary answers. These questions and answers are an excerpt from an interview published in Sunday Divaina newspaper published on the 05th of February 2017, conducted by the editor of this booklet, with Psychologist Chittahari Abhayanayake and Dr Ruwan M. Jayathunga.

What is the current thought process in psychology about homosexuality or being gay?

In no way, homosexuality or being gay is a mental illness. Let us understand first about what a mental illness is. According to the accepted definitions, mental illness is the breakdown of cognition, emotional control and behaviour due to a psychological, biological or growth issue which puts a person under grave pressure. Also, the pressure caused by stressful events occurring in normal life (such as the grief in a family member's death), different behaviour which is uncommon from the societal norm (political, religious or sexual) and the distress caused due to conflicts between a man and the society aren't considered psychological. Simply put, a certain characteristic doesn’t become a mental illness merely because it is a rare phenomenon in the society. That is why homosexual behaviour or writing with the left hand or participating in political rallies aren't mental illnesses.

If so, why was homosexuality considered a mental illness in the past?

True that there was a time when same-sex intimacy was considered as mental illnesses. However, it was later understood that it is not. Let us see how that happened. During the medieval era, homosexuality was considered a grave crime in Europe and was rigorously punished. With the dawn of the renaissance period, Europe started questioning themselves. They started applying science and new knowledge into different fields. They accepted and acknowledged scientific evidence acquired
through medical research to be used as to prove or disprove alleged crimes. That must've made the medical practitioners research about same-sex intimacy and the reasons behind it. They found out that sexual orientation is something they inherit by birth and it is unintentional on the part of the gay persons; hence it was considered that it is unfair and wrong to consider same-sex intimacy as a crime and handing punishments for it. Instead of punishment, they started emphasising that it is important to change what the gay persons inherit by birth and for that purpose, they named homosexuality as an illness. Even though in this age and time, it seems unscientific and unjust to brand a normal behaviour as an illness in those times, it must be acknowledged that branding it as an illness helped gay persons to be free from punishment. Moreover, the knowledge about mental illnesses and the causes/reasons for those were little known and researched compared to today. Even the behaviour of a minority community and the conflicts within the society were considered mental illnesses during that time. With more research and learning, same-sex intimacy being a mental illness was often debated.

Havelock Ellis is a medical practitioner who lived during the latter part of 19th century and the early 20th century. He had engaged in a lot of scientific research about human sexuality, and his findings are used even in today's context. He considered homosexual behaviour to be a congenital variation. He denied considering it as a disorder or illness. Also, Sigmund Freud, the father of psychological analysis revealed a lot of ideas of his about homosexual behaviour. He firmly refused to acknowledge same-sex intimacy as a mental disorder. He further remarked that as much as it is a difficult task to make a person with heterosexual orientation into a person with a homosexual orientation, the same applies in trying to turn a person with homosexual orientation into a person with a heterosexual orientation. Simply put, he said that expecting to change a person's homosexual orientation is useless. Furthermore, he stated that no one should feel ashamed to be of same-sex intimacy. He knew by experience about great intellectuals who were gay. However, some of his disciples went onto state that same-sex intimacy is an illness and it could be treated. In psychoanalysis, a lot of weight is put on the conflicts which are thought to arise in one's inner mind and not biological issues/facts. Also, there's almost no scientific evidence about instances where a person's sexual orientation has been changed due to treatment. It was psycho-analysts who had a powerful say in the field of psychology in the United States. Their ideas and opinions in the first DSM¹ impacted the mental classification. That is how homosexual behaviour was included as a mental disorder in the first edition of DSM in 1952. Moreover, these psycho-analysts and psychiatrists meet persons with mental issues. If they meet such mentally ill people who have a homosexual orientation, then their diagnosis would suggest that the homosexual orientation is the cause for the mental illness or disorder. It would’ve been diagnosed that heterosexuality was also a mental disorder if the sexual orientation of people with non-homo sexual orientation was also studied because they too were people with issues. Considering these facts, psychology does not accept that homosexuality is a mental disorder.

If so, what is the thought process of homosexuality in psychology?

There're two main classifications with regard to mental illnesses in the world, and those have named what mental illnesses are. They're, DSM published by American Psychiatric Association since 1952 and ICD² published by World Health Organization, who allocate a volume for mental illnesses since 1949. In both these publications, homosexuality hasn't been named as a mental illness. That means decision makers and influential organisations/institutions in the field of health including psychiatrists and clinical psychologists do not consider homosexuality as a mental illness or a mutation. It is just normal behaviour just like heterosexual activities. Even in Sri Lanka, the health sector is of the same opinion. Homosexual behaviour was decided as nothing to do with mental illnesses or mutation, after considering a lot of facts and with the advancement of science and the knowledge acquired through it.

¹ Diagnostic and Statistical Manual of Mental Disorders.
² International Classification of Disease
Do you mean that homosexuality isn’t an addiction nor a mental illness?

According to the scientific findings, the modern field of health and all those institutions which regulate it have understood that same-sex intimacy isn’t a mental disorder. Medical practitioners may have certain personal opinions about homosexuality. They’re built upon social, cultural, religious and political backgrounds, beliefs, values and personal likings of oneself, with what she/he is brought up with. They shouldn’t matter. What should matter is what are the scientific evidence and new discoveries. Hence, homosexuality isn’t a mental disorder or illness.

Media tries to portray homosexuality as something which came up recently. Especially, it is evident that the media tries to show that such behaviour didn’t exist in the eastern culture and these are new trends imported from the western countries. However, that isn’t the truth. In a country or society which had a free thought process and environment with regard to sexuality such as "Ekageyi Kaema" which was a way of marriage of a woman to the brothers of a family, “Binna marriage” which was a type of marriage where the man came to the woman’s home to stay after they get married, polygamy, “Yakada Doli” marriage, a woman of the village being assigned to accommodate when a person in the administrative hierarchy visit a village, it is illogical to argue that there were no homosexuals in the ancient times of Sri Lanka. Two fine examples for the above mentioned are as follows;

“The sin of homosexuality is prevalent in the kingdom of Kotte, and we are afraid to live here. We asked an important figure in the governing hierarchy whether they’re not ashamed to do cheap things like this, he told us that if the king does it, we too shall do so”
(A letter sent by Portuguese to the Portuguese deputy governor in India De Jovado De Castro, 1547 AD, November 27th)

“The king’s servants were boys and men in their youth. They were hailing from good reputed families and were handsome too. Disawes or Ratey Mahththayas helped to select these boys who are well mannered and hailing from good reputed families. Heads of these boys are made to be clean shaven, and some hair is left hanging from the back of their heads. The king never felt anything wrong about homosexual behaviour, and I’ve never heard anyone talking behind their backs about such a sin.” (A Historical Relation of the Island Ceylon, Robert Knox, 1681.)

The quotations mentioned above show examples of homosexuality in the Sri Lankan history. The first one is a letter sent by Portuguese officials in Sri Lanka to their governors which sheds light on homosexuality as an "uncivilised crime". It challenges the time period from 1524 – 1551 AD and the king during that era was the 7th Buwanekabahu. The second is the book written by Robert Knox, which is one of the finest sources of the history of the Sri Lankans with regard to culture, choice of dresses, food, traditions, and history. These two sources show that homosexuality wasn’t a new phenomenon for Sri Lankans.

The other opinion that was spread by the media about homosexuality is that Buddhism, which is the main religion in Sri Lanka does not accept homosexuality. According to Lord Buddha, the Pandakas should not be ordained as monks. It seems as if the journalists have misinterpreted the term ‘Pandaka’ as gay persons. If we are to investigate the meaning of this term, it is said in the Vinaya Pitaka that Lord Buddha said that the person with the sex characteristics of both sexes, and the person who does not have testicles are not suitable to be ordained as a monk in Buddhism. The persons without testicles are intersex, not homosexual. Rev. Buddhagosa has posited five types of Pandakas as (1) Asiththa Pandaka, (2) Usuya Pandaka, (3) Opakkamika Pandaka, (4) Pakkha Pandaka and (5) Napunsaka Pandaka and these refer to sexual deviants but not gay persons. Many journalists had tried to misinterpret Lord Buddha’s teachings on the persons that should not be ordained as monks for the purpose of insult.

1 Retrieved from: Peter Harvey, 2000, Introduction to Buddhist Culture
As journalists and social activists, what you should be doing is not exploring who these gay/transgender persons are and why are they that way but being knowledgeable enough to change the existing social system that is against them. Then you require to familiarise this knowledge in society. You could be someone who is nurtured by the norms and the sociocultural attitudes of the general public. However, in reporting incidents, stories, and news what is expected of you is the role of an unbiased journalist. We believe that the necessary sensitivity and knowledge that are required for this purpose was built, at least on a minor scale. The next chapter describes how media ethics should be preserved in reporting issues pertaining to the community with different sexual identities.
Reporting and media ethics related to the community with different sexual identities

Media reporting related to the community with different sexual identities cannot be compared with any other media reporting. The reason for this is that the media competition and common media practices such as gossip and sensational news, writing a number of small news items from one news story do not apply in reporting incidents regarding this community. The main teaching in media ethics is to ensure that the least amount of damage is done to persons with one’s reporting. It is not an accepted media practice to publish news in a manner that would make limitations to one’s good name, self-respect or human rights. Especially in a context where the community with different sexual identities has become a marginalised group in society, media reporting of them requires to be done in a way that would not invoke ridicule or anger towards them. We emphasise this because, in a situation where the relationship between media and society is more and more strengthened, the misuse of even one word by a journalist could cause harm to their lives. Given below are some examples of instances where such violations of human rights that were done by the media.

“There is a bigger possibility for the younger generation to involve in sexual activities because of the homosexuals who creep to roads and alienated areas at night, seeking pleasure or money.” (Mithra Shri Karunanayake – Sunday Divayina 12.02.2017)

“Most of the time, they hang around public toilets and school children and young men below 25 years of age are their targets.” (Prageeth Sampath – Mawubima 08.10.2017)

“The only factor that is identified through testing persons with homosexual leaning is that their hypothalamus is twice as large as the heterosexuals.” (Samuni Samarakoon – Divayina 26.01.2017)

“The lack of testosterone supply for someone to be male causes the change of sexual leaning in the brain. As a result, those who are born male become women in mind.” (Venura Sanath Kumara – Divayina 15.12.2017)

“The foundation to a delightful marriage is the mental and physical intercourse of men and women. Homosexuality as an abnormal and unethical sexual behaviour that challenges this psychobiological truth is spreading in all the countries in the world since the beginning of the 20th century” (R. W. Amarasinghe – Silumina 19.02.2017)

"In the countries where homosexuality is legalised, this is not a problem because they let educated men and women migrate to their countries for childbearing."
(Thilak Manamperi – Lankadeepa 01.02.2017)

"There is another side to this concern. That is, more than young women, young men are inclined towards homosexuality. One reason for this is that the son does not receive the protection that a daughter receives from a household. Especially, once a daughter is attained age, she is made aware of how to be safe, but a son does seem to receive such advice. In this context, adult males stimulate young boys to engage in homosexual behaviours.” (Upali Wickramasinghe – Lankadeepa 22.01.2017)
These are only a few of the articles that were published recently. If one investigates the content of these articles, it is evident that the media ethics and human rights of the LGBT community are severely violated. There is no basis for these articles, and it is clear that they are based on opinions rather than reliable sources. If gay persons are going to dark areas seeking pleasure in order to victimise younger generations, youngsters should also be present in those dark areas. This is an instance where an accusation towards the gay community that was discussed earlier can be seen. Adult men who abuse younger boys are not always gay. They can be persons who were unable to victimise a young woman, an older woman or a young girl who approach a young boy. As evident in the very definition of homosexuality, it is not only a sexual attraction. One should not forget that it is also a mental and spiritual attraction.

According to the second example, gay persons are those who are waiting in public toilets to victimise young boys and men below 25 years of age. These writings invoke curiosity among readers, and the damage it does to the community is grave. We should ask the said writer about the criterion that singled out the young men below 25.

According to another reporter, there is only one factor that is found out in the studies about gay persons. That is that the hypothalamus of a gay person is twice as big as the heterosexual persons. This is not just an inaccurate statement, but an erroneous fact that is punishable by the law once brought before the medical council. All the persons have organs of similar size, and a gay person is someone who is attracted to the same sex in terms of their feelings, genetics and hormones, not someone with a bigger hypothalamus. According to another reporter, in order to have a delightful marriage, the sexual intercourse between the man and the woman should be its foundation. For us, marriage is successful when a husband and wife understand and respect each other; and also, from the way they share their experiences. He further states that the gay persons collapse this truth about the marriage between men and women.

The struggle for gay rights is not something that was inaugurated in the 21st century. It was a topic of discussion for centuries and expanded throughout the world after an incident that took place in 1969. This struggle and demand for fundamental rights are more than 50 years old, and it seems as if the article has misled the readers by providing inaccurate information.

Another reporter has written a somewhat humorous article. It is written on the basis that gay persons support in controlling the population, and according to the reporter, the countries that have legalised homosexuality allow educated men and women to migrate into their countries for childbearing. The first question that we have for him is the relationship between educated men and women and childbearing. People migrate to countries that are developed seeking a better quality of living, not for childbearing. It is because they are on the lookout to escape from countries like Sri Lanka, which are politically corrupt and filled with phobias.

According to the last extract, there is a higher possibility of young men being in homosexual relationships than young women. The exact statistics on which this claim is based are not given. According to the writer, parents should be held responsible for making a child gay. They do not become gay based on their genetics or choice. It is because their parents did not teach them to distinguish between what is right and wrong; it is because the mother educated only the daughter. We doubt whether this writer knows about rape, abortions, child mothers, and sex working women of an approximate of 40,000 just in Colombo and also about women who are addicted to drugs such as heroin.
All these articles show that these writers intend to invoke disgust amongst the readers while aggravating them against the gay persons. The leading cause for this situation is the lack of media guidance and an assessment of media ethics. Primarily, it is essential to report the issues related to the community with different sexual identities with accuracy.

Have a look at the headline and the content of the following article. Last year, a person who was thought to be transgender was killed in mysterious circumstances in Dambulla. In actuality, they were killed by media. Many media reported this incident; differently, there were attempts to give a number of interpretations to this incident with statements like ‘as per reliable information received from a police officer’ and ‘according to the sister of the deceased.’ There were more interpretations that considered this murder as resulting from a clash between transgender persons. We should inquire the reporters of this incident how this incident becomes so stimulating especially concerning the number of murders that take place in Sri Lanka every day. Furthermore, the influence of the websites and Facebook pages should not be undermined.
Shown below is the way Sri Lankan media reported this incident.

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<th>Newspaper</th>
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As you read the above headlines, you will understand the behaviour of Sri Lankan media. The respectability that should be preserved in media writing is not present in these writings. A cause for these writings which cannot even be considered media reporting could be their lack of awareness and the insensitivity towards the harm that could have been caused to transgender persons through such reporting.

The next chapter will introduce you with guidelines to be followed in reporting incidents related to persons with different sexual identities.
Guidelines for media reporting related to persons with different sexual identities

These guidelines apply to all media including printed, electronic, digital and social, and the term ‘reporting’ here refers to any media activity. Every activity including media writing, relevant creations, editing, writing headlines and subheadings, videography and writing features are thus included.

Gay persons, Lesbians, Bisexuals and Transgender persons have the right to inquire if accurate information about their lives are being reported. In a similar way the other members of society are being treated, the media should be responsible in reporting issues pertaining to the persons with different sexual identities with respect, trustworthiness, and transparency. Although certain changes have been made in the recent times with the involvement of organisations and institutions that work for the persons with different sexual identities, more aspects require improvement. Attention should be paid in instances where certain technical terms are used and also in the instances where teledramas, documentaries, films, and music videos have been produced that ridicule and position the persons with different sexual identities in a negative light.

- Before reporting issues pertaining to the persons with different sexual identities, ask yourself if it is essential to refer to them as ‘gay’, ‘lesbian’ or ‘transgender.’ If these labels are not a must to the story that you are reporting, please consider avoiding them. Use information related to a person’s sexual orientation and gender only if they are essential to the news story. The task of the journalist is to inquire into persons’ lives and deliver something for their well-being. If you assume that your reporting changes the public opinions wrongly or creates a public agitation or if it aggravates the public against someone’s gender or sexual orientation, please avoid such reporting.

- Stand for diversity. Attempt to sustain accuracy in reporting. This sustenance is important in reporting about socially sensitive topics such as the gay community.

- The problems that the gay persons face is different from that of bisexual persons. Gay person’s problems can be different from that of lesbians. The problems that transgender persons face can be entirely different. Thereby, in the case of media reporting, LGBT is not a common variable.

- If you intend to create a discussion about the community with different sexual identities, please refrain from publishing articles that are sent in by various people. Please avoid citing Facebook comments. Or else, please refrain from publishing statements, telephone conversations, photographs, and video clips that would harm the LGBT community.

- Avoid using defamatory terms that are used in society to ridicule the LGBT community. With this booklet, we have provided you with the correct terms with their exact meanings. Please use those terms. Please avoid an ending that would invoke curiosity in the reader or create agitation in society.

- Please avoid using the term ‘homosexual’ unless it is a scientific or medical discussion. This term connotes that gay relationships are entirely sexual relationships. Furthermore, this is an old-fashioned word and connotes the state of a mental abnormality. If you are discussing homosexual and transgender issues on a social platform, please use terms such as LGBT, gay, bisexual, transsexual, intersex and queer.
• When you are describing relationships, if you refer to them as homosexual relationships/homosexual couple you might be violating their human rights unknowingly. Therefore, it is sufficient to refer to them as just a ‘relationship’ only if that information is relevant to the story.

For example: “Two homosexuals who sought sexual pleasures in the road were arrested” can be written as “two gay persons were arrested on an accusation of gross indecency”.

• In reporting under the theme of being gay, please avoid using the term sexual preference because biological and psychological factors that cause someone to be gay are not covered under the said term. The correct technical term would be sexual orientation. If you say ‘sexual preference’ it conveys that being gay is a choice.

• Another term that can be observed in media reporting is ‘homosexual lifestyle.’ There is no such lifestyle specific to gay persons; although the way they behave could be different, it does not apply to everyone.

• Another misuse of media reporting is attempting to refer to a person subtly without directly alluding to them. What is done is giving hints like, ‘a minister who represents the area that is famous for gems’, ‘an actor who plays a drug addict’ and letting the reader guess the person. The harm of this reporting is that it devalues the importance of the story that you are publishing.

• Be careful when you are using terms with political connotations. The harm of using terms such as ‘homosexual agenda’ and ‘the agenda of persons with sexual abnormalities’ is that their struggle for human rights can be viewed as a riot that is stimulated by a group of people. There are no such agendas for gay persons or for the organisations that work for their rights. The cause for this is the attempt to view being gay alongside other famous topics such as racism, military crimes, and international monetary fund. Those who believe that being gay is a concept of the West keep spreading this opinion in society.

• Please try not to undermine the human rights campaign of the persons with different sexual identities stating that they are demanding special rights for themselves. Many journalists seem to highlight such ideas in their reporting. When one says that they demand special rights, it implies that the community with different sexual identities enjoys the same rights as other members of society. This idea is attached to the view that the gay persons are demanding the right to enter into a same-sex marriage. Please bear in mind that the gay persons in Sri Lanka do not request the right to get married but the right to live without being segregated.

• The State/government, certain racist and fundamentalist groups, and homophobic groups are trying to link up child abuse with homosexuality. It is a lie, and it is a very dangerous allegation of a connection too. There is no connection between child abuse and being homosexual. Please try to weaken such ideas through your reporting and not emphasising or proving.

• A journalist should be extremely careful when reporting about the transgender community. Some people inherit characteristics of the opposite sex due to genetic reasons, and some also wear clothing of the opposite sex to satisfy their other desires. The chances are that they're not transgenders. Therefore, if you don’t know the identity of the relevant person, do not give them a certain identity. We have seen plenty of instances where media use
phrases such as “women trying to be like men” or “men trying to be like women”. Such instances trigger disgust and hate towards the community with different sexual identities and such reports don’t influence or induce any knowledge.

- Please be extremely careful when using the terms such as “sexual transformation”, “pre-surgery stage”, “post-surgery stage” etc. A transgender person only intends to transform into the person she/he feels in their mind and have a body and sexual organ accordingly and not to merely change the sexual organ. Also, not every transgender person undergoes hormonal treatment or surgery, and that is due to their preference.

- Always use the term which the transgender person prefers to be called when reporting. Ask what pronoun that person would be comfortable in being addressed, such as him/her. Also, it is observed that in articles, a transgender’s name or pronoun is printed within inverted commas or printed in bold. What must be highlighted is the story and not the name or pronoun.

- Use the terms “transgender woman”, “transgender man” whenever possible. Avoid using the term Trans as an individual, isolated term which might create an impression in the reader of an alien.

What’s more important is reporting things as they are, rather than seeing into who slept with whom, where they live, what do they eat or drink or what the organ between their thighs is. Your responsible reporting can be used to normalise the different sexual identities in the society. Your skills in creative writing can be used to write the truth about them from a balanced viewpoint, and that could make their life easy in this society.

EQUAL GROUND is readily prepared to lend support to write, research, and create documentaries etc. about different sexual identities including gay persons. EQUAL GROUND has a library and a well-conserved movie collection with rare inclusions which are open for you for reference. Also, please let us know if you would like to connect with EQUAL GROUND and work as volunteers with us. Spend your energy in our cause to ensure, protect and nurture human rights of people of all sexual identities.

You can contact us through the following channels.
equalground@gmail.com / media@equalgroundsrilanka.com / 011-4334277 / 011-4334278
"EQUALITY FOR ALL SEXUAL ORIENTATIONS AND GENDER IDENTITIES: HUMAN RIGHTS FOR EVERYONE"